City of Hailey
COMMUNITY DEVELOPMENT DEPARTMENT
115 MAIN STREET SOUTH
HAILEY, IDAHO 83333
Zoning, Subdivision, Building and Business Permitting and Community Planning Services
(208) 788-9815

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, December 5, 2022
Virtual and In-Person Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://meet.goto.com/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#
Dial in by phone: United States: +1 (571) 317-3122 **Access Code:** 506-287-589

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 Design Review Application by River Lane, LLC, for construction of a fifty-one (51) residential unit, multifamily building, comprising of: forty-three (43) one-bedroom residential units and eight (8) two-bedroom residential units. This project is proposed to be located at 403, 417 and 419 North River Street (Lots 1-10, Block 55, Hailey Townsite), within the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Text Amendment Application by The Valley Club to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Matrix, to remove the description, *Employee housing for golf courses or recreational facilities,* from the Hailey Municipal Code. **ACTION ITEM.**

CA 3 Adoption of Findings of Fact, Conclusions of Law and Decision of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.02 Definitions, Section 17.02.020: Meaning of Terms or Words, to add definitions related to solar energy development; Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to amend height requirements for solar systems and to allow for freestanding solar in all zoning districts except the Recreational Green Belt (RGB); as well as to add a new chapter, Chapter 17.08E, entitled Solar, to provide specific standards concerning the development of solar resources. **ACTION ITEM.**

Public Hearing

PH 1 Consideration of a Consideration of a Design Review Application by Joel Tranter and Laura Nelson, represented by architect David Barovetto, for a new 4,016 square foot single-family residence with an internal 860 square foot accessory dwelling unit at 637 South River Street (Lot 2A, Block 1, Maple Subdivision). The project is located in the

General Residential (GR), Townsite (TO) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM.**

PH 2 Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to include amendments and additions to modernize the matrix requirements. **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: **December 19, 2022**

- TA: THOW
- TA: Title 18 Driveway Width

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

On November 21, 2022, the Hailey Planning and Zoning Commission considered the Design Review Application by River Lane, LLC, for construction of a fifty-one (51) residential unit, multifamily building, comprising of: forty-three (43) one-bedroom residential units and eight (8) two-bedroom residential units. This project is proposed to be located at 403, 417, and 419 North River Street (Lots 1-10, Block 55, Hailey Townsite), within the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning Districts.

The Findings and Conclusions noted herein reflect the specific findings of compliance and satisfaction of Hailey's Municipal Code.

FINDINGS OF FACT

Notice: Notice for the October 17, 2022 public hearing was published in the Idaho Mountain Express on September 28, 2022 and mailed to property owners within 300 feet on September 28, 2022. This item was continued on the record to November 21, 2022. No additional notices were sent.

Application: The Applicant, River Lane, LLC, is seeking approval on the Design Review Application for a fifty-one (51) unit multifamily apartment building, to be located at 403, 417 and 419 North River Street. The unit make-up comprises of the following: forty-three (43) one-bedroom units and eight (8) two-bedroom units. The project will span ten (10) city lots and will comply with the DRO requirements, as outlined in Hailey's Municipal Code.

This project, River Lane, is proposing the following:

- 51 total onsite parking spaces; 23 on-street parking spaces (River Street); Six (6) on-street parking spaces (Spruce Street); Two (2) on-street parking spaces (Silver Street); 82 total parking spaces
- ROW improvements to River Street, Silver Street and Spruce Street
- River Lane (existing alley) improvements
- Varied unit sizes (range from 602 sq. ft. to 1,027 sq. ft.)
- Approximately 4,110 sq. ft. of common useable open space
- Retail space on ground level (corner of River Street and Silver Street

Parking for the proposed building will be accessed off the existing 20'-wide alley, River Lane. This alley gains access off the existing public streets, Silver Street and Spruce Street. A single entrance to the covered parking is located off River Lane. Fifty-one (51) onsite spaces are located on the ground floor of the structure. Street parking is located along River Street and Spruce Street. The Typical Section for River Street will be employed along River Street, as well as the property frontages of Spruce and Silver Streets.

While the apartment building is located within the Business (B), Downtown Residential Overlay (DRO), Small Residential Overlay (SRO) and Townsite Overlay (TO) Zoning Districts, the Applicant is utilizing the Downtown Residential Overlay (DRO). Requirements within the DRO allow for greater flexibility regarding density, parking, open space, and setbacks, which further encourages a more thoughtful approach in developing the land.

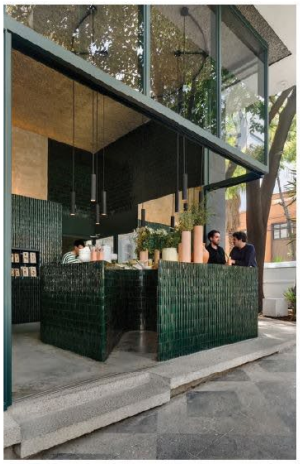
The proposed building is three (3) stories tall and has been divided into two masses, connected via an overhead pedestrian walk, to better allow for site circulation and open space. Undulations in building design, both in façade and height, create visual interest while reducing the overall mass of the structure. The proposed building setbacks are as follows:

- Front: 6.9' (northern portion of building); 9.4' (near retail/café area)
- Rear: 10'-2" (along the existing alley)
- Side (north): 0'
- Side (South): 27.6'

A maximum of 40' of building height is allowed for residential units constructed within the Business (B) and Townsite Overlay (TO) Zoning Districts; however, the total building height proposed is 38'-8" (top of parapet). The Applicant has further considered the visual effect on adjacent sites and other areas in the immediate vicinity and has integrated the proposed building with the surrounding buildings and uses through well-articulated architecture and a thoughtful approach to site circulation, and well-landscaped spaces around the site.

CLARITY

OF OUR TIME


ROOTED IN THE ENVIRONMENT

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Goals. With this project, the Applicant Team is hoping to maximize workforce housing, develop a small community-centered commercial space, as well as maximize resident well-being through holistic design and landscaping. Located at the edge of Hailey's Business District, the proposed development is intended to build on adjacent multifamily housing and further, act as a catalyst for high-quality housing in the community.

Background: On October 17, 2022, the Hailey Planning and Zoning Commission considered the **Design Review Application** for River Lane, LLC. The Commission continued the application, and suggested that the Applicant consider the following:

1. **Consider changing the color of the fiber cement siding.** The Commission suggested that the Applicant Team consider changing the color of the fiber cement siding to match the rendering provided. The Applicant Team has altered the exterior color, as the Commission suggested.
2. **Closely inspect whether upward tree lighting complies with Outdoor Lighting Ordinance. Consider incorporating downcast lighting instead or removing the upward tree lighting**

altogether. The Applicant has chosen to revise the upward tree lighting and provide downcast lighting only.

3. **Provide a conclusion as to the traffic impacts from the proposed project.** While the Vehicle Trip Generation Report supplied by the Applicant Team for review at the October 17, 2022 Design Review hearing provided information on anticipated trips generated by this project, no conclusion as to the traffic impacts from the proposed project were made. The Commission recommended that a certified engineer offer such a conclusion.

   A Technical Memorandum, completed by Transpo Group, summarizes the results of the Transportation Impact Analysis, as recommended by the Commission. This memorandum, attached, expands on initial trip generation information submitted by the Applicant, and further includes an analysis on the following:

   - **Updated trip generation analysis to account for existing uses.** Trip generation estimates were updated to reflect rates identified in the Institute of Transportation Engineers, 11th Edition. In addition to forecasting trip rates for the future development, trip generation activity for the existing uses were considered in the calculation. Trip generation forecasts are presented in Table 1 below.

Table 1. Estimated Weekday Vehicle Trip Generation (Primary Trips)

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Proposed								
Multifamily (Low-Rise) (LU 220)	51 du	318	5	15	20	13	9	22
Coffee/Donut Shop without Drive-Through Window (LU 936)	728 sf	130	21	19	40	7	5	12
Subtotal		*448*	*26*	*34*	*60*	*20*	*14*	*34*
Existing								
Mobile Park Home (LIU 240)	6 du	42	0	2	2	2	1	3
Total (Net New)		***406***	***26***	***32***	***58***	***18***	***13***	***31***

Notes: du = dwelling units, sf = square feet
1. Trip Generation rates based on *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition (2021).*

   - **Presentation of anticipated trip distribution/assignment.** Trip distribution patterns to and from the site were based on existing vehicle travel patterns, the U.S. Census Bureau's *OnTheMap* Tool, and coordination with City Staff. *OnTheMap* Tool shows where workers are employed and where they live based on census data. This data was translated to the number of people that live within a quarter-mile radius and the proposed project, and where they work. Figure 2 below shows the project trip distribution and assignment.

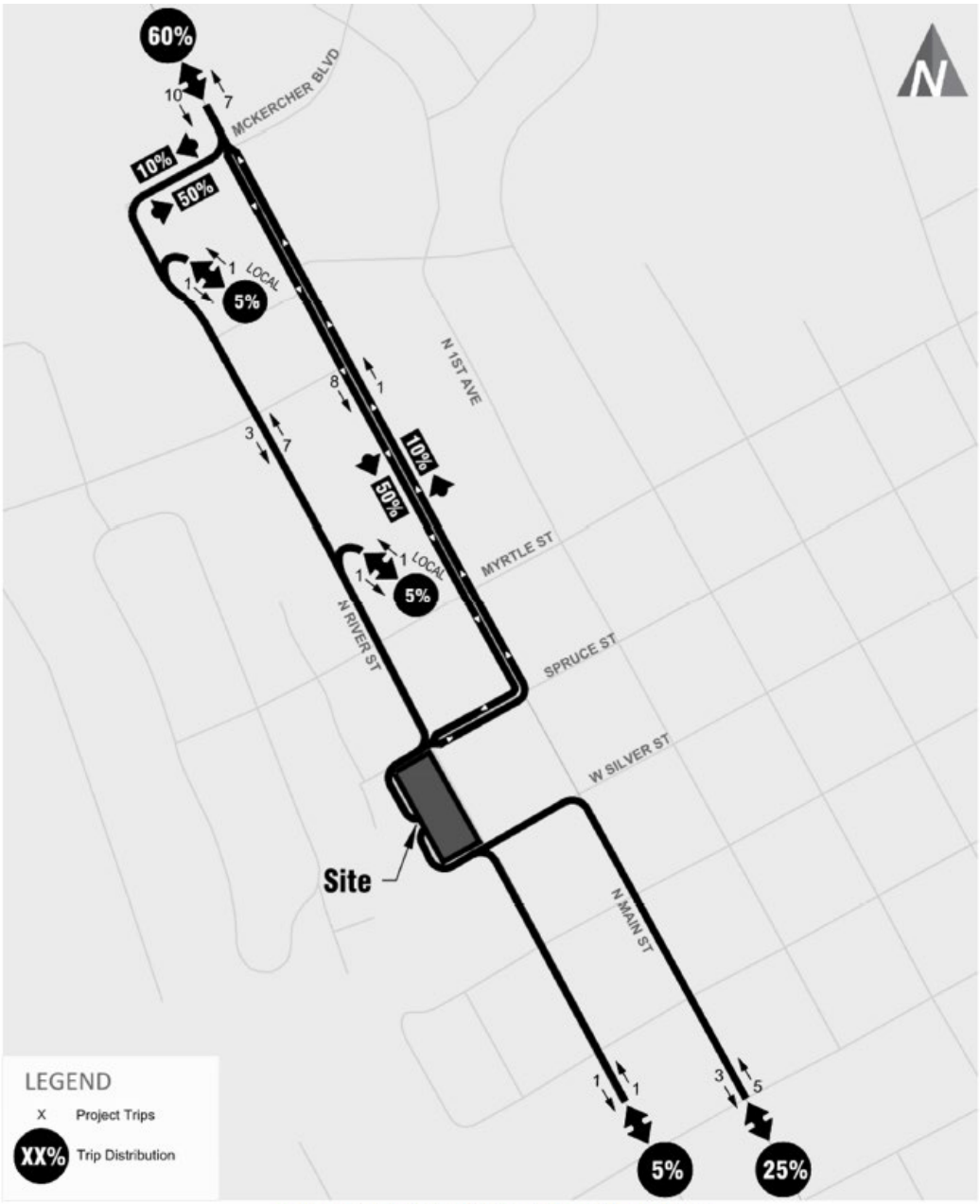


Figure 2: Project Trip Distribution and Assignment

- **Intersection Level of Service (LOS) analysis for North River Street/Spruce Street and Main Street/Spruce Street.** A LOS was conducted at the two study intersections of North River Street/Spruce Street and Main Street/Spruce Street. The software utilized provides LOS calculations based on Highway Capacity Manual (HCM) methodology, further explained in the attached memorandum. The results are summarized in Table 3 below.

Table 3. Weekday PM Peak Hour Operations Summary

	1. Spruce Street/Main Street			2. Spruce Street/N River Street		
Alternative	LOS[1]	Delay[2]	WM[3]	LOS	Delay	WM
Existing	F	68.2	WB	B	10.9	WB/EB[4]
Future (2026) Without-Project	F	99.9	WB	B	11.8	EB
Future (2026) With-Project	F	99.9	WB	B	12.5	EB

1. Level of service, based on Highway Capacity Manual 6th Edition methodology.
2. Average delay in seconds per vehicle.
3. Worst movement reported for unsignalized intersections.
4. The delay for the both the eastbound and westbound approaches are similar under existing conditions for the Spruce Street/Main Street study intersection.

As shown in Table 3, the Level of Service is calculated for the intersection of North River Street/Spruce Street is LOS B under existing conditions. Under future without- and with-project conditions, the intersection remains at LOS B with less than one (1) second increase in delay for the westbound approach. At the intersection of Main Street/Spruce Street/Main Street, the intersection is shown to operate at LOS F. Future projections show that it will continue to operate at LOS F with less than one (1) second increase in delay between the without and with-project conditions. While the Main Street/Spruce Street intersection is shown to operate at LOS F, project traffic is forecast to constitute less than one (1) percent of the total entering traffic.

Additionally, while the report shows the Main Street approach transitioning from 68 seconds to 99 seconds of delay, it is important to note both numerical values indicate the same finding – the peak hour volume of the approach, with and without the project, nearly exceeds its effective capacity – and the additional 31 seconds of delay represents the asymptotic growth in delay when approaching that effective capacity.

- Traffic volume percent calculations (project share of total) for North River Street and Main Street, northwest of the site. As outlined in the study and in Table 2 below, traffic volume increases along Norther River Street and Main Street are expected to be minimal north and south of the site. Table 2 further summarizes the percent increase in traffic on both roadways attributed to the proposed project.

Table 2. Future (2026) Traffic Volume Impacts at Study Intersections

	Peak Hour Total Entering Vehicles			
Intersection	2026 Without-Project	Project Trips	2026 With-Project	Percent Impact
1. Spruce Street/ Main Street	2,245	11	2,256	0.5%
2. Spruce Street/N River Street	480	29	509	6.0%

In conclusion, the development of the River Lane Project, located at 403, 417, and 419 North River Street, is anticipated to generate 406 net new daily trips with 58 occurring during the weekday AM peak hour and 31 occurring during the weekday PM peak hour. Based on the intersection LOS analysis for North River Street/Spruce Street and Main Street/Spruce Street intersections, the project will not have any significant impacts on the adjacent intersections.

At the November 21, 2022, public hearing, the Commission concurred with the Traffic Analysis Conclusion; however, unanimously agreed that that to ensure the safety of Hailey's citizenry, requested that the Applicant Team and City Staff work internally to determine the best location for the installation of an east-west crosswalk adjacent to the project. This has been made a Condition of Approval and this crosswalk will be incorporated on the Civil Plans prior to issuance of a Building Permit.

4. **Local Housing.** At the November 21, 2022, public hearing, the Commission reiterated the need for more community or employee housing units in Hailey. The Applicant concurred with the Commission, and also recognizing the need, agreed to lease the units to residents that live and/or work in Blaine County. Specifics of this will be integrated into an agreement developed by the City and the Applicant Team. This has been made a Condition of Approval.

A **Design Review Preapplication** hearing was held on August 15, 2022. During this hearing, the Commission neither approved nor denied the application. The Commission suggested that the Applicant Team consider the following:

1. **Consider minimizing perceived mass of building along River Street.** The Applicant Team further developed and refined the façade along River Street, which will help reduce the perception of mass along River Street. In the previous drawing set, there were panels of medium gray fiber cement that extended from the ground to the top of the unit bays and repeated at every bay. The Applicant Team has eliminated the gray panels and introduced vertically textured wood (boards) that are aesthetically warm and fine grain in scale. Instead of repeating the wood material at every bay it now occurs at every other bay so that the appearance is more varied. The dark metal panel provides a nice contrast to highlight the wood accents so that the rhythm is vibrant. In addition, unit doors along River Street will be accented in red, as recommended by the Commission at the Preapplication Hearing. This further complements the vibrant experience for pedestrians. The landscape design has evolved since the Preapplication Hearing as well. In the new version, it performs in tandem with the architecture. The entire façade along River Street is set back 14' from the back of sidewalk/lot line to allow for lushly planted front yard landscapes and entry walkways to the ground level units. Among the species proposed are native grasses and pine trees so that as it matures the landscape will create a pleasant screen and transition between the sidewalk and the building.
2. **Consider the parallel spaces within the structure as compact spaces.** The proposed stalls meet the requirement for standard parallel spaces within Hailey's Municipal Code. Changing these to compact spaces would not increase the number of parking stalls possible due to structural requirements for supporting the building above.
3. **Consider adding air conditioning to each unit.** The owner intends to add air conditioning within each unit.
4. **Consider adding more two-bedroom units within the structure.** No modifications to the unit mix have been made.
5. **Consider community housing units (deed or rent-restricted).** The Owner intends to address this at the Design Review Hearing, scheduled October 17, 2022.
6. **Connect with the postmaster regarding mail area/structure.** The Applicant Team will do so after the Design Review Hearing.
7. **Consider closing the gap between building and carport structure or consider a drive access between the building and the carport structure to eliminate gap**. The proposed building and carport feature overlap, to eliminate the gap.

8. **Connect with Clear Creek Disposal.** The Applicant Team intends to connect with Clear Creek Disposal following the Design Review Hearing.
9. **Consider removing and installing new fence around well house.** The Applicant Team intends to remove and install a new fence around the Public Water Supply (PWS) Building. Coordination of this removal and replacement will be with City Staff, and a possible future partnership with the Hailey Urban Renewal Agency (HURA). Staff would like to see the area in front of the PWS Building enhanced – which may include natural landscape features, native landscaping, and street trees – to further expand on the open space area and amenities, proposed by the Applicant Team. Staff, the Applicant Team, and HURA will meet internally to discuss further.

Additional Information: The Applicant Team has provided Memorandums relative to Traffic and Water Impacts from the proposed project. A review by the City Engineer is currently underway and any additional information, not noted herein, will be brought to the hearing.

- **Vehicle Trip Generation Report.** While the Vehicle Trip Generation Report supplied by the Applicant Team provides information on anticipated trips generated by this project, no conclusion as to the traffic impacts from the proposed project have been made. City Staff is requesting that a certified engineer offer such a conclusion.
- **Hydraulic Modeling Results and Analysis.** The Memorandum is attached. It appears the proposed River Lane project will have a negligible impact on the available fire flow, system pressure, and water velocity in the project area. That said, the City Engineer will review, and additional comments or concerns will be brought to the hearing.

Procedural History: The Design Review Application was submitted on August 25, 2022 and certified complete on August 26, 2022. A public hearing before the Planning and Zoning Commission was held on October 17, 2021. The Commission continued the item to November 21, 2022. A public hearing before the Planning and Zoning Commission was held on Monday, November 21, 2022, in the Hailey City Council Chambers and virtually via GoTo Meeting.

Finding of Compliance: Upon due deliberation, the Commission found, as a matter of fact and law, compliance with each specific code criteria requirements, as delineated and conditioned, within the reasoned statements iterated herein below.

