AGENDA
Hailey Planning and Zoning Commission
Tuesday, January 17, 2023
5:30 p.m.

Hailey Planning and Zoning Meetings are open to the public, in person, and by electronic means when available. The city strives to make the meeting available virtually but cannot guarantee access due to platform failure, internet interruptions or other potential technological malfunctions. Participants may join our meeting virtually by the following means:

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

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 City-Initiated Text Amendment to amend the Standard Drawing for Driveways in Title 18, Chapter 18.14, Section 18.14.012.K: Driveway Approach, to include a maximum width for standard driveways. **ACTION ITEM.**
- **CA 2** Adoption of Findings of Fact, Conclusions of Law, and Decision of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units, to allow for Tiny Homes on Wheels within all residential zoning districts. **ACTION ITEM.**
- **CA 3** Adoption of Findings of Fact, Conclusions of Law, and Decision 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.**
- **CA 4** Adoption of Meeting Minutes dated November 21, 2022. **ACTION ITEM.**
- **CA 5** Adoption of Meeting Minutes dated December 5, 2022. **ACTION ITEM.**
- **CA 6** Adoption of Meeting Minutes dated December 19, 2022. **ACTION ITEM.**

Public Hearing
- **PH 1** Consideration of a Preliminary Plat Application submitted by Pilling Family Trust, to subdivide Lots 41 & 49, Block 3, Sunbeam Subdivision Phase I into ten (10) sublots. This project is located within the Limited Residential (LR 1) Zoning District. This project is known as Panorama Point. **ACTION ITEM.**
Consideration of a Zone Change Application by Silver Creek Living, LLC c/o Mark Caplow, for an amendment to the City of Hailey Zoning District Map, Title 17, Chapter 17.05, Section 17.05.020. The proposed change includes amending 31 East McKercher Boulevard (Northridge X Subdivision, Lot 1, Block 1) from Limited Residential (LR-1) to Limited Business (LB). **ACTION ITEM.**

Consideration of a Text Amendment to the Hailey Municipal Code, submitted by Silver Creek Living, LLC, c/o West of First, LLC, to amend Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.0.02.020: Meaning of Terms or Words, to define Residence Hall, as well as amend Section 17.05.040: District Use Matrix, to include Residence Hall as a permitted use within the Limited Business (LB) Zoning District only, to allow for a maximum density of 20 units per acre within the district, and to amend Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.01: Residential, to include parking regulations for the new use. **ACTION ITEM.**

**New Business**
- **NB 1** Nomination of Chair and Vice Chair. *(No Documents)* **ACTION ITEM.**

**Staff Reports and Discussion**
- **SR 1** Discussion of current building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion of the next Planning and Zoning Meeting: **February 6, 2023**
  - PP: Sweetwater Block 1
  - DR: Copper Ranch
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On December 19, 2022, the Hailey Planning and Zoning Commission considered and approved a City-Initiated Text Amendment to the Hailey Municipal Code, Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.012.K: Street and Drainage, Driveway Approach, to include additional language regarding driveway approach width allowances and to add specific information regarding snow removal procedures.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on November 29, 2022 and mailed to public agencies on November 29, 2022.

Background: City Planning Staff has identified the modernization of Hailey Municipal Code as a priority for 2022 and moving forward. As such, Staff is proposing to amend Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.012.K: Street and Drainage, Driveway Approach, to include additional language regarding driveway widths and to add a footnote regarding city snow removal procedures.

City Staff proposed to amend the language of Note #1 of the drawing entitled “Typical Driveway Approach” to remove the width range for driveway approaches for residential, joint use, and other zones, listing only the maximum width for driveway approaches. Further, Staff proposed to add an additional note, Note #7, which references the City’s snow removal policy in hopes of reducing existing operational obstacles regarding snow clearing.

At the December 19, 2022 public hearing, the Planning and Zoning Commission also suggested that unit measurements (i.e., feet, inches), be consistent throughout the drawing set, and that A and A¹ be better defined in the standard drawing. Planning Staff has adjusted the standard drawing to include both recommendations made by the PZ.