General Requirements for all Design Review Applications				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and** *Staff Comments*
☒	☐	☐	**17.06.050**	**Complete Application**
☒	☐	☐	**Department Comments**	**Engineering**: *Please refer to the "Additional Information" section above for further information relative to the Traffic and Water Impacts from the proposed project.*
				Life/Safety: *The Fire Chief recommends the following (text in strikethrough is no longer applicable. Any items that have been added are in bold-italicized text):* - *The building shall comply with IFC and IBC code requirements.*

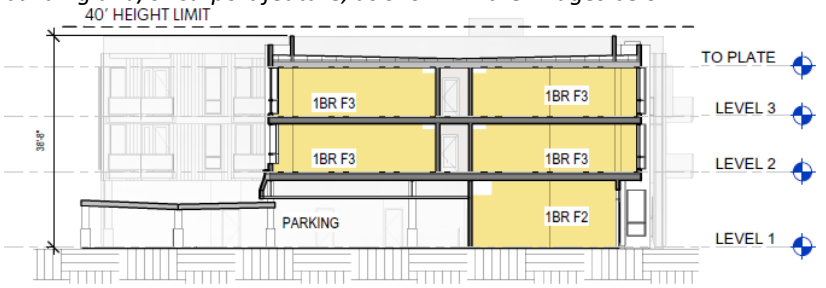
				- *The legend calls for a relocated fire hydrant; however, the new location has not been shown on the plan set.* ***No fire hydrants are planned for relocation, and the legend callout has been removed.*** - *A building sprinkler system and alarm system shall be installed, as set forth in the IFC.*
				Water and Sewer: *The Water and Wastewater Division Managers have recommended that the following be resolved and/or incorporated within the final design, prior to issuance of a Building Permit (any additional information that has been added is in bold-italicized text):* - *All construction shall be to City Standards.* ***This has been specified on the drawings. See C0.10.*** - *Applicant shall decide if a single 4" sewer service is adequate to service the proposed building.* ***A 6" sewer service is currently indicated on the drawings. The mechanical engineer (Musgrove) is confirming service pipe size design.*** - *Existing, unused sewer services shall be located and abandoned – these shall be capped and abandoned at the main or the edge of the right-of-way if on River Street.* ***The Applicant intends to cap and abandon any existing sewer services. See C0.30 (D08). That said, the Wastewater Division has identified three (3) lines on River Street that have not been identified on the drawings and will be required to be abandoned.*** - *Existing, unused water services shall be located, abandoned, and disconnected at the main line.* ***Existing water services to be abandoned and have been identified on the drawings. See C0.03 (D06).*** - *Specify and show IDAPA required setbacks to Existing Public Water Supply. The Silver Street drywell appears to be too close, per IDAPA requirements.* ***The IDAPA required setback from the Public Water Supply is show on C1.10. The drywell to be constructed in Silver Street is located outside of this setback; however, the setback requirement from the existing water mains cannot be achieved and is mitigated by the HDPE lining of the drywell.*** - *A landscaping drywell has been shown on the detail sheet. Where is this drywell proposed onsite?* ***There are no landscape drywells indicated on the drawings, only landscape drains, which are plumbed to onsite drywells.*** - *The proposed trash enclosure shall not drain toward or near the well house.* ***Potential runoff from the trash enclosure area is intercepted before leaving the site and plumbed to an onsite drywell. See C2.10.*** - *The City will have the new Potable Water FPS Engineer provide additional comments when under contract.*
				Building*:* *No comments*
				Streets, Landscaping, Other: *The Streets Division recommends that the following be resolved and/or incorporated within the final design, prior to*

				issuance of a Building Permit (any additional information that has been added is in bold-italicized text): - *Drywell Permits shall be applied for at the time of the Building Permit.* ***This will be completed at the time of the Building Permit submittal.*** - *Any snow storage adjacent to the well house shall be eliminated and/or diverted to the appropriate disposal system.* ***No snow storage is proposed onsite.*** - *It appears the southern area landscaping slopes toward the well site. Maintenance of this landscaping area could include chemicals. All runoff shall be captured onsite and diverted to the appropriate disposal system.* ***All onsite runoff is captured and plumbed to onsite drywells. See C2.10.*** - *A trailable generator access at the east side of the Public Water Supply building, over the proposed curb line, is desired. No parking in this area and reevaluation of trees in this area will be needed.* ***Subsequent discussions with the Public Works Department led to the currently proposed curb cut and no parking designation identified on the drawings. See C2.10.*** - *Additional details for the Family Play and Retail Patio Area are needed to evaluate for potential contaminant disposal or runoff.* ***All onsite runoff is captured and plumbed to onsite drywells. See C2.10.*** - *Consider expanding non-irrigable public play area east of the well house. Add a 10'-wide Public Water Supply parking pad along the east side of the building for generator parking. Reposition fence to enclose generator parking pad only.* ***The detailed layout of this area is currently being discussed with City Staff and will be included in the final construction/Building Permit drawing set.*** - *Drainage from the parking area appears to drain toward the existing alley, River Lane, which appear to drain to a single basin. The proposed catch basin disposes closer than 50' to the Public Water Supply. Please address.* ***Onsite runoff, including runoff from roof areas, is collected, and plumbed to onsite drywells. Runoff from the parking area sloped towards River Lane is intercepted by a proposed 24" valley gutter, which flows to a catch basin and is plumbed to an onsite drywell.*** - *Runoff from the parking area drains to and then across the existing alley, River Lane, for capture in a valley gutter. If the valley gutter freezes or exceeds capacity, what is the ramification? Consider placing the valley gutter along the eastern River Lane ROW and slope River Lane upward to the west. Alternative proposals are welcome.* ***Onsite runoff, including runoff from roof areas, is collected, and plumbed to onsite drywells. Runoff from the parking area sloped towards River Lane is intercepted by a proposed 24" valley gutter,***

				which flows to a catch basin and is plumbed to an onsite drywell. The west side of the alley includes a rolled curb to collect runoff from the alley, which is plumbed to the drywell on Silver Street. See C2.10. - *Any failure to the River Lane drainage system could result in impoundment into the private parking area, with the possibility of future complaints filed against the City for this design. Consider using rolled or vertical curb along River Lane. Capture and dispose of private runoff onsite, not into the River Lane system.* ***Onsite runoff, including runoff from roof areas, is collected, and plumbed to onsite drywells. Runoff from the parking area sloped towards River Lane is intercepted by a proposed 24" valley gutter, which flows to a catch basin and is plumbed to an onsite drywell. The west side of the alley includes a rolled curb to collect runoff from the alley, which is plumbed to the drywell on Silver Street. See C2.10.*** - *Match the River Street Concept Plan for streetlights, planting areas, etc., for all public streets (River, Silver, and Spruce Streets). Public Right-of-Way Maintenance Agreement will be required due to size of planter beds.* ***River Street, Spruce Street, and Silver Street layouts have been completed in coordination with the Public Works Department.*** - *Identify accessible parking spaces and routes in the public rights-of-way, if needed.* ***Accessible parking spaces and routes are provided onsite.*** - *Final design documents should include traffic control signage and markings. Crosswalks and thermoplastic shall be installed by the Developer.* ***Final construction/Building Permit drawings will include traffic control plans specific thermoplastic markings for crosswalks.*** - *Cross slopes toward lip of gutter exceed four (4) percent, which is not desired. Additional grading detail will be needed at final design.* ***Proposed cross slopes match existing street cross slopes. Reducing proposed cross slopes will require unnecessary reconstruction of entre street sections.*** - *Updated Civil Plans showing the bulbout on Silver Street will be needed.* ***Revised civil drawings match architectural plans showing a bulbout on Silver Street as discussed with the Public Works Department.*** - *The northern River Lane exit diverts drainage north along River Lane, and then west toward Calumet Way. This drainage appears to be onto neighboring properties, which is not desirable.* ***Drainage in this area has been revised so that onsite runoff is collected and plumbed to onsite drywells, while alley runoff is collected and plumbed to an additional drywell to be constructed in the Spruce***

				Street right-of-way. No drainage is directed onto neighboring properties. - *This project proposes runoff disposal into existing drywells elsewhere on the block. This is not desired on a regular basis and will need supporting calculations if allowed by the city.* ***Supporting calculations and resizing of the existing drywell in River Street to accommodate the use of this drywell, instead of constructing an additional drywell, are available for review.*** - *The River Street curb line shall have a catch basin and drywell added just north of the Silver Street intersection. The mid-block catch basin connection across the street is not preferred.* ***Subsequent discussions with Public Works have led to the currently proposed mid-block catch basin and connection to the existing drywell a satisfactory alternative. See C2.10*** - *The curb/valley system has long runs into drywells. Additional drywells shall be added.* ***The revised drawings show an additional onsite drywell and additional drywell in the public right-of-way reducing the identified long runs into single drywells.*** - *The public right-of-way parking width standard is ten (10) feet.* ***The revised drawings indicated parking space widths in the public right-of-way to be 10-feet, as required by City Standards.*** - *A connection to the city water for irrigation within the public right-of-way shall be added. This also includes electrical. This will be the beginning of a long street system and details can be worked out internally with staff.* ***The revised drawings indicate an irrigation connection (plus electrical) to the City's main in River Street. Final construction/building permit documents will provide more specifications upon discussions with City Staff.*** - *Asphalt saw cuts at intersections shall be squared off, not like what is shown on Spruce Street.* ***The revised drawings indicate squared off asphalt saw cuts.*** - *Consider adding electric vehicle charging stations in public right-of-way on River Street, near retail/café area.* ***Not currently indicated. This will be discussed with City Staff.*** - *The Hailey Tree Committee will review the project and provide recommendations where needed. These recommendations shall be incorporated at final design.* *By reference, IDAPA Regulations for Public Water System:*

				<table><tr><th colspan="2">Minimum Distances from a Public Water System Well</th></tr><tr><td>Gravity wastewater line</td><td>50 feet</td></tr><tr><td>Any potential source of contamination</td><td>50 feet</td></tr><tr><td>Pressure wastewater line</td><td>100 feet</td></tr><tr><td>Class A Municipal Reclaimed Wastewater Pressure distribution line</td><td>50 feet</td></tr><tr><td>Individual home septic tank</td><td>100 feet</td></tr><tr><td>Individual home disposal field</td><td>100 feet</td></tr><tr><td>Individual home seepage pit</td><td>100 feet</td></tr><tr><td>Privies</td><td>100 feet</td></tr><tr><td>Livestock</td><td>50 feet</td></tr><tr><td>Drainfield - standard subsurface disposal module</td><td>100 feet</td></tr><tr><td>Absorption module - large soil absorption system</td><td>150 - 300 feet, see IDAPA 58.01.03</td></tr><tr><td>Canals, streams, ditches, lakes, ponds and tanks used to store non-potable substances</td><td>50 feet</td></tr></table><table><tr><th colspan="2">Minimum Distances from a Public Water System Well</th></tr><tr><td>Storm water facilities disposing storm water originating off the well lot</td><td>50 feet</td></tr><tr><td>Municipal or industrial wastewater treatment plant</td><td>500 feet</td></tr><tr><td>Reclamation and reuse of municipal and industrial wastewater sites</td><td>See IDAPA 58.01.17</td></tr><tr><td>Biosolids application site</td><td>1,000 feet</td></tr></table> - *The Hailey Tree Committee reviewed the proposed Landscaping Plan on October 20, 2022. The Hailey Tree Committee noted that the proposed Lodgepole Pine Trees may be too close to the building's doors and recommended moving them slightly farther from the doors. The Committee also expressed concern over supply of Accolade Elms, but the Applicant assured the Committee that they would be able to secure the Elms. No further recommendations were made, and the Hailey Tree Committee unanimously approved the Landscape Plan subject to the slight relocation of the Lodgepole Pine Trees from the buildings. This has been made a Condition of Approval.*
☐	☐	☒	**17.08A Signs**	**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.**
			Staff Comments	*N/A, as no signage is proposed at this time. Signage must be reviewed via a Sign Permit Application, if proposed, and comply with City Standards.* *<u>Finding:</u> Compliance. No signage is proposed at this time. The Commission found that this standard has been met.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.**

			Staff Comments	*The proposed project is located within the Downtown Residential Overlay (DRO). The Hailey Municipal Code requires a minimum of one (1) parking space per residential dwelling unit. The project proposes a total of 51 residential units, thereby requiring that 51 onsite parking spaces be provided.* *The site plan shows a total of 51 onsite parking spaces, which includes three (3) accessible spaces. Additionally, public right-of-way improvements are proposed along River Street, Silver Street, and Spruce Street, which eliminate the need for guest parking spaces, as outlined within the DRO. Improvements to the public right-of-ways yield 31 additional parking spaces (23 on-street parking spaces on River Street, six (6) on-street parking spaces on Spruce Street, and two (2) on Silver Street)). The total number of parking spaces proposed for the project is 82 parking spaces.* *The parking spaces located onsite (51) will be covered by the proposed building and/or carport feature, as shown in the images below.*  <u>Finding:</u> *Compliance. The Commission found that the project meets the total number of parking spaces required by the Hailey Municipal Code.*
☒	☐	☐		**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.** <u>Finding:</u> *Compliance. The Commission found that this standard has been met, as the parking requested above City Standards are not more than 200%. Fifty-*

				one (51) spaces are required; fifty-one (51) onsite spaces and thirty-one (31) on-street spaces are proposed.
☒	☐	☐	**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 is proposing a variety of light fixtures. Cut sheets comply with Dark Sky Standards. The proposed fixtures can be reviewed on the Exterior Lighting Plan Drawing Set.* *<u>Finding:</u> Compliance. All light fixtures proposed comply with the Dark Sky Standards. The Commission found that this standard has been met.*
☒	☐	☐	**Bulk Requirements**	**Zoning District: Business** **Maximum Height: 40' within the Business (B) District with residential unit(s)** **Required Setbacks:** • **Front Yard: 0'** • **Side Yards: 0'** • **Rear Yard: 0'**
			Staff Comments	*Zoning District(s): Business (B) and Downtown Residential Overlay (DRO)* *Proposed Height: 38.8'* *Proposed Setbacks:* - *Front: 6.9' (northern portion of building); 9.4' (near retail/café area)* - *Rear: 10'-2" (along the existing alley)* - *Side (north): 0'* - *Side (South): 27.6'* *<u>Finding:</u> Compliance. The proposed project complies with height and setback requirements of the Hailey Municipal Code.*
☒	☐	☐	**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	*A new 8'-wide sidewalk is shown along the property frontage of Spruce Street. This sidewalk connects to an 8.5'wide sidewalk along the property frontage of River Street. The sidewalk along River Street connects to an 8'-wide sidewalk along Silver Street. These sidewalks will connect to additional sidewalks*

				interior to the lot (e.g., front entries to each unit, around the building, and to the proposed parking area). These improvements follow the River Street Concept Plan, and are as follows (listed from street to building): ***River Street:*** - *2'-wide paver strip* - *5'-wide asphalt bike path* - *4'-wide landscaping strip* - *8.5'-wide concrete sidewalk* ***Spruce Street:*** - *2'-wide paver strip* - *8'-wide concrete sidewalk* - *9.5'-wide landscape strip* ***Silver Street:*** - *2'-wide paver strip* - *8'-wide concrete sidewalk* *These sidewalks will connect to unit entrances, around the building, to the proposed parking area, and to the proposed retail/café area to ensure safe and sufficient access to and from the site.* *Finding: Compliance. 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 (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	*Finding: Compliance. The Commission found that this standard will be met.*

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)

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)1a**	**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.**
			Staff Comments	*The proposed building follows the grid pattern in downtown Hailey. The primary walls of the proposed building are oriented east/west, with the primary entrance facing east and having frontage off River Street. Exterior spaces are proposed along the property frontages of the building, which include Spruce Street, River Street and Silver Street. A robust open space area, usable by the residents of the building, is proposed along the south side of the building. Entries to and from the building are located adjacent to these open space areas.*

				Finding: Compliance. The Commission found that the location, orientation, and surface of the building(s) maximize sun exposure in exterior spaces – which allow for safe access to the building(s).
☐	☐	☒	**17.06.080(A)1b**	**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.**
			Staff Comments	*N/A, as the site does not contain any existing mature landscaping.* *Finding: Compliance.*
☒	☐	☐	**17.06.080(A)1c**	**c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.**
			Staff Comments	*A new 8'-wide sidewalk is shown along the property frontage of Spruce Street. This sidewalk connects to an 8.5'wide sidewalk along the property frontage of River Street. The sidewalk along River Street connects to an 8'-wide sidewalk along Silver Street. These sidewalks will connect to additional sidewalks interior to the lot (e.g., front entries to each unit, around the building, and to the proposed parking area). These improvements follow the River Street Concept Plan, and are as follows (listed from street to building):* ***River Street:*** - *2'-wide paver strip* - *5'-wide asphalt bike path* - *4'-wide landscaping strip* - *8.5'-wide concrete sidewalk* ***Spruce Street:*** - *2'-wide paver strip* - *8'-wide concrete sidewalk* - *9.5'-wide landscape strip* ***Silver Street:*** - *2'-wide paver strip* - *8'-wide concrete sidewalk* *These sidewalks will connect to unit entrances, around the building, to the proposed parking area, and to the proposed retail/café area. Circulation to all entrances is pedestrian friendly and provides safe access to/from the building.* *Finding: Compliance. The Commission found that the proposed site circulation complies with the Hailey Municipal Code, and further enhances the pedestrian safety to and through the site.*
☒	☐	☐	**17.06.080(A)1d**	**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.**

			Staff Comments	*The Applicant is proposing a trash enclosure area at the southwestern corner of the building. This enclosure is approximately 27.8' in width, and can be accessed via the existing alley, River Lane. A letter from Clear Creek Disposal will be required commenting on the adequacy of said enclosure/accessibility. This has been made a Condition of Approval.* *<u>Finding:</u> Compliance. The Commission developed a Condition of Approval to ensure that this standard will be met.*
☒	☐	☐	**17.06.080(A)1e**	**e. Where alleys exist, or are planned, they shall be utilized for building services.**
			Staff Comments	*The existing alley, River Lane, will be utilized for building services.* *<u>Finding:</u> Compliance. The Commission found that the existing alley will be utilized for building services, and that this standard has been met.*
☒	☐	☐	**17.06.080(A)1f**	**f. Vending machines located on the exterior of a building shall not be visible from any street.**
			Staff Comments	*It appears that no vending machines are proposed, and if so, no vending machines will be located on the exterior of the building. This has been added as a Condition of Approval.* *<u>Finding:</u> Compliance. The Commission developed a Condition of Approval to ensure that this standard will be met.*
☒	☐	☐	**17.06.080(A)1g**	**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.)*** **i. Parking areas located within the SCI zoning district may be located at the side or rear of the building.** **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.**
			Staff Comments	*All onsite parking is located to the rear of the building, gaining access from the existing alley. A useable prominent entrance is located along River Street, and the parking area is buffered by the building.* *<u>Finding:</u> Compliance. The Commission found that all onsite parking is located to the rear of the building, gaining access from the existing alley, as required in this standard. The Commission found that this standard has been met.*
☐	☐	☒	**17.09.020.02**	**Loading Space Requirements and Dimensions: The following regulations apply to all commercial and industrial uses with onsite loading areas:** **a. Requirements: One loading space shall be provided for any single retail, wholesale, or warehouse occupancy with a floor area in excess of 4,000 square feet, except grocery and convenience stores where one loading space shall be provided for a floor area in excess of 1,000 square feet. An additional loading space shall be required for every additional 10,000 square feet of floor area, except grocery and convenience stores where an additional loading space shall be required for every additional 5,000 square feet of floor area. Such spaces shall have a minimum area of 500 square feet, and no dimension shall be less than 12'.**
			Staff Comments	*N/A, as the proposed use is residential, with a small retail space that is less than, square feet in size. No wholesale or warehouse occupancy is proposed.*

				Finding: Compliance.
☒	☐	☐	**17.06.080(A)1h**	**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.**
			Staff Comments	*The site is serviced by three (3) public streets: Spruce Street, River Street, and Silver Street. The onsite parking area can be accessed via the existing alley, which connects to Spruce and Silver Streets. Primary pedestrian access can be achieved from River Street.* *Finding: Compliance. The Commission found that access to onsite parking will be achieved via the existing alley, and 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.**
			Staff Comments	*Snow will remain in place on roofs, and with proper drainage, the flat roof design should prevent snow from shedding. For exposed, hardscape areas, a snow storage area is proposed to the south of the property. While it appears to be practical, the Public Works Department requests that this snow storage area be eliminated, as it is adjacent to the well house. This request is intended to eliminate any contaminant to the site and/or water system. The hauling of snow is permitted within the Business (B) District, and given the proximal location of the well site, this is preferred. The elimination of the snow storage area has been made a Condition of Approval.* *Finding: Compliance. The Commission developed a Condition of Approval to ensure snow storage areas be provided onsite where practical. The Commission requested that the Applicant eliminate snow storage near the Public Water Supply. This update will be made to the drawing set prior to issuance of a Building Permit.*
☒	☐	☐	**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.**
			Staff Comments	*Please refer to Section 17.06.080(A)1i for further information.* *Finding: Compliance.*
☒	☐	☐	**17.06.080(A)1k**	**k. A designated snow storage area shall not have any dimension less than 10 feet.**
			Staff Comments	*Please refer to Section 17.06.080(A)1i for further information.* *Finding: Compliance.*
☒	☐	☐	**17.06.080(A)1l**	**l. Hauling of snow from downtown areas is permissible where other options are not practical.**
			Staff Comments	*Please refer to Section 17.06.080(A)1i for further information.* *Finding: Compliance.*
☒	☐	☐	**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.**
			Staff Comments	*Please refer to Section 17.06.080(A)1i for further information.* *Finding: Compliance.*