The following text amendment to Title 18: Mobility Design, Chapter 18.14 Standard Drawings, Section 18.14.012.K Street and Drainage, Driveway Approach could read as follows:

Chapter 18.14 Standard Drawings
Section 18.14.012: Street and Drainage
K. 1. Driveway Approach:
   1. All driveway approaches require special approval of the City Engineer before construction. A culvert may be substituted for the swale with prior approval. Minimum culvert size shall be 12-inch diameter.
   2. Minimum Maximum approach width for standard driveways:
      Residential 12-20 feet maximum
      Joint use 30 feet maximum
      Other zones 20-40 feet maximum
   3. Driveway approaches to be the responsibility of the developer or lot owner.
   4. Residential approaches shall not be constructed closer than 10 feet from extended Property lines, UNLESS STORM DRAINAGE, INCLUDING DRIVEWAY SWALE, IS INFILTRATED ONSITE.
5. Individual lot owners are responsible for maintenance of driveway and driveway shoulder. Any surface repair due to utility maintenance is at owner expense.
6. Crushed aggregate shall meet the requirements of the current edition of the ISPWC standards-section 802-crushed aggregate.
7. Obstacles in this and other areas may result in reduced City snow "peeling" and "plowing" benefits. Refer to "Winter Information" on the city website under Public Works - Streets for snow operations and how to plan for maximum benefit from City snow removal efforts.

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 the applicable plans to guide necessary infrastructure. The following goals from the Comprehensive Plan are relevant to this text change:

   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.

Finding: Compliance. The Commission found that proposed text amendment seeks to provide further clarity regarding maximum widths for driveway approaches, as well as provide additional information concerning the City’s snow removal requirements and policies.

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;
Finding: Compliance. The Commission found that the proposed amendments will not result in a change in allowed uses nor will they create excessive additional requirements at public cost for services. The Commission agreed that the proposed amendments are intended to avoid any potential misinterpretations of allowances for driveway approaches, as well as to include language regarding the City’s snow removal procedures.

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

4. The proposed amendment will promote the public health, safety, and general welfare.
Finding: Compliance. The Commission found the proposed amendments to be consistent with the Hailey Comprehensive Plan, and that they will not result in a change in allowed uses.

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 adequate notice, pursuant Title 7, Section 17.14 was given, and is proper. The Commission made the following recommendations to the Hailey City Council:

An Ordinance, Ordinance No. __________, amending Hailey Municipal Code, Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.012.K: Street and Drainage, Driveway Approach, to include additional language regarding driveway width allowances and to add information regarding snow removal procedures, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare.

Signed this __________ day of ______________________, 2023.

________________________________________
Janet Fugate, Chair

Attest:

____________________________
Jessica Parker, Community Development Assistant
Return to Agenda
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 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units, to allow for Tiny Homes on Wheels (THOW) within all residential zoning districts.

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to public agencies on November 30, 2022.

Background: The need for housing in the Wood River Valley is longstanding, yet it has grown to crisis levels in recent years, nationally and locally. A variety of conditions in the City of Hailey challenge the availability and affordability of housing, including:
- A historically seasonal and resort-based economy;
- Prices driven by second-home owners and newer remote workers; and
- Underbuilding, nationally and locally.

Core to its identity, the City of Hailey prides itself in being the “locals’ community” of the Wood River Valley. Housing maintains its own section of the City’s Comprehensive Plan and is central to two other sections— the Land Use, Population and Growth Management and the Demographics, Cultural Vitality, Social Diversity & Well-Being sections. Listing the economic, environmental, and social benefits, as well as the challenges posed by the over-development of high-cost homes in the early 2000s, the Plan acknowledges a trend that remains true today, “…market home prices continue to exceed affordability standards for many working families in the community…” (page 37). With the lack of availability and diversity of housing options, the City of Hailey is experiencing the following trends:
- The entire community faces higher housing costs;
- Many people are living in overcrowded conditions and increasingly distant locations;
- Long-time residents are leaving Hailey to live and retire in more affordable communities, in and out of state;
- Local businesses and essential public services, like the school district, are stressed by understaffing; and
- Traffic congestion, especially on our Main Street/State Highway 75, has increased with vehicle commute times and distances.

These consequences— the externalized costs of the housing crisis— detract from the City’s vision and the cherished character of Hailey. The Comprehensive Plan warns that the “…impacts resulting from growth pressure, such as environmental degradation, inadequate social and infrastructure services, and loss of small-town character are concerns associated with unrestricted growth of the community,” and thereafter advises that “…it is the responsibility of the city to plan for potential future population growth” (page 26). City Staff are keenly aware that Hailey’s population growth is intertwined with local, regional, statewide, and national trends— we cannot stop nor prevent it. However, the City can manage population growth through various measures that make efficient use of resources, like land and municipal infrastructure, and minimize the undesired consequences of expansion.