☒	☐	☐	**17.06.080(A)1n**	**n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.**
			Staff Comments	*Any landscaped areas where snow may be stored (e.g., front entry areas) contain plants that are more resilient to snow.* *Finding: Compliance. The Commission found that this standard has been met.*

2. Building Design: 17.06.080(A)2, items (a) thru (m)

Compliant			Standards and Staff Comments	
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 proposed building responds to the layout of the individual housing units. The articulation of the exterior balconies, rooflines, and materials complement the surrounding area. The roofline is articulated in a comparable manner to the surrounding area with varying overhangs and parapets that provide human scale to the overall massing, as well as visual identity to each individual residence. The building is proportional in size and shape to the surrounding building(s) (Silver River Residences, Spruce Street Duplexes).* *It is important to note that adjacent parcels located within the DRO could also be developed similarly, both larger and smaller. The DRO was developed to offer greater flexibility in not only parking, landscaping, and density, but building design, scale, and shape. In positioning the building next to existing buildings in the area, as shown in the image above, the Applicant has considered what's existing, and further articulated elements and design features of the building to complement the surrounding area and natural features (Carbonate Mountain, native landscaping, and trees, etc.) of Hailey.* *Finding: Compliance. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2b**	**b. Standardized corporate building designs are prohibited.**
			Staff Comments	*N/A, as the proposed building design is not a standardized corporate building design.*

				Finding: Compliance.
☒	☐	☐	**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 Applicant has integrated the building to the surrounding site and greater area. Open space areas, pathway and/or sidewalk connections, and various exterior materials emphasize human scale, are pedestrian oriented and encourage human activity.* LEGEND 1 Fiber Cement Siding - Color 1 (FC - 01) 2 Fiber Cement Siding - Color 2 (FC - 02) 3 Vertical Wood Siding (WD - 01) 4 Metal Screening (MTL - 01) 5 Prefinished Black Windows - Metal Panel - and Railing (MTL - 02) 6 Cast-In-Place Concrete (CIP -01) *A variety of landscaping and plant material will also be utilized, which encourages human activity and interaction. These include trees, grasses, shrubs, and ground cover to soften the visual impact. Please refer to Section 17.06.080(A)4d for further details.* *Finding: Compliance. 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 and front entry of the building faces River Street. Pathways/sidewalks, open space, and seating areas throughout the site create human scale and break up larger building surfaces.* *The front façade of the building occupies most of the street frontage. Windows, balconies, and exterior features emphasize human scale and break up the*

				building surfaces. The building features street-level material changes, clad in a mix fiber cement panel siding, vertical wood siding, metal screening, and board formed concrete, which reduces mass and scale of the building. The scale and design components complement the surrounding area nicely. *Finding: Compliance. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2e**	**e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.**
			Staff Comments	*N/A, as no expansion is planned at this time.* *Finding: Compliance.*
☒	☐	☐	**17.06.080(A)2f**	**f. All exterior walls of a building shall incorporate the use of varying materials, textures, and colors.**
			Staff Comments	*A variety of materials will be used on the exterior, as described in Section 17.06.080(A)2d above.* *Finding: Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2g**	**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.**
			Staff Comments	*Building colors are shown on the elevations. Colors are broken on various elements to help break up mass and be harmonious with other neighboring buildings. Please refer to Section 17.06.080(A)2d above for further detail.* *Finding: Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2h**	**h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies, or other design elements.**
			Staff Comments	*The proposed building is three stories in height and contains a flat roof. The variety of colors utilized, proposed decks and overhang features, and various siding, provide depth, shadow lines, and human scale to the building façades.* *Finding: Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2i**	**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:** **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.** **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.** **iii. Double glazed windows.** **iv. Windows with Low Emissivity glazing.** **v. Earth berming against exterior walls** **vi. Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site.** **vii. Exterior light shelves. All windows on the southernmost facing side of the building shall have external light shelves installed.**

			Staff Comments	*The building incorporates the following techniques that minimize its energy consumption:* - *All windows will be double glazed and incorporate low emissivity glazing properties* - *The building will be entirely electric, with no gas service* - *Energy Star Appliances will be utilized* - *The Applicant Team conducted a daylight study for the window design and solar orientation, and for most of the units along the NE ad SW facades. Window placement considers maximizing daylight gain while minimizing excessive heat.* - *16 EV charging parking spaces are proposed.* - *Most of the building will utilize electric, including HPAC units within the residential units.* *<u>Finding:</u> Compliance. The Commission found that the proposed building minimizes its energy consumption by providing three (3) or more techniques as outlined above. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2j**	**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.**
			Staff Comments	*It appears that pedestrian entrances will be covered by flat roof awnings, which will retain snow, or snow clips and/or gutters and downspouts have been provided to prevent snow from falling directly onto adjacent sidewalks.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2k**	**k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.**
			Staff Comments	*Downspouts from the building appear to be routed underground to a drywell. All downspouts, overflow downspouts, and roof leaders will either drain into drywells or into landscape areas only, and not onto pedestrian and hardscape locations.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2l**	**l. 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	*NA, as no drive-through canopies are proposed.* *<u>Finding:</u> Compliance.*
☐	☐	☒	**17.06.080(A)2m**	**m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.**
			Staff Comments	*N/A, as a Master Signage Plan is not required of a single-tenant building.* *<u>Finding:</u> Compliance.*

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

Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***

☒	☐	☐	**17.06.080(A)3a**	**a. Accessory structures shall be designed to be compatible with the principal building(s).**
			Staff Comments	*A detached trash enclosure is proposed at the southwestern corner of the parcel. This area will be properly screened to be compatible with the primary building, utilizing natural and non-formal screening methods.* *<u>Finding:</u> Compliance. The Commission found the detached trash enclosure to be complementary to the building design, and that this standard has been met.*
☒	☐	☐	**17.06.080(A)3b**	**b. Accessory structures shall be located at the rear of the property.**
			Staff Comments	*The trash enclosure is located to the rear f the property, can be accessed off of the existing alley, and is properly screened from view of the primary streets.*
☐	☐	☒	**17.06.080(A)3c**	**c. Walls and fences shall be constructed of materials compatible with other materials used on the site.**
			Staff Comments	*N/A, as no walls or fences are proposed at this time.* *<u>Finding:</u> Compliance. T*
☐	☐	☒	**17.06.080(A)3d**	**d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.**
			Staff Comments	*N/A, as no walls or fences are proposed at this time.* *<u>Finding:</u> Compliance.*
☒	☐	☐	**17.06.080(A)3e**	**e. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.**
			Staff Comments	*All roof-mounted mechanical equipment shall be screened or not visible from the ground level of on-site parking areas, adjacent streets, and properties. This has been made a Condition of Approval.* *<u>Finding:</u> Compliance. A Condition of Approval was developed to ensure compliance of this standard.*
☒	☐	☐	**17.06.080(A)3f**	**f. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.**
			Staff Comments	*Any hardware associated with alternative energy sources will be incorporated into the building's design and will not detract from the building nor its surroundings.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)3g**	**g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.**
			Staff Comments	*All service lines into the property shall be installed underground and no service equipment shall be placed on utility poles.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)3h**	**h. All service lines into the subject property shall be installed underground**

			Staff Comments	*All service lines shall be installed underground. City Staff requests that, if applicable, transformer locations be shown on the Building Permit drawings.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)3i**	**i. Additional appurtenances shall not be located on existing utility poles.**
			Staff Comments	*N/A, as no additional appurtenances are proposed.* *<u>Finding:</u> Compliance.*

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

Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)4a**	**a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.**
			Staff Comments	*Drought tolerant and/or xeriscape specific plant materials are proposed. The Applicant is proposing the following landscaping onsite:* *Trees (53 total trees):* - *12 Lodgepole Pine Trees at 16' in height* - *6 Vanderwolf's Pyramid Limber Pine Trees* - *19 Quaking Aspen Trees 14'-16' in height (multi-stem)* - *6 Swamp White Oak Trees at 3" caliper* - *10 Accolade Elm Trees at 3" caliper* *Shrubs (165 total shrubs):* - *13 Smokey Serviceberries at 5 gallons* - *19 Arctic Fire Dogwoods at 3 gallons* - *57 Sherwood Compact Mugo Pines at 3 gallons* - *25 McKay's Potentillas at 3 gallons* - *35 Gro-Low Sumacs at 3 gallons* - *12 Alpine Currants at 3 gallons* - *4 Yellow Flowering Currants at 5 gallons* *Groundcovers, Grasses, and Perennials (1,623 total groundcovers, grasses, and perennials):* - *72 Moonshine Yarrow at 1 gallon* - *96 Kinnickinnick at 1 gallon* - *13 Idaho Fleabane at 1 gallon* - *768 Siskiyou Blue Fescue a 1 gallon* - *58 Yellow Lupine at 1 gallon* - *22 Pineleaf Beard Tongue at 1 gallon* - *594 The Blues Little Bluestem at 1 gallon* *The Hailey Tree Committee reviewed the proposed Landscaping Plan on October 20, 2022. The Hailey Tree Committee noted that the proposed Lodgepole Pine Trees may be too close to the building's doors and recommended moving them slightly farther from the doors. The Committee also expressed concern over supply of Accolade Elms, but the Applicant assured the Committee that they*

				would be able to secure the Elms. No further recommendations were made, and the Hailey Tree Committee unanimously approved the Landscape Plan subject to the slight relocation of the Lodgepole Pine Trees from the buildings. This has been made a Condition of Approval. *To further ensure street tree details are met, Staff is requesting that the Applicant show the locations of all street trees, including dimensionally correct locations and sizes of the tree wells with the footprint of the suitable soil, structural soil, or suspended pavement areas. Said exhibit shall include the supporting mathematical calculations and shall be supplied at the time of Building Permit submittal. The exhibit shall also include a checklist for use during construction inspections, as directed by City Staff. This has been made a Condition of Approval.* *<u>Finding:</u> Compliance. Conditions of Approval were developed to ensure the compliance of this standard. All Conditions of Approval will be incorporated within final design and review prior to issuance of a Building Permit. Additionally, the Commission requested that the Applicant Team consider the impacts of pet waste, and to help mitigate such impacts, install poop bag stations onsite. The Applicant agreed to the installation of these bag stations to reduce the impacts of pet waste.*
☒	☐	☐	**17.06.080(A)4b**	**b. All plant species shall be hardy to the Zone 4 environment.**
			Staff Comments	*Plant materials will be appropriate for the Zone 4 environment.*
☒	☐	☐	**17.06.080(A)4c**	**c. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.**
			Staff Comments	*It appears a drip irrigation system will be installed according to City Standards. The automatically controlled system should include a smart controller and rain sensor for a water wise system. Low water use rotator nozzles should also be installed in grass spaces. Irrigation systems should not be placed against the pavement – they shall be positioned in a way where they will not spray water on the pavement or other hardscape areas.* *<u>Finding:</u> Compliance. The Commission concurred with the proposed temporary irrigation system and found that this standard has been met.*
☒	☐	☐	**17.06.080(A)4d**	**d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.**
			Staff Comments	*Proposed landscaping is varied. A combination of trees, shrubs, and groundcover, grasses and perennials will be utilized to soften the site, as well as create visual*

				interest. This is a newly landscaped area, and more than ten (10) trees are proposed. The Applicant is proposing a total of 53 trees (refer to Section 17.06.080(A)4a for further details). The breakdown is as follows: - *A minimum of 10% of the trees, or five (5) of the trees, shall be at least a four-inch (4") caliper. The HTC and City Staff have been working to remove this requirement from Hailey's Municipal Code. The intent is to build a more resilient urban forest by utilizing smaller caliper trees, and various species of trees onsite. Staff would like to waive this requirement until a formal ordinance has been adopted by the Hailey City Council.* - *A minimum of 20% of the trees, or ten (10) trees, shall be at least a three-inch (3") caliper. The Applicant is proposing more than ten (10) trees at 3" caliper or larger.* - *A minimum of 20% of the trees, or ten (10) trees, shall be at least a two-and-one-half-inch (2 ½") caliper. The Applicant is proposing more than ten (10) trees at 2 ½" caliper or larger.* *<u>Finding:</u> Compliance. The Commission concurred with the proposed planting plan and found that this standard has been met.*
☐	☐	☒	**17.06.080(A)4e**	**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.**
			Staff Comments	*N/A, as this parcel is located within the Business (B) Zoning District.* *<u>Finding:</u> Compliance.*
☒	☐	☐	**17.06.080(A)4f**	**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.**
			Staff Comments	*The subject parcel is located within the Business (B) Zoning District. The landscape plan incorporates a variety of trees, shrubs, groundcovers, grasses, and perennials that soften the site, while also providing visual interest from the various colors, textures, and forms of each plant. There are also open areas that further enhance the site – open space, benches and play area, and distinctive foliage and landscape features (see image below for images of the proposed plant material).* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*

☒	☐	☐	**17.06.080(A)4g**	**g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.**
			Staff Comments	*Storm water runoff is located within the landscaping beds, turf area, and/or drywells, as shown on the civil plans. The Public Works Department commented on the drainage of the site, parking area, and landscaping area in relation to the Public Water Supply, and neighboring properties. Please refer to the section titled, "Streets, Landscaping, and Other" for additional information.* *Finding: Compliance. The Applicant Team and Staff are working internally to resolve any questions and/or concerns relative to runoff and drainage. Any updates will be incorporated into the final design prior to issuance of a Building Permit. The Commission found this standard has been met.*
☒	☐	☐	**17.06.080(A)4h**	**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).**
			Staff Comments	*The Applicant shall be responsible for maintaining plant material in a healthy condition. Plants were chosen for reduced maintenance, drought tolerance and ability to thrive in the conditions on-site.* *Finding: Compliance. The Applicant will be responsible for maintaining plant material in a healthy condition. A Public Right-of-Way Maintenance Agreement will be established to further ensure plants within the public right-of-way also remain in a healthy condition.*
☐	☐	☒	**17.06.080(A)4i**	**i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.**
			Staff Comments	*N/A, as it doesn't appear retaining walls are proposed at this time. If utilized, retaining walls will comply with aesthetic standards of Hailey. Textured and blasted concrete will be considered.* *Finding: Compliance.*
☐	☐	☒	**17.06.080(A)4j**	**j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.**
			Staff Comments	*N/A, as it doesn't appear retaining walls are proposed at this time. If utilized, retaining walls will comply with aesthetic standards of Hailey. Textured and blasted concrete will be considered.* *Finding: Compliance.*
☐	☐	☒	**17.06.080(A)4k**	**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.**
			Staff Comments	*N/A, as no retaining walls are proposed at this time.* *Finding: Compliance.*
☐	☐	☒	**17.06.080(A)4l**	**l. Landscaping should be provided within or in front of extensive retaining walls.**

			Staff Comments	*N/A, as no retaining walls are proposed at this time.* *<u>Finding:</u> Compliance.*
☐	☐	☒	**17.06.080(A)4m**	**m. Retaining walls over 24" high may require railings or planting buffers for safety.**
			Staff Comments	*N/A, as no retaining walls are proposed at this time.* *<u>Finding:</u> Compliance.*
☐	☐	☒	**17.06.080(A)4n**	**n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.**
			Staff Comments	*N/A, as no retaining walls are proposed at this time.* *<u>Finding:</u> Compliance.*

Additional Design Review Requirements for Multifamily Buildings within the City of Hailey

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(D)1a**	**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.**
			Staff Comments	*The proposed building complements the surrounding area and adjacent uses. The proposed residential use is within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. The transition from one residential use to another (Silver River Residences and Spruces Street Duplexes) will be a natural transition from commercial use to higher-density residential use, and in-turn, to less-dense residential use that is evident nearby and in the original Townsite.* *Integration of the building to the surrounding site and landscape is an imperative facet of the project with a variety of landscaping and features providing screening for both residents and neighbors alike. Natural and integrated open space give the residents an attractive, exterior communal area. Native plantings, together with sensitive landscape lighting, further embed the structure in the surrounding area.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(D)1b**	**b. Site plans shall include a convenient, attractive, and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.**
			Staff Comments	*The site plan includes convenient, attractive, and interconnected pedestrian system of pathways, multiuse and perimeter, as well as open space pathways, which reinforces pedestrian circulation of the site.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*

☒	☐	☐	**17.06.080(D)1c**	**c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering places.**
			Staff Comments	*To ensure safe pedestrian access through the site, the Applicant has incorporated sidewalks or hardscape around the building, to and from the primary entrance. Circulation to all entrances is pedestrian friendly and provides safe access to/from the building.* *Pedestrian amenities include open space along the property frontages (Spruce, Silver, and River Streets) of the building. This open space includes seating, turf area, various landscaping, and interactive play area to encourage human interaction.* *<u>Finding:</u> Compliance. The Commission found that this standard has been met.*

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(D)2a**	**a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures and colors to break up the bulk and mass of large multi-family buildings. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.**
			Staff Comments	*The proposed building design provides a transition to adjoining residential neighbors. Design features that reduce the mass of the building include:* - *Biophilic design, which emphasizes the natural mountain atmosphere, and reduces the mass by creating visually pleasing textures, materials, and triangulated forms.* - *The rhythm of the building reflects the evolving style of Hailey. Importance has been placed on restrained and familiarity of the past and the warmth and nuance of contemporary design.* - *The proposed open space and landscaping plan further separate the building from less intensive uses.* *The proposed residential use is located within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. This multifamily project creates a natural transition from commercial use to higher-density residential use, and in-turn, to less-dense residential use that is evident nearby and in the original Townsite.*

				Finding: Compliance. The Commission found that this standard has been met.
☒	☐	☐	**17.06.080(D)2b**	**b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction.**
			Staff Comments	*The building achieves human scale by a prominent entrance, open space areas, site circulation connections and various exterior materials. The landscaping also maximizes human scale and enhances the "sense of place". The various trees, shrubs, groundcovers, grasses, and perennials, and landscape features provide screening for both residents and neighbors. The open space and exterior amenities encourage human activity and further enhance pedestrian interaction.* *Finding: Compliance. The Commission found that this standard has been met and agreed that the building is visually pleasing to pedestrians, further encouraging human activity and interaction.*

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 Hailey Municipal Code, 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 Hailey Municipal Code.**

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 River Lane, LLC, for construction of a fifty-one (51) residential unit, multifamily building, comprising of: forty-three (43) one-bedroom residential units and eight (8) two-bedroom residential units, and located at 403, 417, and 419 North River Street (Lots 1-10, Block 55, Hailey Townsite), 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 (t) are met:

The following Conditions are placed on approval of this Application:

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. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to, the following requirements and/or improvements:
    - **i. Life and Safety:**
        i. The building shall comply with IFC and IBC code requirements.
        ii. A building sprinkler system and alarm system shall be installed, as set forth in the IFC.
    - **ii. Water and Wastewater:**
        i. All construction shall be to City Standards.
        ii. Applicant shall decide if a single 4" sewer service is adequate to service the proposed building.

iii. Existing, unused sewer services shall be located and abandoned – these shall be capped and abandoned at the main or the edge of the right-of-way if on River Street.
iv. Existing, unused water services shall be located, abandoned, and disconnected at the main line.
v. Specify and show IDAPA required setbacks to Existing Public Water Supply. The Silver Street drywell appears to be too close, per IDAPA requirements.
vi. A landscaping drywell has been shown on the detail sheet. Drywell shall be shown on Civil set.
vii. The proposed trash enclosure shall not drain toward or near the well house.
viii. The City will have the new Potable Water FPS Engineer provide additional comments when under contract.

iii. Streets, Landscaping, and Other:

i. It appears that the proposed Lodgepole Pine Trees may be too close to the building's front door. The Applicant shall relocate the trees slightly farther away from the doors to ensure the health and longevity of these trees.
ii. Comments noted in this section of the report shall be internally discussed and resolved with City Staff prior to issuance of a Building Permit.
iii. The Applicant shall show the locations of all street trees, including dimensionally correct locations and sizes of the tree wells with the footprint of the suitable soil, structural soil, or suspended pavement areas. Said exhibit shall include the supporting mathematical calculations and shall be supplied at the time of Building Permit submittal. The exhibit shall also include a checklist for use during construction inspections, as directed by City Staff.

d) The Applicant shall be responsible for winter snow clearing and maintenance of the of the existing alley, River Lane. A Public Right-of-Way Maintenance Agreement will be developed, which will detail the specifics of this requirement, and others.
e) The Applicant shall remove snow from the site, as needed.
f) The Applicant shall be responsible for the maintenance of all landscaping: perimeter, onsite, and street trees. Further detail will be provided within the Public Right-of-Way Maintenance Agreement.
g) Snow shall not be stored within proposed open space areas, or adjacent to the Public Water Supply.
h) The project shall be constructed in accordance with the Application or as modified by these Findings of Fact, Conclusions of Law, and Decision.
i) 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.
j) 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.

k) All exterior lighting shall comply with the Outdoor Lighting Ordinance.
l) Construction parking shall be on private property and not within the City Right-of-Way nor the edge of the road.
m) A letter from Clear Creek Disposal shall be provided commenting on the adequacy and accessibility of the enclosure area prior to issuance of a Building Permit.
n) All ground-mounted and roof-mounted equipment shall be screened from view of surrounding properties.
o) Vending machines shall not be located on the exterior of the building.
p) A Lot Line Adjustment Application, to remove the interior lot lines, shall be applied for concurrently with the Building Permit.
q) The City of Hailey, Grantor of an easement (Instrument No. 381657), over and upon the southernmost twenty (20) feet of the one hundred (100) foot Spruce Street right-of-way immediately adjacent to Lot 1, Block 55, will revoke said easement by written notice to the Grantee, to be recorded, prior to issuance of a Certificate of Occupancy.
r) The Applicant shall install an east-west crosswalk adjacent to the site and shall work internally with City Staff to determine the most appropriate location.
s) The units shall be leased to residents living and/or working in Blaine County. Specifics of this will be integrated into an agreement developed by the City and Applicant Team.
t) The Design Review Approval shall be valid for eighteen (18) months from the date the Findings of Fact are approved.

Signed this _____ day of _____, 2022.

_____
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_____
Jessie Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On November 21, 2022, the Planning and Zoning Commission considered and recommended for approval a Text Amendment Application to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 040: District Use Matrix, to remove the category "Employee housing for golf courses or recreational facilities" from the District Use Matrix.

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to public agencies on October 28, 2022.
Background: Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 040: District Use Matrix singles out employee housing for golf courses and recreational facilities as its own category with bulk requirements; other types of employee housing are not addressed in the District Use Matrix. The bulk requirements in question prohibit employee housing for golf courses and recreational facilities in all Zoning Districts except the Recreational Green Belt (RGB), where such housing is allowed by approval of a Conditional Use Permit only.

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	Daycare facilities (up to 12 children)	N	C	C	P	P	P	P	P	N	N	N	C	N
	Daycare homes (6 or less children)	N	P	P	P	P	P	P	P	N	N	N	C	N
	Employee housing for golf courses or recreational facilities	C	N	N	N	N	N	N	N	N	N	N	N	N
	Fabrication and repair of building materials and components, including log homes	N	N	N	N	N	N	N	N	N	N	N	N	P
	Farm supply and	N	N	N	N	N	N	N	N	N	N	N	N	P

In the Application narrative for the proposed Text Amendment, the Applicant asserted that the current Municipal Code "significantly restricts the legal location for employee housing for many employers, including, but not limited to, The Valley Club." Given the great need for housing in the Wood River Valley and the City's priority of supporting access to housing, Staff agrees that golf courses and recreational facilities should not be restricted from providing employee housing within the City's residential Zoning Districts.

The proposed Text Amendment solely removes the category "Employee housing for golf courses or recreational facilities" from the District Use Matrix, as indicated by a strike-thru in the attached Draft Ordinance.

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 Text Amendment supports the goals laid out in the Hailey Comprehensive Plan in that it proposes to unrestrict employee housing for golf courses and recreational facilities. In Section 8: Housing, the Plan discusses the economic, environmental, and social benefits of supporting an accessible housing market within Hailey city limits. Specific to employee housing, the Plan states that:

> "*Affordable employee housing is a key element in the decisions of business owners to create new enterprises or expand their businesses. If affordable housing for employees to purchase and/or rent cannot be provided, it will limit the growth potential and sustainability of local businesses. To the extent that attractive, affordable housing is available, employees can better be recruited and retained*." (page 38).

As explained by the Comprehensive Plan, The Valley Club stands to benefit from providing housing options and supporting housing security for their employees. The Valley Club shares the City's goals in support of housing the local workforce and seeks support from the Commission to allow them—a golf course—to create employee housing beyond the Recreational Green Belt (RGB) Zoning District.

Finding: Compliance. 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;
While the proposed Text Amendment does not necessarily relate to the development of new housing units, it would (if approved) allow two (2) categories of businesses—golf courses and recreational facilities—to utilize existing housing or develop new housing for employees within all residential Zoning Districts. In other words, golf courses and recreational facilities would no longer be restricted to nor allowed to provide employee housing within the Recreational Green Belt (RGB) Zoning District via a Conditional Use Permit. If approved, golf courses and recreational facilities would need to abide by the stipulations of other residential use or development projects.

All studies related to recently proposed and approved housing projects have affirmed that the City's municipal services maintain sufficient capacity for infill development and increased residential densities. As such, the Commission found that essential public facilities and services are available to support existing and increased housing developments within the residential Zoning Districts, and does not anticipate the proposed Text Amendment to create excessive requirements at public cost for public facilities services.

Finding: Compliance. The Commission found that this standard has been met.

3. The proposed uses are compatible with the surrounding area; and
Other types of businesses are permitted—and encouraged by the City— to provide employee housing in the residential Zoning Districts. If approved, this Text Amendment would group golf courses and recreational facilities with other businesses, in regards to where they are allowed to provide employee housing. The Commission agreed that employee housing is more compatible with the residential Zoning Districts than it is with the Recreational Green Belt (RGB) Zoning District and found that this standard has been met.

Finding: Compliance.

5. The proposed amendment will promote the public health, safety, and general welfare.
Through years of community engagement for the Comprehensive Plan creation and updates (as recent as 2020), the Commission and Council have found that there is strong community support and rationale for increasing and diversifying housing options within Hailey City Limits— including employee housing. The proposed Text Amendment is aligned with the City's needs and goals, housing is key to the public health, safety, and general welfare in Hailey.

Finding. Compliance. The Commission found the proposed amendments to be consistent with the Hailey Comprehensive Plan, and will promote the public health, safety, and general welfare of the community.

Signed this _____ day of _____, 2022.

_____
Janet Fugate, Chair

Attest:

_____
Jessica Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On November 21, 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 17, Zoning Regulations, Chapter 17.02 Definitions, Section 17.02.020: Meaning of Terms or Words, to add definitions related to solar energy development; Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to amend height requirements for solar systems and to allow for freestanding solar in all zoning districts except the Recreational Green Belt (RGB); as well as to add a new chapter, Chapter 17.08E, entitled Solar, to provide specific standards concerning the development of solar resources.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 27, 2022 and mailed to public agencies on September 27, 2022.

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 amend Title 17, Zoning Regulations, Chapter 17.02 Definitions, Section 17.02.020, to add definitions related to solar energy development; Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040 to amend height requirements for solar systems and to allow for freestanding solar in all zoning districts except the Recreational Green Belt (RGB); and to add a new chapter, Chapter 17.08E, entitled Solar, to outline standards for any forthcoming solar development.

In March of 2022, the City of Hailey was recognized as a silver-level solar community by Solsmart. During the application process, SolSmart completed a Zoning Review which evaluated the Hailey Municipal Code and provided feedback on barriers to solar development that were identified. The barriers found included freestanding (ground-mounted) solar, which is currently listed as a conditional use in all zoning districts and maximum height requirements apply.

SolSmart identified ground-mounted solar panels as a conditional use in all zoning districts to be a barrier to solar development because not all properties are suitable for roof-mounted solar. SolSmart best practices recommend allowing accessory use ground-mounted solar in all zoning districts.

SolSmart also identified building height requirements as a barrier for solar development because the Hailey Municipal Code currently stipulates that roof-mounted solar are subject to the building height for the applicable district. Yet, most buildings are built to the maximum height allowance of its zoning district, which limit a buildings' ability to install solar since solar panels are most efficient when installed at an angle equal to a locational latitude. SolSmart best practices recommends exempting solar systems from height restrictions. However, both Blaine County and Ketchum allow an extension of five (5) feet above the maximum building height for roof-mounted solar. City Staff recommends taking a similar approach to provide consistency among jurisdictions in the Wood River Valley.

In the past, Federal Aviation Administration (FAA) policy required the Friedman Memorial Airport Staff to analyze the impact of solar glare in the vicinity of the airport to either the Air Traffic Control Tower cab or an aircraft on approach to either runway end. The FAA has since updated their policy, which reduced the scope of solar glare analysis to only include on-airport projects that impact the Air Traffic

Control Tower cab and no longer requires the evaluation of off-airport solar. However, the City of Hailey is unique in the sense that the Friedman Memorial Airport is surrounded by residential developments and some developments that are technically off-airport are still in very close proximity and could potentially impact the airport. That said, Staff recommends that new roof-mounted solar installations located within the proposed Airport Influence Area be subject to review and/or consultation with the Airport Director. Based on the review, if there is a questionable site or concerns, the City will require the Applicant to submit a 7460-1 form to the FAA for further review and approval.

On September 6, 2022, the Planning and Zoning Commission reviewed the proposed text amendments to the District Use Matrix. The Commission was in favor of permitting a height extension of five feet (5') above the maximum building height of the zoning district for roof mounted solar and allowing freestanding solar in all zoning districts, except the Recreational Green Belt (RGB). However, the Commission expressed concerns over the current language for the allowable height of freestanding solar, which is subject to the maximum building height for the applicable district. The Commission requested standards specifically for solar development to be outlined in the Municipal Code. As such, Staff developed a new chapter, 17.08E, which identifies general provisions, overlay district standards, and the proposed Airport Influence Area of the Friedman Memorial Airport standards for solar development. All solar developments in the City of Hailey are subject to the standards and purview of the local utility provider.

On October 17, 2022, the Planning and Zoning Commission reviewed the proposed text amendments suggested by Staff. The Commission had concerns over the proposed height maximum of fifteen feet (15') for ground mounted solar, suggesting a lower height. The Commission requested more information on the average height of ground mounted solar installations and what the typical structural supports of those systems are. The Commission also requested a map of the proposed Airport Influence Area of the Friedman Memorial Airport.

Staff contacted John Reuter, owner of Bluebird Solar, to inquire about the average height of ground-mounted solar systems. Mr. Reuter informed Staff that ground-mounted systems are engineered low due to wind-loading concerns and the tallest system he has ever installed was ten feet (10') in height. Mr. Reuter recommended a height of twelve feet (12') or less for ground-mounted systems. Mr. Reuter also explained how most structural supports for solar systems are made of concrete Sonotubes, and that his systems are usually four (4) to five (5) feet into the ground with concrete. He further explained how the National Electrical Code requires a fence or a wiring enclosure on the back of all ground-mounted solar arrays for safety. The images below are Bluebird Solar's installations of ground-mounted solar systems in the Wood River Valley.

Source: Bluebird Solar

Source: Bluebird Solar

Staff is proposing a reduced maximum height of ten feet (10') for ground mounted solar systems. Also, the map of the proposed Airport Influence Area of the Friedman Memorial Airport is attached.

On November 21, 2022, the Planning and Zoning Commission unanimously supported and recommended approval by the Hailey City Council the proposed text amendment to include additional solar definitions and to add a new chapter regarding specific standards concerning the development of solar resources. The Commission requested the removal of the words "curtain wall" and addition of the word "roof" in the definition for building integrated photovoltaics (BIPV). The Commission also requested the inclusion of the word "snow" within 17.08E.020 General Provisions (B), to ensure solar panel mount systems on roofs are installed to meet the International Building Code standards for both wind and snow loads. The modifications have been reflected herein.

The following text amendments to Title 17 could read as follows:

Chapter 17.02 Definitions
Section 17.02.020: Meaning of Terms or Words

Building Integrated Photovoltaics (BIPV): A solar collector system that is integrated into the structure of a building. Common BIPV applications include carports, awnings, and roofs.

Pole-Mounted Solar System: A solar collector system that consists of an array that is mounted on top of a single steel pole, which is ground mounted. This type of installation can be manually adjustable, so that the pitch of the array at different times of the year can be changed.

Chapter 17.05 Official Zoning Map and District Use Matrix
Section 17.05.040: District Use Matrix

Category	**Description (Excerpt)**	**Zones And Subdistricts**												
		RGB	**LR-1**	**LR-2**	**GR**	**NB**	**LB**	**TN**	**B**	**LI**	**TI**	**A**	**SCI-SO**	**SCI-I**
Accessory uses:														
Alternative energy systems	Freestanding solar panels, subject to the maximum height of ten feet (10') from record grade	N	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~ A
	Roof mounted and freestanding small scale wind energy system	N	N	N	N	N	N	N	C	C	N	C	C	C
	Roof mounted solar panels, subject to five feet (5') above the maximum building height for the applicable district[25]	A	A	A	A	A	A	A	A	A	A	A	A	A

[25] Subject to review and/or consultation with the Airport Director for all new roof-mounted solar located within the proposed Airport Influence Area.

17.08 Supplementary Regulations

Article E: Solar

Section:

17.08E.010 Purpose and Intent

17.08E.020 General Provisions

17.08E.030 Overlay District Standards

17.08E.040 Friedman Memorial Airport Proposed Airport Influence Area

17.08E.010 Purpose and Intent

The general purpose of this article is to encourage the expansion of solar energy development for heating air and water, and producing electricity in homes and businesses, as long as disruption to the site-specific natural topography, riparian areas, wetlands, and hazard areas or impacts to the Friedman Memorial Airport are mitigated and/or avoided.

17.08E.020 General Provisions

The placement, use, or modification of a solar energy system shall be an allowed use in all zoning districts, except the Recreational Green Belt (RGB), provided the system meets zoning standards outlined in subsections A through I of this section, and section 17.08E.020 of this chapter. To lawfully install a solar energy system, an Alternative Energy Review Form shall be required.

The following shall be found to be true prior to issuance of a building permit:

A. Photovoltaic solar (collector) panels are certified by the Solar Collector and Certification Corporation (SRCC);
B. Solar energy system panels and mounts are installed per manufacturer's specifications;
C. Solar panels mount systems located on roofs are installed to meet the International Building Code standards for wind and snow loads. If panels do not contain wind and snow load specification or circumstances require a modification to installation per the manufacturer's specifications, an engineer shall review and certify that the modifications meet wind and snow load standards as outline in the International Building Code and as amended by the City of Hailey;
D. The building official has reviewed mounting plans to ensure the roof structural integrity is maintained;
E. BIPV and roof-mounted panels do not exceed five feet (5') from the top of the structure or forty feet (40') from natural grade;
F. Ground and pole mounted solar collectors are firmly anchored and:
    1. Do not exceed ten feet (10') from natural grade; or

2. Panels located on isolated slopes do not exceed ten feet (10') above record grade;
3. Are exempt from lot coverage calculations
4. Are located on private property only, and not within the public right-of-way.

G. Solar energy system is located in a building envelope or is located outside the building envelope and is not located within an overlay district, or has been found to comply with the standards set out in section 17.08E.030 of this chapter;
H. Solar energy system setbacks are subject to Supplementary Location and Bulk Requirements for detached accessory structures, as outlined in 17.07.010;
I. No solar development shall be permitted in the Recreational Green Belt (RGB)
J. All solar development is subject to the standards and purview of the local utility provider.
K. All residential solar development must comply with Section 324: Solar Energy Systems of the International Residential Code.
L. All commercial solar development must comply with Section 1204: Solar Photovoltaic Power Systems of the International Fire Code.
M. All solar installations must comply with the applicable provisions of the National Electrical Code.

17.08E.030 Overlay District Standards

Solar or Alternative Energy Permit Applications located in an overlay district have the burden of demonstrating compliance with each of the standards of evaluation as set forth in this section.

A. Townsite Overlay District:
    1. Roof-mounted solar systems may extend an additional five feet (5') beyond the maximum building height allowance of the zoning district in which it is located and must be equal to or less than the roof area.
    2. Ground-mounted solar systems must be equal to or less than half of the yard area and no higher than ten feet (10') from record grade and is exempt from lot coverage calculations so long as the surface underneath is pervious.
B. Hillside Overlay:
    1. Solar development is encouraged to occur on areas of lowest elevation on hillside properties where such areas area part of the parcel or lot under consideration.
    2. A reflection analysis from a qualified professional shall demonstrate the angle of the collector panels do not create a line-of-sight reflection as viewed from a reference road.
C. Special Flood Hazard Overlay District:
    1. All solar development in the Special Flood Hazard Overlay is subject to standards A1-A7, A9-A18, and B7 as outlined in section 17.04J.060 of this title.

17.08E.040 Friedman Memorial Airport Proposed Airport Influence Area Standards

Solar or Alternative Energy Permit Applications located in the proposed Airport Influence Area of the Friedman Memorial Airport shall demonstrate compliance with each of the standards of evaluation set forth in this section.

A. Solar development located in the proposed Airport Influence Area are subject to review and/or consultation with the Airport Director.
B. Based on the Airport Director's review, the Applicant may need to submit Form 7460-1 to the Federal Aviation Administration for further review and approval.
C. A reflection analysis from a qualified professional shall demonstrate the angle of the collector panels do not create a line-of-sight reflection as viewed from a reference road.

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 into 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.

Solar energy is a clean and renewable resource that improves air quality and reduces greenhouse gas emissions in the community. By including additional solar definitions, removing the barriers of height requirements and conditional uses, as well as outlining specific standards for new solar development, will result in greater clarity and further expansion of solar development in Hailey. 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, and that this stand has been met. The proposed amendments are intended to avoid any potential misinterpretations of solar energy systems and to facilitate the expansion of the local solar market.

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, and 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 17, Chapter 17.02, 17.05, and 17.08E was given, and is proper. The Commission makes the following recommendations:

a) An Ordinance amending Title 17: Zoning Regulations, Chapter 17.02 Definitions, Section 17.02.020: Meaning of Terms or Words, to add definitions related to solar energy development; Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to amend height requirements for solar systems and to allow for freestanding solar in all zoning districts except the Recreational Green Belt (RGB); as well as to add a new chapter, Chapter 17.08E, entitled Solar, to provide specific standards concerning the development of solar resources.
b) To modify the definition of Building Integrated Photovoltaics (BIPV) to read as follows: Any device or structural design feature used for the collection, storage, and/or distribution of solar energy for space heating, space cooling, lighting, electric generation, or water heating.
c) To modify General Provisions 17.08E.020(B), to read as follows: Solar panels mount systems located on roofs are installed to meet the International Building Code standards for wind and snow loads. If panels do not contain wind and snow load specification or circumstances require a modification to installation per the manufacturer's specifications, an engineer shall review and certify that the modifications meet wind and snow load standards as outline in the International Building Code and as amended by the City of Hailey.

The Commission thereby recommends approval to the Hailey City Council an Ordinance, Ordinance No. _____, amending Title 17: Zoning Regulations, Chapter 17.02 Definitions, Section 17.02.020: Meaning of Terms or Words, to add definitions related to solar energy development; Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to amend height requirements for solar systems and to allow for freestanding solar in all zoning districts except the Recreational Green Belt (RGB); as well as to add a new chapter, Chapter 17.08E, entitled Solar, to provide specific standards concerning the development of solar resources.

Signed this _____ day of _____, 2022.

_____
Janet Fugate, Chair

Attest:

_____
Jessica Parker, Community Development Assistant

Return to Agenda

STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of December 5, 2022

To: Hailey Planning and Zoning Commission

From: Cece Osborn, Community Development City Planner

Overview: Continuation of a Design Review Application by Joel Tranter and Laura Nelson, represented by architect David Barovetto, for a new 3,190 square foot single-family residence with an internal 896 square foot accessory dwelling unit at 637 South River Street (Lot 2A, Block 1, Maple Subdivision). The project is located in the General Residential (GR), Townsite (TO) and Downtown Residential (DRO) Overlay Zoning Districts.