For example, the Comprehensive Plan and the current City Council advise Staff to pursue creative growth measures, including:
- planning for increased density and infill development in strategic locations;
- increasing flexibility and convenience for residents, especially local employees, seeking housing; and
- allowing for a greater diversity of housing units, like Accessory Dwelling Units (ADUs).
In the past five (5) years, Staff has pursued these measures through the following Text Amendments to the Municipal Code:

<table>
<thead>
<tr>
<th>Code Amendments</th>
<th>Applicable Zoning District</th>
<th>Date Approved by Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of Small Residential Overlay (SRO)</td>
<td>Downtown Core: Business (B)</td>
<td>8/7/2017</td>
</tr>
<tr>
<td>Establishment of Downtown Residential Overlay (DRO)</td>
<td>Downtown Core: B, LB, GR</td>
<td>8/13/2018</td>
</tr>
<tr>
<td>Amendment: Building Height increase in Floodplain</td>
<td>Residential Parcels in Floodplain</td>
<td>1/28/2019</td>
</tr>
<tr>
<td>Extension to Timeline for Submittal of Final Plat</td>
<td>All Zoning Districts</td>
<td>12/9/2019</td>
</tr>
<tr>
<td>Establishment of Accessory Dwelling Unit (ADU) Code</td>
<td>All Residential Zoning Districts</td>
<td>1/25/2021</td>
</tr>
<tr>
<td>Seasonal RV Amendment</td>
<td>All Zoning Districts</td>
<td>6/28/2021</td>
</tr>
<tr>
<td>Reducing Base Setbacks</td>
<td>General Residential (GR)</td>
<td>8/9/2021</td>
</tr>
<tr>
<td>Increasing Lot Coverage for Lots Smaller than 4,500 sq. ft.</td>
<td>Townsite Overlay: GR and LR</td>
<td>3/14/2022</td>
</tr>
<tr>
<td>Revision to Planned Unit Development (PUD) Code</td>
<td>All Zoning Districts</td>
<td>5/9/2022</td>
</tr>
<tr>
<td>Adoption of Appendix G (Tiny Homes)</td>
<td>All Residential Zoning Districts</td>
<td>5/23/2022</td>
</tr>
<tr>
<td>RV: Allow for Occupancy with active Building Permit</td>
<td>All Zoning Districts</td>
<td>7/11/2022</td>
</tr>
<tr>
<td>Rezone: 525 North First Avenue into DRO</td>
<td>Townsite Overlay: GR</td>
<td>8/22/2022</td>
</tr>
</tbody>
</table>

To elaborate on one example—the Hailey City Council and Planning and Zoning Commission prioritized Accessory Dwelling Units (ADUs) from an array of feasible housing solutions presented by Staff in 2016. ADUs were (and still are) considered a desirable mechanism for by-right infill development and managing the City’s sustainable growth. Henceforth, the ADU section of Code was created, developed, and embraced by the community. The popularity and effectiveness of ADUs in City limits are apparent to City Staff. Property owners have built and transformed living spaces into ADUs to rent for new sources of income and to accommodate family members, for example. The city appreciates the community’s assistance in increasing the quantity of housing units within city limits—making efficient and sustainable use of existing infrastructure and public services. Thus far, the impact of ADUs has been steady and gradual. Staff expects the trend to continue with ADUs, as well as the other Text Amendments.

This proposed Text Amendment, to allow for Tiny Homes on Wheels (THOW) in the City of Hailey, is a continuation of the development of the Municipal Code for Accessory Dwelling Units (ADUs). Under the same provision of Accessory Dwelling Units — in Title 17: Zoning Regulations, Chapter 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units — the Text Amendment proposed here seeks to allow for Tiny Homes on Wheels (THOWs) within all residential zoning districts. Staff concurs that THOWs, like ADUs, can be woven into the existing built environment and character of Hailey’s residential zoning districts without detracting from Hailey’s charm. THOWs further present a new housing type with benefits that expand beyond those of ADUs—most notably adding to the diversity of Hailey’s housing stock and offering anew path to home ownership.

Since 2002 and 2003, ADUs have been permitted in Hailey’s Townsite Overlay (TO) and General Residential (GR) Zoning Districts only. From 2002 to 2020 approximately fifty (50) ADUs were constructed, an average of three (3) ADUs per year. Since adoption of the ADU section of code in 2021, which allows for ADUs in all residential zoning districts, approximately thirty (30) ADUs have been certified in the City— an average of fifteen (15) ADUs per year. As stated above, the adoption and benefits of ADUs have been incremental. Most ADUs in Hailey have been constructed concurrently with new single-family residences or new garages. The high cost of constructing or remodeling for ADUs is apparent and presumably prohibitive for some property owners. Between January and October 2022, the average building cost for an ADU in Hailey was approximately $153,000.