Hearing: December 5, 2022

Applicant: Joel Tranter, represented by architect David Barovetto

Location: Maple Subdivision, Block 1, Lot 2A, (637 South River Street)

Zoning & Size: General Residential (GR), Townsite (TO) and Downtown Residential (DRO) Overlay Zoning Districts; 8,840 square foot or 0.2 acre lot.

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners within 300 feet on the same day, November 10, 2022.

Application: The Applicant is proposing the construction of a new 3,190 square foot single-family residence with an internal 896 square foot accessory dwelling unit (ADU) at 637 South River Street (Lot 2A, Block 1, Maple Subdivision). The gross square footage of the entire proposed structure is 4,086 square feet.

The first, main floor includes two (2) bedrooms, two and one-half (2.5) bathrooms, an open layout kitchen and living room, office room, two-car garage, entryway, plus access to three (3) outdoor areas and a staircase to the second floor. The internal ADU is located on the upper floor and comprises of 896 square feet. The ADU includes a balcony facing River Street; open layout kitchen, living, and dining room; two (2) enclosed bedrooms; and one (1) full bathroom. The remainder of the upper floor is a 550 square foot loft that is open to the first, main floor. The main entrance is north-facing and accessed via a covered entry walkway on River Street. The entry walkway also services a secondary exterior entrance to the internal ADU.

At the October 17, 2022 public hearing, the Planning and Zoning Commission suggested that the Applicant relocate or minimize the garage on the street frontage. Per code, the Commission recommended any garage door on the street frontage be one-car in width and setback. Additionally, the

Commission suggested that the Applicant adhere to the required lot coverage and outdoor lighting standards.

As such, the Applicant revised the original design to a) adhere to the 30% lot coverage, b) pronounce the entry walkway on the River Street frontage, c) reduce the driveway curb cuts to one (1), and d) adjust the light fixtures to be Dark Sky compliant. However, the Applicant maintains the two-car garage frontage on River Street in their proposed plans. The Applicant claims that a garage is not feasible in any other location nor facing any other side of the property because the lot dimensions are narrow and preclude him from turning his truck. No alley services the lot.

Procedural History: On October 17, 2022 the Planning & Zoning Commission held a Public Hearing on the Applicant's first design for this project, the Commission provided feedback but took no action. On October 26, 2022 the Applicant submitted a new set of plans for the project. A Public Hearing before the Planning and Zoning Commission for approval or denial of the project will be held on December 5, 2022 in the Hailey City Council Chambers and online via Go-To Meeting.

General Requirements for Accessory Dwelling Units				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.08D.020**	**Applicability.** **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.**
☒	☐	☐	**17.04D.030**	**General Provisions.** **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.**
			Staff Comments	*The proposed residence includes an upper-level interior ADU of 896 square feet in size.*
☒	☐	☐		**B. Only one (1) Accessory Dwelling Unit is permitted on a lot.**
			Staff Comments	*Only one (1) ADU is proposed onsite.*
☒	☐	☐		**C. 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.**
			Staff Comments	*The proposed ADU is in conjunction with a proposed single-family residence in the General Residential (GR), Townsite Overlay (TO), and Downtown Residential Overlay (DO) Zoning Districts.*
☐	☐	☒		**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**

<table>
<tr><td></td><td></td><td></td><td></td><td>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.</td></tr>
<tr><td></td><td></td><td></td><td>Staff Comments</td><td>N/A – The proposed ADU is not located within the Special Flood Hazard Area.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td>17.08D.040: Registration of Accessory Dwelling Units Required</td><td>A. All Accessory Dwelling Units created after February 10, 2021, shall be issued an Accessory Dwelling Unit Compliance Certificate.</td></tr>
<tr><td></td><td></td><td></td><td>Staff Comments</td><td>Upon completion of construction for the proposed ADU, a Compliance Certificate will be issued.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td>17.08D.050: Occupancy Restrictions - Short Term Occupancy</td><td>A. 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></td><td></td><td></td><td>Staff Comments</td><td>The owner intends to rent the ADU on a long-term basis. The owner will reside in the primary residence full-time. This standard has been made a Condition of Approval.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td></td><td>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.</td></tr>
<tr><td></td><td></td><td></td><td>Staff Comments</td><td>See Section 17.08D.050A, the Applicant's occupancy plan meets this standard and it has been made a Condition of Approval.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td>17.08D.060: Subordinate Scale and Size</td><td>A. 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></td><td></td><td></td><td>Staff Comments</td><td>The gross floor area of the primary residence is 3,190 square feet in size. The 896 square foot ADU is approximately 28% of its size. As such, the proposed design meets this standard.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td></td><td>B. Maximum Floor Area:
<table>
<tr><th>Lot Size (square feet)</th><th>Minimum Gross Floor Area (square feet)[1]</th><th>Maximum Gross Floor Area (square feet)[1,]</th></tr>
<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>
<tr><td colspan="3">Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included.</td></tr>
</table></td></tr>
<tr><td></td><td></td><td></td><td>Staff Comments</td><td>The Applicant meets this standard— the lot size 8,840 square feet and the proposed ADU is 896 square feet.</td></tr>
<tr><td>☒</td><td>☐</td><td>☐</td><td></td><td>C. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.</td></tr>
<tr><td></td><td></td><td></td><td>Staff Comments</td><td>The proposed ADU has two (2) bedrooms.</td></tr>
</table>

☒	☐	☐	**17.08D.070: Livability**	**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	*Through annotation on the plans and e-mail correspondence, the Applicant has designated 50 square feet of ADU outdoor access on the upper-level balcony.*
Chapter 17.09: Parking and Loading				
☒	☐	☐	**17.09 020.05.B**	**Parking areas and driveways for single-family, accessory dwelling unit, and duplex residences may be improved with compacted gravel or other dustless material.**
			Staff Comments	*The Applicant proposes a driveway on River Street, improved with compact gravel or paved. The driveway design will be further discussed upon receipt and review of the Civil Plans and the decision whether or not to move the fire hydrant located in the City Right-of-Way. The Applicant will work internally with Staff to identify any revisions to the proposed driveway, where necessary, prior to issuance of a Building Permit.*
☒	☐	☐	**17.09.020.05.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.**
			Staff Comments	*The proposed parking for the primary residence and ADU is on River Street, due to the lack of an alley and the narrow lot constraints. As such, light trespass into the Applicant's and the neighbors' living spaces is not a concern.*
☒	☐	☐	**17.09.040.01**	**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.**
			Staff Comments	*The proposed design includes space in the driveway for one (1) to two (2) parking spaces, in addition to the two (2) car garage.*

General Requirements for all Design Review Applications

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☒	☐	**17.06.050**	**Complete Application**
☐	☐	☐	**Department Comments**	**Engineering:** *In-lieu fees for the design and installation of the sidewalk along the property frontage (River Street) shall be collected. Two contractor estimates shall be provided and in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy**.** *This has been made a Condition of Approval.*

				Life/Safety: *A fire hydrant is located approximately twenty feet (20') off River Street, presumably on the edge of the City Right-of-Way and the Applicant's property line. While the fire hydrant is accessible where it is located, the Fire Department welcomes a new location for the fire hydrant that is closer to River Street. Regardless, access to the fire hydrant shall be maintained.*
				Water and Sewer: *The Applicant needs to establish water service and install a meter vault. If the fire hydrant is moved, the Applicant will be held responsible for the associated costs—including but not limited to cutting off and restarting the main water line and testing the water for drinkability.*
				Building: *A civil plan set is required prior to issuance of a Building Permit.*
				Streets: *A buffer of at least ten feet (10') shall be maintained between the driveway curb cuts and the abutting property lines, per Municipal Code. Any landscaping or improvements in the City Right-of-Way shall go through the Encroachment Permit application process.*
☐	☐	☒	**17.08A Signs**	**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.**
			Staff Comments	*N/A -- Signage is prohibited in residential zones.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.** **17.09.040 Single family dwelling: 2 spaces minimum, 6 spaces maximum**
			Staff Comments	*The Municipal Code requires two (2) parking spaces per single-family residence, plus one (1) space per Accessory Dwelling Unit (ADU). The proposed project includes three to four (3-4) spaces— two (2) in the garage plus one or two (1-2) in the driveway. Both the garage and driveway are located on the street frontage, which is discouraged by the Code.*
☐	☒	☐	**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	*Applicant proposes minimal exterior lighting for the lower-level outdoor deck and patio, as well as for the garage and walkway. The allowed for partially shielded luminaries comply the Section 17.08C.040 Outdoor Lighting Standards, each emitting less than 1,000 lumens.*
☐	☐	☐	**Bulk Requirements**	**The property is zoned in the General Residential (GR), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts** **Maximum Building Height: 30'** **Setbacks:** • **Street R.O.W. Adjacent: 12'; 20' to a garage** • **Private Property Abutment: 1' for every 2.5' of wall height; minimum of 6'** • **Alley: N/A** **Lot Coverage: 30%**
			Staff Comments	- *Proposed Building Height: 27.6'* - *Proposed Setbacks:* o *Front Yard (West): 28 to the front entry'; 32' to the garage* o *Side Yard (South): 12'* o *Side Yard (North): 12' 11"* o *Rear Yard (East): 18'* - *Proposed lot coverage: 29.86%* *The proposed building footprint is 2,640 square feet, amounting to approximately 30% lot coverage.* *The building height varies with the outcropped star window, and the roof slopes downwards towards the north and south side yards. As such, Staff found the proposed design to meet the required setbacks.*
☒	☐	☐	**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	*City Staff requests that the Applicant provide in-lieu fees for future Right-Of-Way improvements. Two contractor estimates shall be provided, which include design and installation of concrete sidewalks, along the property's frontage – River Street. In-lieu fees shall be paid prior to issuance of a Certificate of Occupancy. This has been made a Condition of Approval.*
☒	☐	☐	**17.06.070(B) Required Water System Improvements**	**Water Line 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)**

			Staff Comments	*Staff will review civil plans and water line connections and improvements when they are updated. This standard shall be met.*

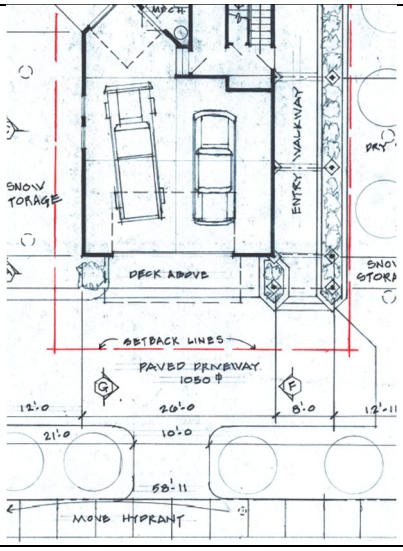
Design Review Guidelines for Residential Buildings in the Townsite Overlay District (TO).

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.090(C)1**	**1) Site Planning**
				Guideline: The pattern created by the Old Hailey town grid should be respected in all site planning decisions.
			Staff Comments	*The lot is existing and rectangular; however, there is no alley in the rear. Vehicular access is only possible via River Street.*
☒	☐	☐		**Guideline: Site planning for new development and redevelopment shall address the following:** • **scale and massing of new buildings consistent with the surrounding neighborhood;** • **building orientation that respects the established grid pattern of Old Hailey;** • **clearly visible front entrances;** • **use of alleys as the preferred access for secondary uses and automobile access;** • **adequate storage for recreational vehicles;** • **yards and open spaces;** • **solar access on the site and on adjacent properties where feasible, and where such decisions do not conflict with other Design Guidelines;** • **snow storage appropriate for the property;** • **underground utilities for new dwelling units.**
			Staff Comments	• *The scale of the proposed residence is consistent with the scale and massing of buildings in the neighborhood.* • *Because no alley is available to service the lot, vehicular access is only possible via the public street at the front of the parcel (River Street).* • *A covered exterior walkway clearly leads from the east, front side of the lot to the main entrance on the north side.* • *N/A – there is no alley abutting the property.* • *The proposed two-car garage and driveway leave adequate storage for recreational vehicles.* • *The proposed residence incorporates three (3) large outdoor leisure areas—an upper-level balcony for the ADU, southside patio, and rear deck—surrounded by yard space; in addition to the covered entry walkway.* • *Snow storage is identified onsite, on the north and south side yards.* • *Staff will review civil plans once they are updated, to ensure that utilities are buried underground.*

☒	☐	☐		**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 proposed residence incorporates south-facing windows to increase natural light and heating.*
☒	☐	☐	**17.06.090(C)2**	**2. Bulk Requirements (Mass and Scale, Height, Setbacks)**
				Guideline: The perceived mass of larger buildings shall be diminished by the design.
			Staff Comments	*The proposed residence incorporates trim, as well as varying roof lines, materials, and windows to break up the perceived mass of the building. The gable roof, star window, and outdoor leisure areas also diminish the size of the residence.*
☒	☐	☐	**17.06.090(C)3**	**3. Architectural Character**
			17.06.090(C)3a	**a. General**
				Guideline: 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.
			Staff Comments	*The proposed residence is reflective of the traditional aesthetics of Old Hailey, yet modern in its materials, incorporation of outdoor leisure areas, and the star window. The various materials— dark grey sheet metal roof, jade stucco upper exterior, cedar siding lower exterior, and ground level masonry block— are common and reflective of the present.*
☒	☐	☐	**17.06.090(C)3b**	**b. Building Orientation**
				Guideline: The front entry of the primary structure shall be clearly identified such that it is visible and inviting from the street.
			Staff Comments	*The entry walkway in the proposed design is inviting and clearly visible from the front of the lot on River Street.*
☐	☒	☐		**Guideline: Buildings shall be oriented to respect the existing grid pattern. Aligning the front wall plane to the street is generally the preferred building orientation.**
			Staff Comments	*The narrow dimensions of the lot and lack of a rear alley pose challenges for vehicular access and parking. As such, the proposed design incorporates an enclosed two-car garage facing River Street and main entrance facing the north side yard. An entry walkway clearly leads people from River Street to the main entrance on the northside.*
☒	☐	☐	**17.06.090(C)3c**	**c. Building Form**
				Guideline: 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.
			Staff Comments	*The proposed gable roof, window trim, and cedar siding are consistent with the styles and forms found in Old Hailey. As detailed in Section 17.06.090(C)2, various elements break up the perceived mass of the building.*
☒	☐	☐	**17.06.090(C)3d**	**d. Roof Form**
				Guideline: Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.
			Staff Comments	*The layered gable roofs break up the perceived mass of the building; the saltbox shape of the entry walkway roof identifies the route to the main entrance; and upper-level balcony detracts from the garage doors.*

☒?	☐	☐	**17.06.090(C)3d**	**Guideline: Roof pitch and style shall be designed to meet snow storage needs for the site.** • **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.** • **Designs should avoid locating drip lines over key pedestrian routes.** • **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.**
			Staff Comments	*All the proposed roof pitch, materials, and forms will shed snow and runoff away from entries and pedestrian travel areas. Snow clips and gutters are planned, snow will be stored in the side yards and is not expected shed onto adjacent properties.*
☒	☐	☐	**17.06.090(C)3d**	**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.**
			Staff Comments	*The proposed gable roof forms, pitch, ridge lengths, and sheet metal material are similar to those found in Hailey and the immediate neighborhood.*
☒	☐	☐	**17.06.090(C)3d**	**Guideline: The roof pitch of a new building should be compatible with those found traditionally in the surrounding neighborhood.**
			Staff Comments	*See Section 17.06.090(C)3d.*
☐	☒	☐	**17.06.090(C)3e**	**e. Wall Planes**
				Guideline: Primary wall planes should be parallel to the front lot line.
			Staff Comments	*The proposed structure's primary wall plane is perpendicular to the front lot line. As described in Section 17.06.090(C)3b, the lot dimensions pose challenges to meeting this guideline.*
☒	☐	☐	**17.06.090(C)3e**	**Guideline: Wall planes shall be proportional to the site and shall respect the scale of the surrounding neighborhood.**
			Staff Comments	*The wall planes are proportional to the lot and comparable to the scale of buildings in the surrounding neighborhood.*
☒	☐	☐	**17.06.090(C)3e**	**Guideline: The use of pop-outs to break up longer wall planes is encouraged.**
			Staff Comments	*The proposed design incorporates pop-outs on all four (4) wall planes. Most notably, a unique star window pop-out is designed for the north facing wall as part of the main entrance.*
☒	☐	☐	**17.06.090(C)3f**	**f. Windows**
				Guideline: Windows facing streets are encouraged to be of a traditional size, scale and proportion.
			Staff Comments	*Aside from the north-facing star window, the windows on the remaining three (3) wall planes of the proposed residence are traditional in size, scale, and proportion. They are rectangular, framed with trim, and sometimes incorporated into gable pop-outs.*
☒	☐	☐	**17.06.090(C)3f**	**Guideline: Windows on side lot lines adjacent to other buildings should be carefully planned to respect the privacy of neighbors.**
			Staff Comments	*A fence on the southern side of the property offers a visual barrier between neighbors, and the windows on the northern side of the proposed residence are ornamental and minimal.*
☒	☐	☐	**17.06.090(C)3g**	**g. Decks and Balconies**
				Guideline: Decks and balconies shall be in scale with the building and the neighborhood.

			Staff Comments	*The four (4) proposed outdoor leisure areas are to scale with the proposed residence, ADU, and surrounding neighborhood.*
☒	☐	☐	**17.06.090(C)3g**	**Guideline: Decks and balconies should be designed with the privacy of neighbors in mind when possible.**
			Staff Comments	*The proposed decks and balconies do not peer into neighboring residences. Outdoor leisure areas and large windows between the neighboring residences and proposed design are staggered and protected by fences.*
☒	☐	☐	**17.06.090(C)3h**	**h. 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	*A variety of materials, textures, and colors create engaging wall planes, as do the windows and trim. See Section 17.06.090(C)3a and 17.06.090(C)3f for more details.*
☒	☐	☐	**17.06.090(C)3h**	**Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.**
			Staff Comments	*The proposed design meets this standard. A variety of materials, textures, and colors break up the wall planes, as do the windows and trim. See Section 17.06.090(C)3a and 17.06.090(C)3f for more details.*
☒	☐	☐	**17.06.090(C)3i**	**i. Ornamentation and Architectural Detailing**
				Guideline: Architectural detailing shall be incorporated into the front wall plane of buildings.
			Staff Comments	*The front wall plane on River Street incorporates window trim, an upper-level balcony, and framed entry walkway.*
☒	☐	☐	**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	*As described above, the proposed design incorporates three (3) outdoor leisure areas, windows on every wall plane, trim detailing, and a unique pop-out star window on the north wall plane. See Sections 17.06.090(C)3a for examples of how the proposed design is reminiscent of the historic nature of Old Hailey yet consistent with contemporary designs in Hailey.*
☒	☐	☐	**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	*As described in Sections 17.06.090(C)3d, 17.06.090(C)3e, 17.06.090(C)3h, and 17.06.090(C)3i the outdoor leisure areas, wall plane pop-outs, two-tone siding, trim detailing and roof forms and materials are compatible with the scale and pattern of the neighborhood.*
☒	☐	☐	**17.06.090(C)4**	**4. Circulation and Parking**
				Guideline: Safety for pedestrians shall be given high priority in site planning, particularly with respect to parking, vehicular circulation, and snow storage issues.
			Staff Comments	*The covered entry walkway protects pedestrian access from snow storage and vehicular circulation.*
☒	☐	☐	**17.06.090(C)4**	**Guideline: The visual impacts of on-site parking visible from the street shall be minimized.**

			Staff Comments	*As described in Section 17.06.090(C)3b, the lot dimensions and lack of a rear alley pose challenges for minimizing the visual impacts of on-site parking and garages. Staff requested that the Applicant relocate the garage; however, the Applicant insists that the River Street location is necessary to accommodating the turning radius of his truck. An upper-level balcony distracts from the garage door and features of the covered entry walkway direct people to the main entrance of the residence. See Section 17.06.090(C)3d for more information.*
☐	☐	☒	**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	*N/A - This lot is not serviced by an alley.*
☐	☐	☒	**17.06.090(C)4**	**Guideline: Detached garages accessed from alleys are strongly encouraged.**
			Staff Comments	*N/A - This lot is not serviced by an alley.*
☐	☒	☐	**17.06.090(C)4**	**Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.**
			Staff Comments	*The proposed garage faces the street side directly. As described in Section 17.06.090(C)3b, the lot dimensions pose challenges for minimizing the visual impacts of on-site parking and garages. The garage doors are setback from the covered entry walkway by approximately four feet (4').*
☒	☒	☐	**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 proposed driveway is ten feet (10') wide, the proposed garage is of a two-car width. The Applicant revised the u-shaped driveway design, which was proposed in their original design to reduce the number of curb-cuts from two (2) to one (1).* 
☒	☐	☐	**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	*The proposed plans incorporate a large area for off-street parking, where recreational vehicles may be parked.*
☐	☐	☒	**17.06.090(C)5**	**5. Alleys**
				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	*N/A – This lot is not serviced by an alley.*

☐	☐	☒	**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	*N/A – This lot is not serviced by an alley.*
☐	☐	☒	**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	*N/A – This lot is not serviced by an alley.*
☐	☐	☒	**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	*N/A – This lot is not serviced by an alley.*
☐	☐	☒	**17.06.090(C)6**	**6. Accessory Structures**
				Guideline: Accessory buildings shall appear subordinate to the main building on the property in terms of size, location and function.
			Staff Comments	*N/A – The proposed design does not incorporate an accessory building.*
☐	☐	☒	**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	*N/A – This lot is not serviced by an alley, and the design does not include an accessory building.*
☒	☐	☐	**17.06.090(C)7**	**7. Snow Storage**
				Guideline: All projects shall be required to provide 25% snow storage on the site.
			Staff Comments	*Snow storage that is at least 263 square feet in size or the required 25% of the improved parking and circulation areas, which make up 1,050 square feet. The proposed design incorporates 150 square feet of snow storage on the north and south side yards of the proposed residence, totaling to 300 square feet.*
☒	☐	☐	**17.06.090(C)7**	**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	*Ample space on the side yards will accommodate snow storage without impacting pedestrian routes nor adjacent properties.*
☐	☒	☐	**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	*The lot contains two (2) large shrubs that are planned to be removed.*
☐	☒	☐	**17.06.090(C)8**	**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	*The lot contains two (2) large shrubs that are planned to be removed. Snow storage is planned for their location.*
			17.06.090(C)8	**Guideline: Noxious weeds shall be controlled according to State Law.**

☒	☐	☐	***Staff Comments***	*This standard shall be 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	*N/A— The proposed design does not include a fence.*
☐	☐	☒	**17.06.090(C)9**	**Guideline: Retaining walls shall be in scale to the streetscape.**
			Staff Comments	*N/A – The proposed design does not include a retaining wall.*
☐	☐	☒	**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 the Townsite Overlay District, especially those originally constructed in the same Period of Significance.** • **The alteration shall be contributing to the Townsite Overlay District. Adaptive re-use of Historic Structures is supported while maintaining the architectural integrity of the original structure.**
			Staff Comments	*N/A – The lot is empty and does not include a historic structure.*
☐	☐	☒	**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:** • **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.** • **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:** ~ **The addition should not destroy or obscure important architectural features of the original building and/or the primary façade;** ~ **Exterior materials that are compatible with the original building materials should be selected;** ~ **The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building;** ~ **The visual impact of the addition should be minimized from the street;** ~ **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;** ~ **The roof form and slope of the roof on the addition should be in character with the original building;** ~ **The relationship of wall planes to the street and to interior lots should be preserved with new additions.**
			Staff Comments	*N/A – The lot is empty and does not include a historic structure.*

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.**

The following conditions are suggested for approval of this application:

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. Improvements include but are not limited to:

i. Driveway configuration. Upon receipt and review of the Civil Plans, Staff and the Applicant will work internally to refine the driveway design prior to issuance of a Building Permit.

d) The Applicant shall supply two (2) contractor estimates for engineering design, materials, and sidewalk installation along the property frontage of River Street. Sidewalk in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy.
e) The Applicant shall establish water service and install a meter vault.
f) The Applicant and City Staff—including but not limited to Fire and Water Department Staff—shall determine a plan to maintain access to the fire hydrant. If the fire hydrant is moved, the Applicant will be responsible for the associated costs—including but not limited to cutting off and restarting the main water line, as well as the required water testing for drinkability.
g) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law, and Decision.
h) All new and existing exterior lighting shall comply with the Outdoor Lighting requirements according to 17.08C.
i) 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.
j) 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.
k) 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.
l) Construction staging and storage shall not be within the City Right-of-Way. All construction impacts shall occur within the property boundary.
m) All utilities shall be located underground, consistent with 17.06.080(A)3h.
n) 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 used as a long-term rental (31 days or longer).

Motion Language

Approval:

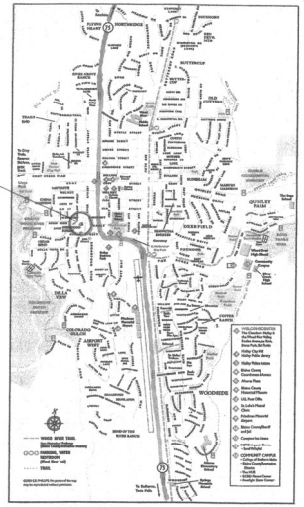
Motion to approve the Design Review Application by Joel Tranter, for a new 3,190 square foot single-family residence with an internal 896 square foot accessory dwelling unit, to be located at 637 South River Street (Lot 2A, Block 1, Maple Subdivision) in the General Residential (GR), Townsite Overlay (TO), and Downtown Residential Overly 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 (n) are met.

Denial:

Motion to approve the Design Review Application by Joel Tranter, for a new 3,190 square foot single-family residence with an internal 896 square foot accessory dwelling unit at 637 South River Street (Lot 2A, Block 1, Maple Subdivision) in the General Residential (GR), Townsite Overlay (TO), and Downtown Residential Overly Zoning Districts, finding that _____ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

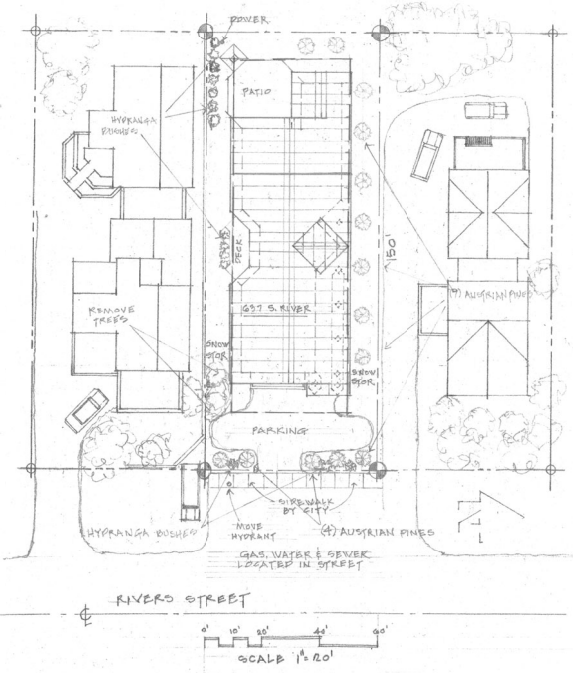
Motion to continue the public hearing to _____ [Commission should specify a date].

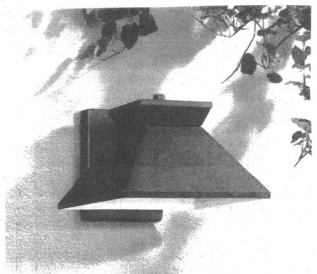


TRANTER RESIDENCE

CITY of HAILEY DESIGN REVIEW

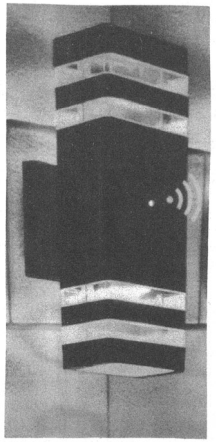
	INDEX of DRAWINGS
C	COVER
1	DRIVEWAY STUDY
2	FLOOR PLANS
3	SECTIONS
4	ELEVATIONS
5	BOUNDARIES





TIMBERLAND LIGHTS
400 LUMENS
GARAGE, DECK & PATIO LIGHTING

A



PROTON "SKYRIDGE 10"
800 LUMENS
ENTRY WALKWAY

B

DATE
9.22.22
10.6.22
10.21.22
11.9.22
11.22.22

COVER SHEET

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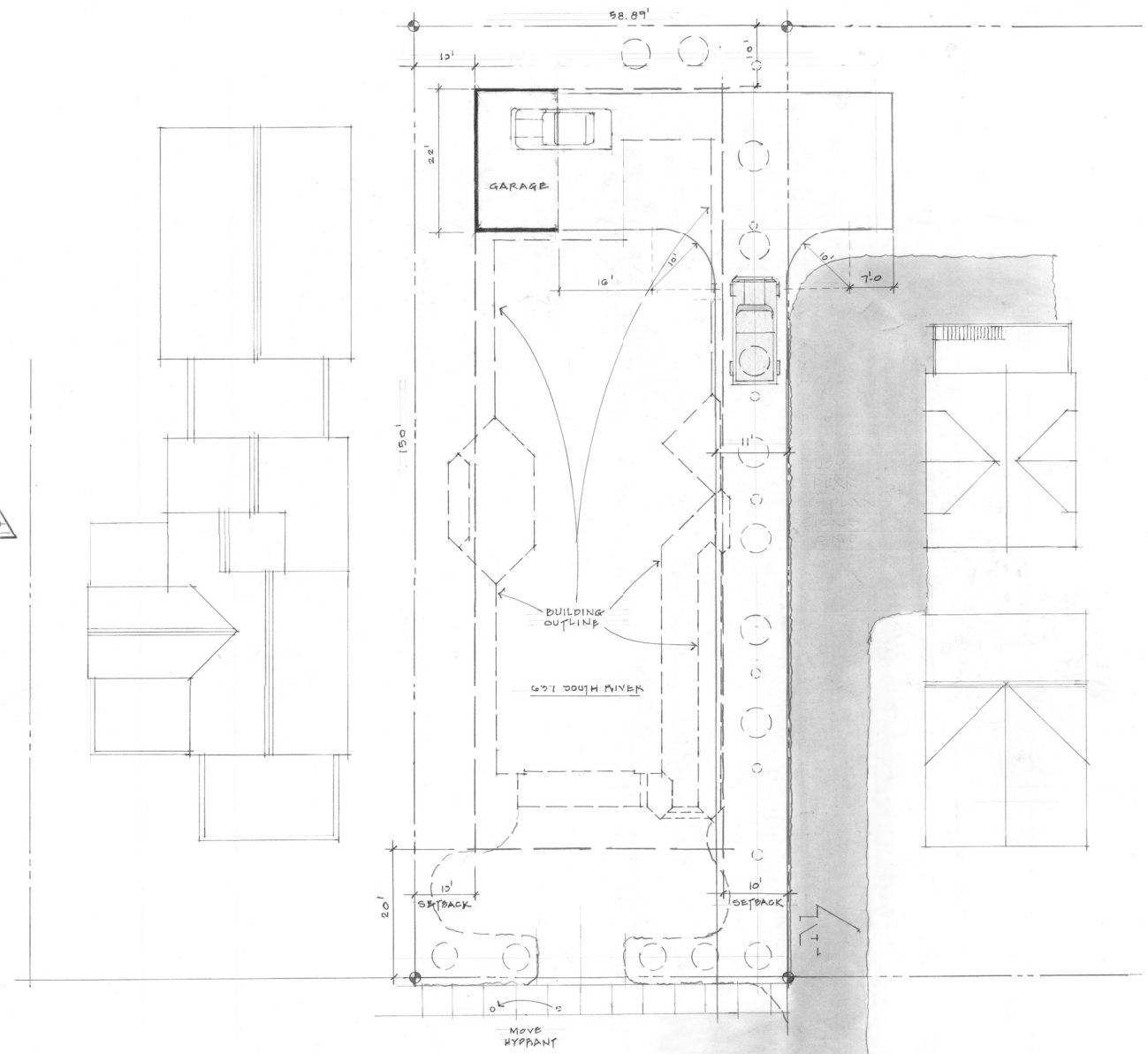
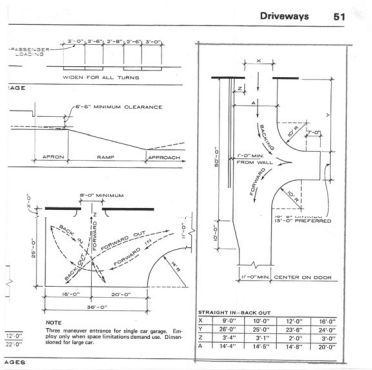
IDAHO 83353
O (208) 726-8620
C (208) 340-2620

TRANTER RESIDENCE
637 SOUTH RIVER STREET
HAILEY, IDAHO

C
SHEET
OF





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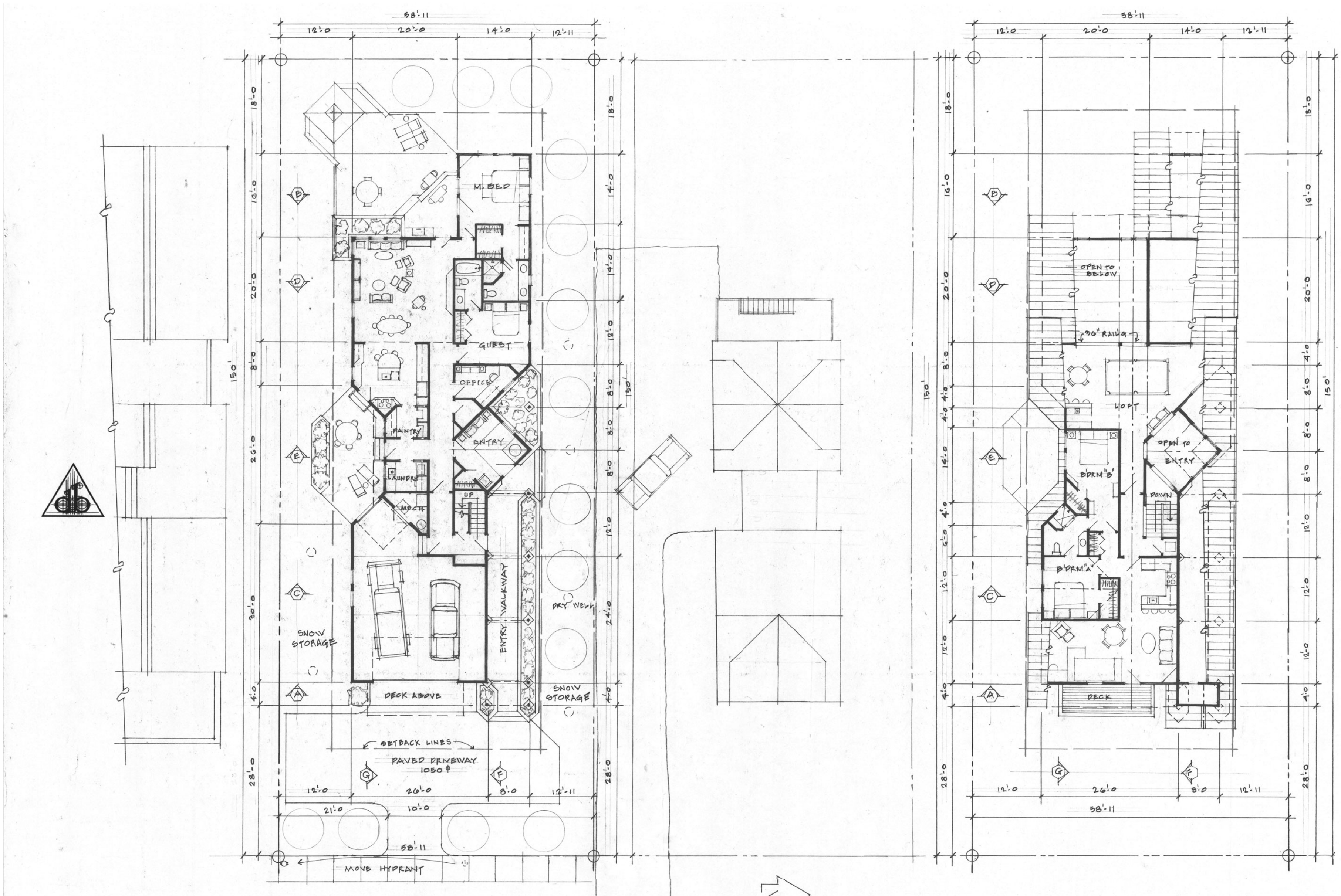
DATE
10.26.22

TRANTER RESIDENCE
697 SOUTH RIVER STREET
HAILEY, IDAHO

SHEET 1 OF 4



MAIN FLOOR PLAN

BUILDING FOOTPRINT = 2640 ⌀

GARAGE = 806 ⌀ LIVING = 1834 ⌀ (32 ⌀ cant.)

SCALE 1/8" = 1'-0

UPPER FLOOR PLAN

A.D.U. = 896 ⌀ LOFT = 550 ⌀

DATE 11·22·22

FLOOR PLANS

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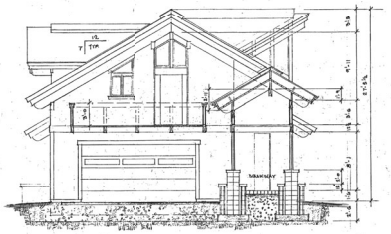
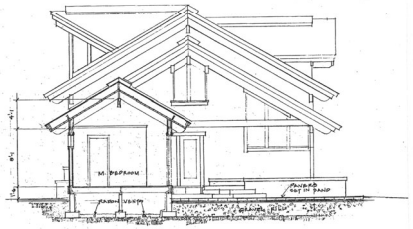
TRANTER RESIDENCE
607 SOUTH RIVER STREET
HAILEY, IDAHO

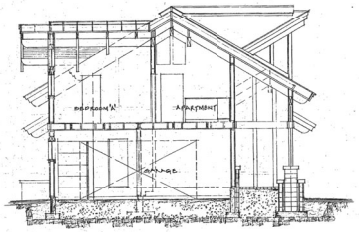
2 SHEET OF 4



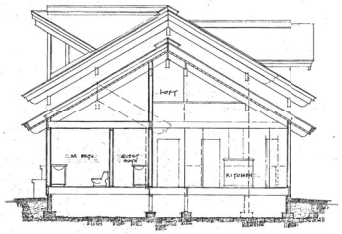
SECTION A-A



SECTION B-B

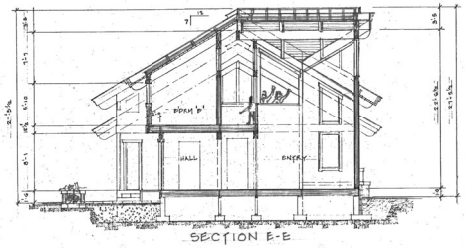


SECTION C-C

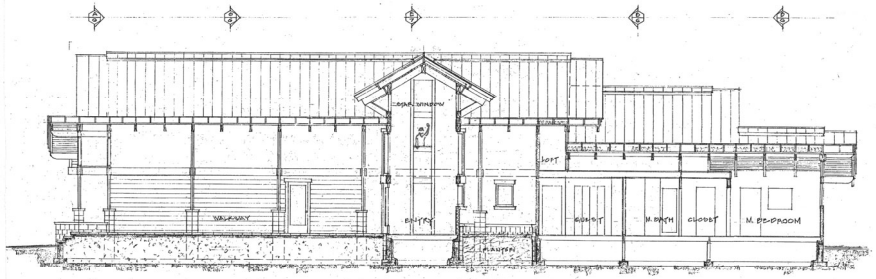


SECTION D-D

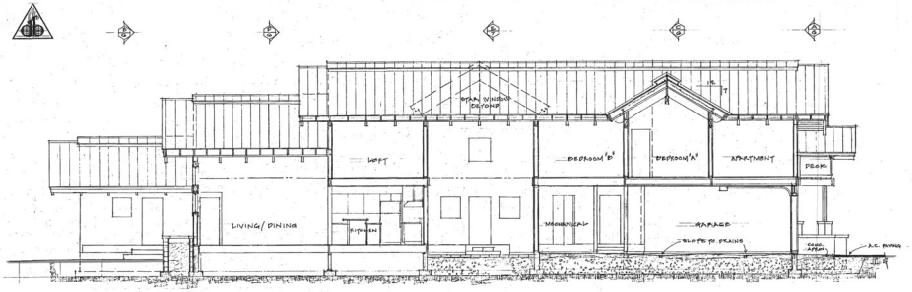
DRAWINGS SCALE 1/4"=1'-0"