Alternatively, Tiny Homes on Wheels (THOW) cost less to build than ADUs, and therefore, cost less to own. The moveability of THOWs make them more affordable than ADUs by precluding or lowering the
costs of buying or renting land, building permit fees, and building a structural foundation. With moveability and greater affordability, THOWs can lower the threshold and increase the accessibility of home ownership. Distinct from ADUs, THOWs can offer a new path to home ownership in Hailey.

Over the past two months, Community Development Staff have reviewed State Law, conferred with Blaine County, and held internal discussions about how to define Tiny Homes on Wheels (THOW). On November 7, 2022, Community Development Staff presented the Commission with a draft THOW definition and ordinance that defined THOW as a type of Recreational Vehicle (RV). Under the direction of the Commission and guidance of the City Attorney, Staff has reworked the language to instead define THOW as a type of “accessory structure.”

Of relevance, Hailey’s existing Municipal Code includes the following definitions:

ACCESSORY STRUCTURE: A structure containing the accessory use upon a lot.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground.

In the attached Draft Ordinance, Staff proposes to define Tiny Homes on Wheels (THOW) as such:

TINY HOMES ON WHEELS (THOW): an accessory structure with a footprint between 100 and 400 square feet in size that provides seasonal or year-round independent living facilities, including provisions for living, sleeping, eating, cooking, and sanitation, and has been certified to meet the required building standards.

Regarding building standards—Blaine County’s Tiny Homes on Wheels Ordinance (adopted in 2021) relies on guidance from the National Organization of Alternative Housing (NOAH), an entity that coordinates voluntary standards and conformity assessment systems for alternative housing types. NOAH has compiled a set of THOW building standards that is referred to as the NOAH+ Standards. The NOAH+ Standards include building standards from multiple entities, including NOAH, the American National Standards Institute (ANSI), the National Fire Protection Association (NFPA), National Electric Code (NEC), the International Residential Code (IRC) the American Wood Council (AWC), and the Engineered Wood Association (APA).

In addition to the NOAH+ Standard, City Staff proposes that THOW in the City of Hailey adhere to the snow load standards required for all other residential structures and dwelling units in Hailey—as they are specified in Hailey’s Municipal Code, the International Energy Conservation Code (IECC), and the International Residential Code (IRC).

In deliberating the insulation requirements to propose for THOW, City Staff consulted with Blaine County Staff, NOAH, and THOW manufacturers in the region. The discussions balanced several considerations:
- the overarching goal of THOW: to support housing accessibility;
- the importance of ensuring the livability of THOW; and
- energy efficiency in small structures.

On December 19, 2022 the Commission confirmed Staff’s direction to align with Blaine County’s insulation requirements, which can be understood as a middle ground. Blaine County’s insulation
requirements are less than those required for ADUs and other dwelling units. However, the proposed requirements are greater than those required for Park Model RVs, which are a temporary or seasonal living facility on wheels permitted by State Law and Blaine County. The proposed requirements for THOW differ from those required for Park Model RVs and ADUs as such:

<table>
<thead>
<tr>
<th>Insulation Requirements</th>
<th>Park Model RV Blaine County</th>
<th>THOW Proposed &amp; Adopted by Blaine County</th>
<th>ADUs &amp; Other Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walls</td>
<td>R-5</td>
<td>R-19</td>
<td>R-23</td>
</tr>
<tr>
<td>Floor</td>
<td>R-5</td>
<td>R-20</td>
<td>R-30</td>
</tr>
<tr>
<td>Roof/Ceiling</td>
<td>R-7</td>
<td>R-28</td>
<td>R-49</td>
</tr>
</tbody>
</table>

Energy efficiency reports from THOW built with the proposed insulation requirements confirm that lower insulation requirements for THOW can maintain energy efficiency and lower the building costs. At the Public Hearing on December 19, 2022, Staff and the Commission concurred that striking a balance between the considerations is key to the overarching goal of THOW.

Also at the Public Hearing on December 19, 2022, the Commission directed Staff to:
- clarify THOW as an accessory structure to a single-family dwelling unit, under 17.08D.030B of the draft Ordinance;
- reiterate that THOW are subject to the same Design Review Standards as ADU’s, under 17.08D.030E; and
- reword how THOW shall be leveled, blocked, and anchored to the ground, under 17.08D.080(C)ii.