SECTION E-E



SECTION F-F



SECTION G-G

DRAWINGS SCALE 1/8"=1'-0"

DATE 11-22-22

SECTIONS

TRANTER RESIDENCE
GST SOUTH RIVER STREET
HAILEY, IDAHO

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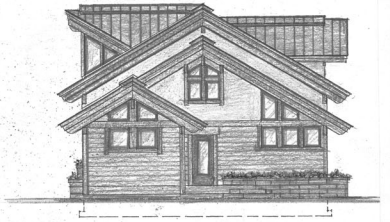
DATE
11.22.22

ELEVATIONS

NORTH ELEVATION

EAST ELEVATION

SOUTH ELEVATION



WEST ELEVATION

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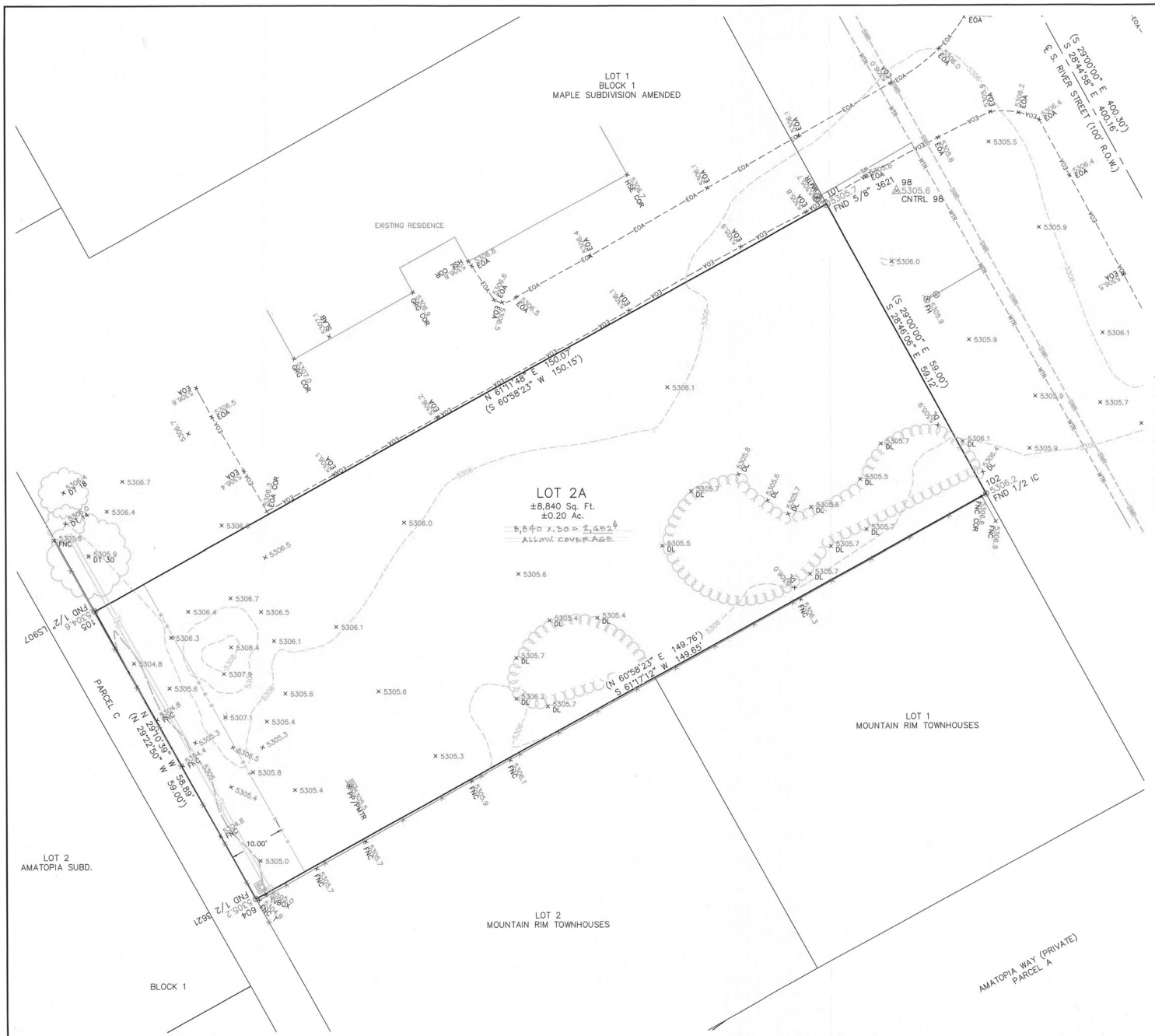
TRANTER RESIDENCE
637 SOUTH RIVER STREET
HAILEY, IDAHO

DRAWINGS SCALE 1/8" = 1'-0

SHEET 4 OF 4



GRAPHIC SCALE

(IN FEET)
1 inch = 8 ft.

LEGEND

- SUBJECT BOUNDARY
- ADJOINERS LOT LINES
- CENTERLINE STREET
- EOA = EDGE OF ASPHALT
- FNC = EXISTING FENCE
- 1' CONTOURS PER ALPINE 2022
- 5' CONTOURS PER ALPINE 2022
- EXISTING BUILDING/STRUCTURE
- DL = DRIPLINE/EDGE OF VEGETATION
- 10' PUBLIC UTILITY EASEMENT PER INST. NO. 458878
- WATER MAIN
- WATER SERVICE
- SEWER MAIN
- UNDERGROUND PHONE LINE
- UNDERGROUND CABLE/COMM LINE
- CNTRL = SURVEY CONTROL
- FND = FOUND 1/2" REBAR AS SHOWN
- FOUND 5/8" REBAR AS SHOWN
- WV = WATER VALVE
- WMTR = WATER METER
- FH = FIRE HYDRANT
- PP = POWER POLE
- PMTR = POWER METER
- TVBOX = CABLE BOX
- DT = DECIDUOUS TREE
- ×5306.0 GROUND SHOT/SPOT ELEVATION
- IC ILLEGIBLE CAP
- HSE COR HOUSE CORNER
- GRG GARAGE
- SLAB GARAGE SLAB
- ( ) RECORD BEARING AND DISTANCE PER INST. NO. 458878

NOTES

1) Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, NAD83, (1992), at Grid in US Survey Feet. Vertical Datum is NAVD1988, (1992).

2) Boundary Information is from the Replat of Lot 2, Maple Subdivision Amended, Instrument Number 458878; the Plat of Maple Subdivision Amended, Instrument Number 431365; the Plat of Mountain Rim Townhouses, Instrument Number 504127; the Plat of Amatopia Subdivision, Instrument Number 691039; Records of Blaine County, Idaho.

3) Refer to the Plat Notes, Conditions, Covenants, and Restrictions on Original Plat.

4) Utility Locations shown are based on visual surface evidence and should be verified by Digline Locate before any Excavation.

5) Current Zoning appears to be General Residential. Please refer to City of Hailey Zoning Ordinances for more information about this Zone including Building Setbacks.

6) Not all trees and vegetation are shown, some locations are approximate.

B

A SITE PLAN SHOWING
LOT 2A, BLOCK 1, MAPLE SUBDIVISION AMENDED
WITHIN S9, T.2N., R.18E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO
PREPARED FOR JOEL TRANTER AND DAVID BAROVETTO

Alpine Enterprises Inc.
Surveying, Mapping, Civil Engineering, and Natural Hazards Consulting
660 Bell Dr., Unit 1
P.O. Box 2037, Ketchum, ID 83340 USA
(208) 727-1988 727-1987 fax
email: bsmith@alpineenterprisesinc.com

PROFESSIONAL LAND SURVEYOR
LICENSED
Dave Tolle
7048
26OCT22
STATE OF IDAHO
BRUCE SMITH

REVISIONS	NO	DATE	BY

PROJECT PATH AND PRINT DATE U:\CarlsonProjects\1973_MapleSub_Lt2A\dwg\1973_MapleSub_Lt2A_Site2022.dwg 10/26/2022 11:55:29 AM MST

Sheet 1 of 1

Return to Agenda

STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of December 5, 2022

To: Hailey Planning and Zoning Commission

From: Paige Nied, Community Development Resiliency Planner / City Planner
Cece Osborn, Community Development City Planner
Robyn Davis, Community Development Director

Overview: Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to include amendments and additions to modernize the matrix requirements.

Hearing: December 5, 2022

Applicant: City of Hailey

Notice: Notice for the public hearing was published in the Idaho Mountain Express on November 15, 2022 and mailed to public agencies on November 15, 2022.

Background: The Community Development Staff identified the modernization of Hailey's Municipal Code as a priority for 2022 and moving forward. The current language of the District Use Matrix lists many overlapping land uses and, in some cases, neglects the priorities of the Comprehensive Plan and the stated purposes of the Zoning Districts. With this initial proposal to amend Title 17, Zoning Regulations, Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040, Staff seeks to modernize the language, organization, and requirements of the District Use Matrix.

Staff pursued this endeavor and evaluated the existing District Use Matrix prudently. The first round of edits or amendments presented herein remain within the scope of the land uses currently listed in the Matrix. Furthermore, these initial edits are limited to the Residential, Public or Semipublic, Commercial, and Accessory Uses categories of the Matrix. Bulk Requirements will be addressed during a subsequent hearing. Throughout this 'modernization' effort, Staff aims to maintain and uphold the distinct characteristics and features of each Zoning District. Row by row, Staff:

- combined repetitive land uses;
- refined the descriptive language to provide greater clarity, accommodate development trends, and better align with the Comprehensive Plan;
- added land uses that are unaccounted for yet related to current uses; and
- minimally adjusted the permitted uses to better align with the distinct purposes of each Zoning District.

Staff not only seeks feedback on the first round of edits presented in the attached draft Ordinance, but also direction on how to pursue the second round of edits. Going forward, Staff envisions implementing subcategories to group similar land uses together. By way of example, Food Service uses could be preceded by their subcategory and presented as such:

Description (Excerpt)	Zones And Subdistricts												
	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Food service, Bars	N	N	N	N	N	C	N	P	N	N	P[14]	C[13]	C[15]
Food service, Catering services	N	N	N	N	C	P	C	C	P	P	N	P	P
Food service, Commercial breweries, and bakeries where no retail sales are conducted	N	N	N	N	N	N	N	N	N	N	N	P	P
Food service, Restaurants	N	N	N	N	C	C	N	P	N	N	P[14]	C[13]	C

Also, in the next (second) round of edits, Staff intends to explore how footnotes may be able to further reduce the number of rows and simplify the descriptive language in each row. See below for an explanation of how footnotes may be able to accommodate and distinguish between the three different land use rows associated with Daycare businesses.

Currently, the Matrix categorizes Daycare businesses into four rows, as shown in the image below:

Description (Excerpt)	Zones And Subdistricts												
	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Daycare centers (13+ children)	N	N	N	C	P	P	C	P	N	N	N	C	N
Daycare centers provided no more than 18 children will be cared for at any one time	N	N	N	C	P	P	C	P	N	N	N	C	N
Daycare facilities (up to 12 children)	N	C	C	P	P	P	P	P	N	N	N	C	N
Daycare homes (6 or less children)	N	P	P	P	P	P	P	P	N	N	N	C	N

If implemented, the first round of edits would result in three rows for Daycare businesses, as shown in the image below:

Description (Excerpt)	Zones And Subdistricts												
	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Daycare centers (13 or more children)	N	N	N	C	P	P	C	P	N	N	N	C	N
Daycare facilities (up to 12 children)	N	C	C	P	P	P	P	P	N	N	N	C	N
Daycare homes (6 or less children)	N	P	P	P	P	P	P	P	N	N	N	C	N

Facilitated by footnotes, the Daycare business land use type could be further minimized to one row in the next, second round of edits— as depicted in the images below:

Description (Excerpt)	Zones And Subdistricts												
	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Daycare businesses	N	P[26]	P[26]	P[27]	P	P	P[27]	P	N	N	N	C	N

26. In LR-1 and LR-2, daycare businesses with six (6) or fewer children are permitted by-right; daycare businesses with up to twelve (12) children require a conditional use permit; and daycare businesses with thirteen (13) or more children are not permitted.

27. In GR and TN, daycare businesses with fewer than thirteen (13) children are permitted by-right; daycare businesses with thirteen (13) or more children require a conditional use permit.

Attachments:

i. First round of edits, presented as a draft Ordinance
ii. The purposes of each Zoning District, combined in one document

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;
Land use decisions for the City of Hailey are paramount to implementing the goals of the Comprehensive Plan. As stated in Section 5: Land Use, Population and Growth Management:

> *"Land use is the one element of a Comprehensive Plan that ties the others together. Every other component of the Plan, from natural resources to housing to transportation, is influenced by land use."* (pg. 19)

Given the importance of land use decisions, Staff proposes that the language, organization, and requirements presented in the District Use Matrix be clear and effective— to support the community's understanding of permitted land uses and to facilitate the internal processes of Community Development. Staff amended the Matrix in accordance with the following Comprehensive Plan goals:

Section 3: Special Areas or Sites and Features
Goal 3.1: Assure the protection and preservation of Special Sites, Areas and Features to maintain a strong community identity for future generations
Goal 3.3: Protect the traditional character of the historic downtown and Main Street corridor

Section 5: Land Use, Population and Growth Management
Goal 5.1: Retain a compact City comprised of a central downtown with surrounding diverse neighborhoods, areas, and characteristics as depicted in the Land Use Map (see page 29 for subpoints a-j for more information)

Section 11: Community Design
Goal 11.1 Establish a built environment that maintains a human scale, retains interest, aesthetics, encourages various levels of interaction among all members of the community, and enhances the character of different neighborhoods

The Plan speaks to the "intrinsic suitability of lands" for a variety of uses, including housing, commerce, industry, recreation, and public facilities (page 19). When evaluating and editing the Matrix, Staff utilized the stated purpose of each Zoning District to ensure the suitability and appropriateness of each land use. Staff followed the intentions and goals of the Plan to preserve the City's green space, respect residential buffers, improve the organization of commercial uses, and streamline accessory uses.

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 seek to modernize the language, organization, and requirements of the District Use Matrix to better align with the stated purposes of each Zoning District and respond to recent development trends. In doing so, the proposed Text Amendments encourage greater adherence to Hailey's Official Zoning Map and the Land Use section of the Comprehensive Plan, both of which are designed for optimal and efficient use of public facilities and services. This proposed Text Amendment will encourage better use of public facilities and services— it will not create excessive costs nor requirements.

3. The proposed uses are compatible with the surrounding area; and
The proposed Amendments uphold the features and characteristics of each Zoning District. Staff relied on the stated purposes of the Zoning Districts as a lens to ensure the suitability and compatibility of each land use edit. Altogether, the proposed Amendments encourage the community design that is described in Hailey's Comprehensive Plan and depicted in the Official Zoning Map.

4. The proposed amendment will promote the public health, safety and general welfare.
By enhancing the clarity of the Matrix and organization of the land uses listed across Zoning Districts, the proposed Amendments stand to increase the efficiency of City operations and better align with the goals of Hailey's Comprehensive Plan. By increasing the effectiveness of the Municipal Code and the efficiency of City operations, this Text Amendment prioritizes the public health, safety, and general welfare of the community.

Motion Language:
At this time the attached draft Ordinance is for discussion purposes. City Staff and the Commission intend to work through and discuss the proposed amendments, editing and refining as needed before a recommendation is made.

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

HAILEY ORDINANCE NO. 22- __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING THE HAILEY MUNICIPAL CODE, TITLE 17: ZONING REGULATIONS, CHAPTER 17.05 OFFICIAL ZONING MAP AND DISTRICT USE MATRIX, SECTION 17.05.040, DISTRICT USE MATRIX; 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 amendments to the Hailey Municipal Code, Title 17, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the proposed additions will reduce confusion and contradictions in the Hailey Municipal Code; and

WHEREAS, the Hailey City Council has determined that the proposed amendments are appropriate and timely; 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, Chapter 17.05 Official Zoning Map and District Use Matrix, Section 17.05.040 District Use Matrix is hereby modified by the removal of the stricken language and the addition of the underlined language, as follows and is highlighted for convenience:

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	**LR-1**	**LR-2**	**GR**	**NB**	**LB**	**TN**	**B**	**LI**	**TI**	**A**	**SCI-SO**	**SCI-I**
Residential:														
	~~Dwelling units within~~ ~~m~~Mixed use buildings	N	N	N	N	P	P	~~N~~ P	P[18]	~~N~~ P	~~N~~ P	N	P	P
	Manufactured home	N	P	P	P	N	P	P	N	N	N	N	N	N
	Multi-family dwellings	N	N	N	P	N	P	C	P[18]	N	N	N	N	N
	Single-family dwellings	N	P	P	P	N	P	P	N	N	N	N	N	N
Public or semipublic:														
	Churches	N	P	P	P	C	P	P	C	N	N	N	N	N
	~~Colleges, vocational and technical trade schools~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~N~~	~~P~~	~~N~~
	Government offices and public administration, except correctional institutions	N	N	N	N	N	P	N	P	N	N	N	N	N
	Healthcare and social assistance	N	N	N	N	N	P	N	P	N	N	N	N	N
	Municipal uses limited to water storage and well facilities	C	N	N	N	N	N	N	N	N	N	N	N	N
	Nonmotorized recreational pathways	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parks	P	P	P	P	P	P	P	P	P	P	P	P	P
	Public recreational or cultural areas	C	N	N	N	N	N	N	N	N	N	N	N	N
	Public service, public use and public utility facilities	N	C	C	C	N	C	C	C	P	P	N	C	C
	Schools, including ~~C~~colleges, vocational and technical trade schools ~~(refer to section 17.11.040.03 of this title for specific criteria when reviewing schools)~~	N	N	N	C	N	C	N	C	N	N	~~N~~ C	C	~~N~~ C
	Semipublic uses	N	N	N	C	C	P	C	P	N	N	~~N~~ C	N	~~N~~ C
Telecommunications:														

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	PWSFs and WCFs, mounted on any proposed freestanding tower, upon the issuance of wireless permit in accordance with the provision of chapter 17.08, article B of this title ~~(lattice towers are prohibited)~~	N	N	N	N	N	C	N	C	C	C	C	C	C
	PWSFs or WCFs, attached to street poles or mounted on existing buildings or structures, upon the issuance of a wireless permit in accordance with the provisions of chapter 17.08, article B of this title ~~(freestanding and lattice towers are prohibited)~~	C	C	C	C	C	P	C	P	P	P	P~~, A~~	P~~, A~~	P~~, A~~
Commercial:														
	Administrative and support services	N	N	N	N	N	N	N	P	N	N	N	N	N
	Airport and related uses	N	N	N	N	N	N	N	N	N	N	P	N	N
	Artist studios with associated gallery	N	N	N	N	N	P	N	P	N	N	N	P	P
	Artist studios~~, which have~~ with no associated gallery	N	N	N	N	N	~~N~~ P	N	N	N	N	N	P	P
	Auto dealerships	N	N	N	N	N	N	N	C	P	N	N	N	N
	Automotive~~mobile~~ rental companies	N	N	N	N	N	N	N	N	~~N~~ P	N	P	N	N
	Automobile towing	N	N	N	N	N	N	N	N	~~N~~ C	N	N	N	P
	Automotive repair and maintenance	N	N	N	N	N	N	N	C	P	N	N	N	P
	Bars	N	N	N	N	N	C	N	P	N	N	P[14]	C[13]	C[15]
	Bed and breakfast inn	N	N	N	C	N	P	C	P	N	N	N	N	N
	Boarding and rooming houses	N	N	N	C	N	P	~~N~~ C	P	N	N	N	N	N
	Broadcasting firms, media offices, and related uses	N	N	N	N	N	N	N	P	N	~~N~~ P	N	~~N~~ P	N
	~~Business parks~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~	~~N~~
	~~Cable television firms~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	~~Car rental companies~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	Catering services	N	N	N	N	C	P	~~N~~ C	~~P~~ C	P	P	N	~~N~~ P	~~N~~ P
	Commercial brewery~~,~~ and bakery~~, or food catering~~ where no retail sales are conducted	N	N	N	N	N	N	N	N	N	N	N	P	P
	Community ~~event~~ center	N	N	N	C[17]	C[17]	N	N	N	N	N	N	N	N
	~~Computer software development, manufacturing and service firms~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~
	~~Construction and building material sales (except hardware stores)~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Construction contractors~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	Construction materials, heavy equipment rentals and storage, building supply sales and services~~ and materials rental, storage, sales and services, excluding hardware stores~~	N	N	N	N	N	N	N	N	~~N~~ P	N	N	~~N~~ P	P
	~~Construction equipment rental, storage, sales and service~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~
	~~Construction trade contractors, excluding excavation and landscaping companies~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~
	Construction trade contractors~~, including excavation companies~~ with exterior storage	N	N	N	N	N	N	N	N	~~N~~ P	N	N	~~N~~ P	P
	~~Construction trade contractors' offices with no exterior storage~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~P~~
	~~Control tower (air traffic)~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~
	Convenience stores, less than 1,000 square feet	N	N	N	N	C~~[17]~~	~~C~~ P	N	~~N~~ P	N	N	N	N	N
	~~Convenience stores, in conjunction with gasoline stations that have no more than 1,800 square feet of gross floor area. Drive- through service~~													