The Commission’s edits and proposed amendments, which incorporate Tiny Homes on Wheels to Title 17: Zoning Regulations, have been included in the attached Draft Ordinance for further review.

**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;

Tiny Homes on Wheels addresses multiple goals laid out in the Hailey Comprehensive Plan, they are listed and organized by the sections of the Comprehensive Plan below:

**Section 5: Land Use, Population and Growth Management**
The Comprehensive Plan specifically identifies the need to, “...accommodate population growth through a balanced combination of two means, with one being ‘infill’ development or redevelopment of existing land within the current City limits in accordance with existing zoning and
density allowances without necessitating the use of density bonuses or waivers” (page 20). Further goals and desired trends include:

5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases. (page 30)
- Increase: Citywide land use efficiency (U/A)

5.7 Encourage development at the densities allowed in the Zoning Code. (page 30)
- Decrease: Acres of vacant land within city boundaries

Similarly to Accessory Dwelling Units, Tiny Homes on Wheels offer a by-right mechanism for infill development. Creating additional opportunities for by-right infill development is compatible with the Future Land Use Map, which encourages a variety of residential development styles and densities that are not fully realized today.

Section 7: Demographics, Cultural Vitality, Social Diversity & Well-Being

7.1 Encourage a variety of projects and programs that meet the needs generated by various segments of the population, especially the needs of those who risk suffering effects of discrimination or are socially or economically disadvantaged. (page 36)
- Decrease: Percentage of renters paying more than 30% of income on housing

Section 8: Housing

8.1 Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socio-economic levels. (page 39)
- Increase: Supply of Affordable Rental Housing
- Decrease: Percent of Income for Housing Costs
- Increase: Home Affordability
- Decrease: Housing Costs in Relation to Income

The Housing Section also elaborates on the economic, environmental, and social benefits of increasing housing options within Hailey City Limits. Accessible housing is important for:
- “The growth potential and sustainability of local businesses”;
- lowering carbon emissions and road maintenance costs; and
- “a greater vibrancy and sense of unity” in the community (page 38).

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; Thus far, all studies related to recently proposed and approved housing projects have affirmed that 1) infill development and increased residential densities most efficiently use public facilities and services, they do not increase excessive additional requirements at public cost; and 2) Hailey’s municipal services are capable of servicing infill development and high-density projects.

As verified by City Staff from the Public Works Department, Tiny Home on Wheels (THOW) can be accommodated with existing water, wastewater, and other municipal services. The City has yet to meet its maximum densities in the Zoning Districts, especially where they are desired near public transit and activity centers. Water and wastewater Staff confirmed the feasibility of THOW hooking up to municipal services. Administratively, the process would be similar to ADUs and offer an additional tracking mechanism for THOW.
Finding: Compliance. The Commission found that this standard has been met.

3. The proposed uses are compatible with the surrounding area; and
The proposed uses are compatible with the surrounding area and other areas throughout Hailey: Accessory Dwelling Units (ADU) have been considered in the long-term planning of the residential zoning districts and their municipal services, and Staff considers this proposed Text Amendment in the same vein as ADUs. The difference between the impact of Tiny Homes on Wheels and ADUs on adjacent properties would be minimal to non-existent— especially with the proposed THOW standards that limit their size between 100 and 400 square feet and maintain the existing setbacks of underlying zoning districts.

4. 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. Access to housing is key to supporting public health, safety, and general health. The census in the Wood River Valley community—including non-profit social service organizations and fellow municipalities—is that the current need for housing is an emergency. The Mayor and Council support a city-initiated THOW Ordinance as, “...there currently exists a housing emergency and amending some of the regulations regarding permissible types of housing units to include Tiny Home on Wheels may help to ease this housing emergency...” (Blaine County Ordinance No. 2022-03).

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

Signed this __________ day of ______________________, 2022.