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	~~windows are not allowed~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~
	Daycare centers (13~~+~~ or more children)	N	N	N	C	P	P	C	P	N	N	N	C	N
	~~Daycare centers provided no more than 18 children will be cared for at any one time~~	~~N~~	~~N~~	~~N~~	~~C~~	~~P~~	~~P~~	~~C~~	~~P~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~
	Daycare facilities (up to 12 children)	N	C	C	P	P	P	P	P	N	N	N	C	N
	Daycare homes (6 or less children)	N	P	P	P	P	P	P	P	N	N	N	C	N
	~~Employee housing for golf courses or recreational facilities~~	~~C~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	Fabrication and repair of building materials and components~~, including log homes~~	N	N	N	N	N	N	N	N	~~N~~ P	~~N~~ P	N	N	P
	~~Farm supply and equestrian tack and feed stores~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Fencing supplies and installation~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Finance and insurance firms~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Firewood production and storage~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Flight schools, provided regularly scheduled commercial passenger aircraft services are operated at the airport~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~
	~~Floor covering stores~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	Food service	N	N	N	N	C~~17~~	C	N	P	N	N	P[14]	C[13]	C[13]~~,15~~
	Gasoline stations	N	N	N	N	N	N	N	P	P	N	N	N	~~N~~ C[26]
	~~Gasoline stations and automotive repair and maintenance~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~
	~~Gasoline stations, including card lock stations~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~
	Skilled trade services	N	N	N	N	N	N	N	N	P	P	N	C	P
	~~Gift shops within terminal~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~
	~~Golf course, public~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	~~Guides and outfitters with no more than 20% of the floor area dedicated to retail sales~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~
	Hardware stores	N	N	N	N	N	N	N	P	P	N	N	N	N
	Health and fitness facility	N	N	N	N	N	P	~~C~~ P	P	P	~~C~~ P	N	~~C~~ P	C
	~~Helicopter areas, provided regularly scheduled commercial passenger aircraft services are operated at the airport~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~
	Home occupations	N	P	P	P	P	P	P	P	N	N	N	N	N
	Hotels or motels	N	N	N	N	N	P	N	P	N	N	C	C	N
	Hybrid production facilities	N	N	N	N	N	N	N	C	~~N~~ P	N	N	P	~~N~~ P
	~~Industrial laundry/dry cleaning service and distribution establishments~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Interior decorating and design that have no more than 20% of the gross floor area dedicated to on site retail sales~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~
	~~Investigation and security services~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~N~~
	~~Landscape design and installation firms, and landscape nurseries~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Landscape design, installation and maintenance firms~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Laundromat, dry cleaning, and~~ Laundry services	N	N	N	N	C	N	N	P	~~N~~ P	N	N	~~C~~ P	P
	Light manufacturing	N	N	N	N	N	N	N	N	P	P	N	N	P
	Medical services ~~and personal care stores~~	N	N	N	N	N	C	N	~~N~~ P	N	N	N	~~N~~ C	N
	~~Mercantile (wholesale and retail)~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~[17]	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Mixed use buildings~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~	~~P~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~
	~~Motor vehicles and parts dealers, service, rental and leasing~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~P~~

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	Horticulture services	N	N	N	N	P	P	P	C	N	N	N	N	N
	~~Nurseries, greenhouse and floriculture production, and l~~ Landscaping services and ~~sales~~	N	N	N	N	N	~~N~~ P	N	N	P	N	N	N	~~N~~ P
	Outpatient animal ~~services~~ and veterinarian services	N	N	N	N	N	~~N~~ P	N	~~C~~ P	N	N	N	N	N
	Parcel delivery terminal	N	N	N	N	N	N	N	C	C	C	~~N~~ P	N	P
	Parking ~~facilities~~ lots and structures	N	N	N	N	N	N	N	C	N	N	P	N	P
	Performing arts center	N	N	N	N	N	P	N	P	P	N	N	N	N
	Peri-urban agriculture	C	C	C	C	P	P	C	P	N	N	N	N	N
	Peri-urban retreat center	N	N	N	C[17]	C[17]	N	N	N	N	N	N	N	N
	Personal services ~~where retail sales are clearly incidental to the principal use and no outside storage yard or facility is required~~	N	N	N	N	C[17]	P	C	P	N	N	N	C	N
	Pet boarding	N	N	N	N	N	C	N	C	N	N	N	N	N
	~~Photography studios and photo processing~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~	~~N~~	~~P~~	~~N~~
	Printing ~~and publishing firms~~ and related services	N	N	N	N	N	N	N	~~N~~ P	P	P	N	P	P
	~~Processing and sales of firewood~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Professional and general o~~ Offices	N	N	N	N	C[17]	P	P	P	P	P	N	P	N
	~~Radio and television recording studios and stations~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~N~~
	~~Real estate and property management companies~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Recording studios (audio or video) and broadcasting studios~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	Recreation facility, ~~commercial,~~ indoor	N	N	N	N	N	P	N	P	N	N	N	N	N
	Recreation facility, ~~commercial,~~	N	N	N	N	N	C	N	C	N	N	N	N	N

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	outdoor													
	~~Recreation facility, public~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
	~~Recreation facility, residential~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~
	~~Research and development facilities~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~P~~	~~N~~	~~P~~	~~N~~
	Residential care facility	N	P	P	P	P	P	P	P	N	N	N	N	N
	Retail trade ~~limited to the following: floor covering and window treatment, household appliances, woodstoves/fireplaces, spa/hot tub, building material and garden equipment and supplies (excluding hardware stores), farm and equestrian, and nonstore retail (mail order and vending machines)~~	N	N	N	N	~~N~~ C	~~N~~ P	~~N~~ P	~~N~~ P	~~N~~ P	~~N~~ P	N	P	~~N~~ P
	~~Sales, rental, and servicing of trailers, mobile homes, farm implements and heavy equipment~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Services to buildings (janitorial/maintenance) and property management companies~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~P~~	~~P~~
	~~Sign studios and manufacturers~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Snow removal contractors~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	~~Structures and/or buildings integral to a golf course such as clubhouses, maintenance, buildings, and restrooms~~	~~C~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Studio, artist~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~C~~	~~C~~
	Technological development, manufacturing, and service	N	N	N	N	N	N	N	N	N	P	N	P	P
	Truck transportation, bus, taxi and limousine services, and couriers	N	N	N	N	N	N	N	N	P	N	N	N	P
	~~Veterinarians, pet grooming, and training with no outdoor kenneling~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~C~~	~~P~~	~~N~~	~~C~~	~~P~~

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	Warehouse and storage facilities	N	N	N	N	N	N	N	N	P	N	N	N	~~N~~ P
	~~Warehouse and storage facilities, including self- storage facilities and exterior storage facilities~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~
	Wholesale trade and distributors	N	N	N	N	N	C	N	N	~~N~~ P	~~P~~ N	N	~~N~~ P	~~N~~ P
	~~Wholesale distributors or wholesale distributors with incidental and subordinate retail sales~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~C~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Wholesale trade~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~P~~	~~N~~	~~N~~	~~P~~	~~P~~
~~Agricultural uses:~~														
	~~Horses, a maximum of 2 horses per acre on lots of 1 acre minimum size~~	~~N~~	~~C~~	~~C~~	~~C~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
	~~Urban agriculture (chickens only)~~	~~N~~	~~P~~	~~P~~	~~P~~	~~N~~	~~A~~	~~N~~	~~A~~	~~N~~	~~N~~	~~N~~	~~A~~	~~N~~
	~~Urban agriculture (other than chickens)~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N~~	~~P~~	~~P~~
Accessory uses:														
Fuel tanks	Aboveground fuel tank for public use ~~flammable and combustible liquid tanks utilized by a public use~~	N	C	C	C	N	C	C	~~A~~ P	~~A~~ P	C	A	~~A~~ P	~~A~~ P
	Aboveground fuel tank for private or commercial use	N	N	N	N	N	P	N	P	P	N	P	P	P
Accessory dwelling unit (ADU)	1 accessory dwelling unit accessory to a single-family dwelling unit or to a nonresidential principal building. Primary vehicular access to any ADU shall be from a City street or alley. All accessory dwelling units shall have adequate water and sewer services installed to meet City standards	N	~~A~~ P[23]	~~A~~ P[23]	~~A~~ P[23]	~~A~~ P[23]	~~A~~ P[23]	~~A~~ P[23]	~~A~~ P[23]	N	N	N	~~A~~ P[23]	~~A~~ P[23]

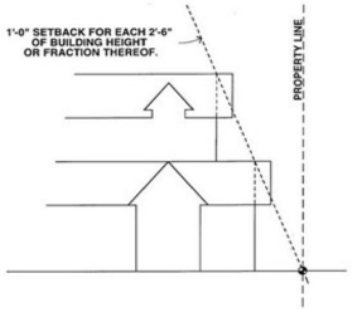
Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Alternative energy systems	Freestanding solar panels, subject to the maximum ~~building~~ height ~~for the applicable district~~ of ten feet (10') from record grade	N	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P	~~C~~ P
	Roof mounted and freestanding small scale wind energy system	N	N	N	N	N	N	N	C	C	N	C	C	C
	Roof mounted solar panels, subject to five feet (5') above the maximum building height for the applicable district[25]	N	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P
Garages		N	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P
~~Greenhouse/ private~~	~~A greenhouse for private use~~	~~N~~	~~A~~	~~A~~	~~A~~	~~N~~	~~A~~	~~A~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
Peri urban agriculture	Greenhouses	N	~~A~~ P	~~A~~ P	~~A~~ P	N	~~A~~ P	~~A~~ P	N	N	N	N	N	N
	Horses, a maximum of 2 horses per acre on lots of 1 acre minimum size	N	C	C	C	N	N	N	N	N	N	N	N	N
	Chickens	N	P	P	P	P	P	P	N	N	N	N	N	N
Storage	~~Shipping containers utilized for storage, must be shielded from view with fencing and/or landscaping and shall require a building permit~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~A~~	~~N~~	~~N~~	~~N~~	~~C~~
	Storage buildings ~~with a gross floor area of greater than 120 square feet~~	C	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P	~~A~~ P
	~~Storage buildings with a gross floor area less than 120 square feet~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~

Category	Description (Excerpt)	Zones And Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Swimming pool		N	~~A~~ P	~~A~~ P	~~A~~ P	N	N	N	N	N	N	N	N	N
Temporary structures	Temporary structures for use of no more than 12 months[16]	C	C	C	C	C	C	C	C	C	C	C	C	C

Notes:
1. Must be accessory to the primary use and contained within the walls of the primary structure.
2. Indicates use may be allowed where State or Federal law preempts local zoning.
3. The setback from the adjacent property shall be 1 foot for every 2 feet of building height for all portions of the building exceeding 20 feet in height, provided, however, no side or rear yard shall be less than 10 feet. See the figure located at section 17.04B.050 of this title for more explanation.
4. Riparian setback. Unless otherwise provided for herein, all permanent buildings and structures shall have a 100 foot wide riparian setback from the mean high water mark of the Big Wood River. Removal of live vegetation or excavation within the riparian setback is prohibited, except for any tree that has been recommended for removal by a certified arborist, in writing, because the tree has been found to potentially endanger the resident(s) of the property on which it is located or any member of the public, or has become hazardous to any street, alley or other public right-of-way or public utility, or because the removal of a tree would substantially improve the health of other trees on the property. Pruning of trees and planting of riparian trees, shrubs and ground cover within the riparian setback are allowed, provided however, that all plantings conform to the criteria for evaluation in subsection 17.04J.040B4e of this title. Where the application of the 100 foot riparian setback and other applicable setbacks will result in a building site of 1,000 square feet or less, the riparian setback may be reduced to such an extent that the building site is 1,000 square feet; provided however, the riparian setback shall not be less than 50 feet.
5. In GR and TN Zones, townhouse sublots shall have an aggregate density of no more than 10 lots per acre.
6. Townhouse sublots shall conform to the standards established in the IFC.
7. Townhouse unit shall be allowed 0 setbacks from the lot lines created by a townhouse sublot and the separation of the building containing townhouse units in a townhouse development parcel shall be not less than 6 feet 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.
8. In NB Zone, townhouse sublots shall have an aggregate density of no more than 15 lots per acre.
9. In LB and B Zones, townhouse sublots shall have an aggregate density of no more than 20 lots per acre.
10. In TN Zone, 40 percent lot coverage will be allowed where at least 75 percent of required parking spaces are enclosed within a structure.
11. In LI and TI Zones, the side and rear yard setbacks shall be 25 feet where the subject property is located adjacent to the following Zones: RGB, GR, or TN.
12. Subject to FAA regulations and 14 CFR, chapter 1, subchapter E, part 77, objects affecting navigable airspace, as amended.
13. Drive-through restaurants not permitted.

14. Only within terminals.
15. Attached to hotel/motel.
16. Temporary structures which have an approved conditional use permit may operate seasonally for multiple years~~, but for no more than 12 months in any year~~, so long as the size and location of the temporary structure conforms with the approved conditional use permit or conditions thereof.
~~17. Subject to the conditional use standards set forth in section 17.11.040.04 of this title.~~
17. ~~18.~~ Multifamily and dwelling units within mixed use buildings incorporating small residential units require a conditional use permit in chapter 17.11 of this title and shall comply with chapter 17.04, article Q of this title.
18. ~~19.~~ See also subsections 17.07.010F and G of this title.
19. ~~20.~~ See also subsections 17.07.010F and G of this title.
20. ~~21.~~ For a building with any portion of the building footprint within the special flood hazard area, building height shall be measured 2 feet above the base flood elevation (BFE).
21. ~~22.~~ For buildings in the Limited Residential (LR) Zone Districts, buildings shall in no instance exceed a building height of 32 feet from record grade. For buildings in the General Residential (GR) Zone Districts, buildings shall in no case exceed a building height of 35 feet from record grade.
22. ~~23.~~ Accessory Dwelling Units (ADUs) are subject to Administrative Design Review or Design Review, depending on the zoning district and/or applicable overlay zones, and Supplementary Regulations. See chapters 17.06, Design Review and 17.08, Article D, for regulations.
23. ~~24.~~ 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, of the Hailey Municipal Code), but not less than the base setback for the GR Zone District. This shall apply to walls on the side yards of properties, but shall not apply to sublots within a development.
24. Subject to review and/or consultation with the Airport Director for all new roof-mounted solar located within the proposed Airport Influence Area.
25. May be approved through a conditional use permit if the use is in conjunction with a use that is permitted by-right.

Diagram 1



(Ord. 1275, 2021; Ord. 1250, 2019; Ord. 1243, 2019; Ord. 1242, 2018; Ord. 1232, 2018; Ord. 1221, 2017; Ord. 1220, 2017; Ord. 1211, 2017; Ord. 1208, 2016; Ord. 1207, 2016; Ord. 1191, 2015; Ord. 1291, 2021; Ord. , 2022)

Section 6.
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 7.
Repealer Clause: All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 8.
Effective Date: This ordinance shall be in full force and effect from and after its 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:

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Mary Cone, City Clerk

City of Hailey – Zoning Districts

RECREATION GREEN BELT (RGB)

PURPOSE:

The purpose of the recreational green belt district shall be to provide areas for public recreation and/or to create and preserve open and/or green space areas for aesthetic and public use. All uses within the RGB district shall be compatible with the protection of natural and scenic resources for the benefit of present and future generations. (Ord. 1191, 2015)

LIMITED RESIDENTIAL (LR-1 & LR-2)

PURPOSE:

A. Within the LR zoning district, there are two (2) subdistricts, LR-1 and LR-2 subdistricts. The following provisions are identical for both LR-1 and LR-2, except the minimum lot size.

B. The purpose of the LR district is to provide areas for stable, low density, single-family residential development and a limited number of other uses compatible with a residential neighborhood. (Ord. 1191, 2015)

GENERAL RESIDENTIAL (GR)

PURPOSE:

The purpose of the GR district is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood. (Ord. 1191, 2015)

NEIGHBORHOOD BUSINESS (NB)

PURPOSE:

The purpose of the NB district is to provide areas for neighborhood service centers, increase convenience to neighborhood residents and promote other forms of multi-modal transportation and circulation. The uses in the NB district shall be limited commercial uses that will be clearly subordinate to, and support the residential nature of, the area.

LIMITED BUSINESS (LB)

PURPOSE:

The purpose of the LB district is to provide areas for a wide range of residential uses, restricted business uses and medical facilities. The LB district is intended to allow for commercial uses that would not detract from the established downtown retail businesses, hence general retail is not allowed.

TRANSITIONAL (TN)

PURPOSE:

The purpose of the TN district is to provide a buffer zone between residential and business areas within the townsite overly district. The zone provides for restricted business activities within residential areas which are directly adjacent to or across a street or alley from established business zones. Uses shall be limited to those that generate relatively little traffic. The residential character of the area shall be maintained by preserving the existing buildings and requiring new building designs in keeping with the residential nature of the area, and requiring adequate on-site parking. The term "transitional" does not imply that the properties within the district will be transitioning from residential to business zoning.

BUSINESS (B)
PURPOSE:
The purpose of the B district is to provide areas for general business and commercial activities and a limited number of residential uses.

LIGHT INDUSTRIAL (LI)
PURPOSE:
The purpose of the LI district is to provide areas for light industrial operations and limited related (or associated) retail sales. "Limited related retail sales" is defined as restricted to retail sales clearly associated with and secondary to the permitted use and of the type not normally located in downtown business districts (e.g., the retail sale of auto parts by an auto dealership). The area is characterized by industrial and service type traffic usage and patterns, and light manufacturing or construction related services. The intent is to group these uses that demand similar circulation patterns and service requirements together and provide regulations to preserve the integrity of the industrial uses while ensuring the health, welfare and safety of the community.

TECHNOLOGICAL INDUSTRY (TI)
PURPOSE:
The purpose of the TI district is to provide a permanent, year-round employment base, including research and development, technological industries, uses related to the building, maintenance and construction professions, and limited light industry.

AIRPORT (A)
PURPOSE:
The airport district is intended to provide an area that would allow regularly scheduled commercial passenger aircraft services to be used by the general public. The airport district is also intended to allow other general aviation services for private aircraft and private aircraft charter only in conjunction with regularly scheduled commercial passenger aircraft services.

SERVICE COMMERCIAL INDUSTRIAL – SALES AND OFFICE (SCI-SO)
PURPOSE:
The purpose of the sales and office subdistrict is to allow for a master planned office, technology and service park and associated sales and support uses, as well as a location for the sales and service of large or bulky retail goods, or goods associated directly with the building trades. The subdistrict is created to provide a location for those uses that might otherwise be appropriate in, but, by their nature, may be inappropriate for the central business district. The nature of those businesses which are appropriate for this subdistrict are those that require a substantial number of service vehicles, have a substantial portion of the building area dedicated to storage or processing, or consist of uses or scale of operation that are better accommodated outside the central business district. This article assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to subsection 17.01.050B of this title, as amended.

SERVICE COMMERCIAL INDISTRIAL – INDUSTRIAL (SCI-I)
PURPOSE:
The purpose of the industrial subdistrict of the SCI district is to provide a location for the production, sales and storage of bulky goods and associated wholesale and retail sales, offices and parking. The subdistrict is also to provide a location for light manufacturing and other light industrial types of uses. The intent of the district is to provide a location for those uses that

dedicate a substantial portion of their area (more than 50 percent) to exterior storage and/or staging areas, and relatively little area to interior showrooms, offices or retail space. The district is intended to include those uses that, by reason of their impact or perceived impact on neighboring uses, are not appropriate in the central business district. This article assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to subsection 17.01.050B of this title, as amended.

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