________________________________________
Janet Fugate, Chair

Attest:

____________________________
Jessica Parker, Community Development Assistant

Attachments:

i. Draft Ordinance
ii. NOAH+ Standard for Tiny Homes on Wheels
HAILEY ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, CHAPTER 17.02: DEFINITIONS, TO DEFINE TINY HOMES ON WHEELS (THOW); AMENDING CHAPTER 17.04: ESTABLISHMENT, PURPOSES AND USES WITHIN ZONING DISTRICTS, SECTION 17.04M.060 ITEM F, TO INCLUDE TINY HOMES ON WHEELS; AMENDING CHAPTER 17.05: OFFICIAL ZONING MAP AND DISTRICT USE MATRIX, SECTION 17.05.040, TO ADDRESS TINY HOMES ON WHEELS WITHIN THE DISTRICT USE MATRIX AND FOOTNOTES; AMENDING CHAPTER 17.06: DESIGN REVIEW, SECTION 17.06.010 ITEM A, TO EXEMPT TINY HOMES ON WHEELS FROM A FULL PLANNING AND ZONING DESIGN REVIEW, AS WELL AS MODIFY ACCESSORY DWELLING UNITS FROM A FULL PLANNING AND ZONING DESIGN REVIEW TO AN ADMINISTRATIVE REVIEW ONLY; AMENDING CHAPTER 17.08: SUPPLEMENTARY REGULATIONS, ARTICLE D, TO INCLUDE TINY HOMES ON WHEELS IN THE TITLE; AND AMENDING THE FOLLOWING SECTIONS TO INCORPORATE PROVISIONS FOR TINY HOMES ON WHEELS –

- SECTION 17.08D.010: PURPOSE AND INTENT, ITEM A, ITEM 2, AND ADD ITEM 4
- SECTION 17.08D.020: APPLICABILITY
- SECTION 17.08D.030: GENERAL PROVISIONS, ITEMS B, C, AND D, AND ADD ITEMS E AND F
- SECTION 17.08D.040: REGISTRATION REQUIRED, ITEM A, AND ADD ITEM B,
- SECTION 17.08D.050: OCCUPANCY RESTRICTIONS – SHORT TERM OCCUPANCY, ITEM A AND ADD ITEM B,
- SECTION 17.08D.060: SUBORDINATE SCALE AND SIZE, ITEM A AND ADD ITEM B,
- SECTION 17.08D.070: LIVABILITY, ITEM A,
- ADD A NEW SECTION 17.08D.080: TINY HOMES ON WHEELS, WHICH INCLUDES THE FOLLOWING NEW ITEMS:
  A. BUILDING STANDARDS
  B. INSPECTIONS
  C. ESTABLISHING THE THOW;

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 Commission and Council have determined that municipal code changes which expand housing opportunities in Hailey are a priority;

WHEREAS, the Council finds that the proposed changes to allow for Tiny Homes on Wheels (THOW) will encourage modest and necessary infill housing development to meet the needs of the community as contemplated in the 2010 Hailey Comprehensive Plan;
WHEREAS, the changes proposed will address supplemental design and quality of life for Tiny Homes on Wheels (THOW) with the intent of reinforcing the following statements and goals contained within the Comprehensive Plan:

1. Land Use, Population, and Growth Management
   a. The City seeks to accommodate population growth through a balanced combination of two means, with one being “infill” development or redevelopment of existing land within the current City limits in accordance with existing zoning and density allowances without necessitating the use of density bonuses or waivers.
   b. Land Use Implications of Population Growth Scenarios: Impacts resulting from growth pressure, such as environmental degradation, inadequate social and infrastructure services, and loss of small-town character are concerns associated with unrestricted growth of the community; therefore, it is the responsibility of the city to plan for potential future population growth.
   c. Lessen dependency on the automobile.

2. Demographics, Cultural Vitality, Social Diversity, and Well-Being
   a. Social Diversity and Social Well-Being: Sustainable communities offer equal opportunity, social harmony, and mutual respect for a diverse population. Diversity means an inclusive community of people with varied human characteristics, ideas, and worldviews and whose interactions both benefit and challenge each other to grow.
   b. While many factors influence both the existence and perception of discrimination and unequal treatment, income is an important element, as are education, occupational status, and life expectancy.

3. Housing
   a. 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.
   b. The ongoing local spending and taxes generated because of homes being occupied by the working community are significant.
   c. Productivity of the workforce improves when commutes are shortened.
   d. Long commutes are not only costly to the workers, but to the environment as well. Carbon emissions are reduced, and air quality is improved when employees live close to work. In addition, fewer commuters will alleviate the demand for more highway lanes and asphalt.
   e. Many social benefits are realized when workers live in their own community. Quality of life and safety improve when critical care employees live within close responding distance. Children do better in school when parents are at home in the mornings and evenings. Homeowners are more active in their communities, creating a greater vibrancy and sense of unity.

WHEREAS essential public facilities and services are available to Tiny Homes on Wheels (THOW) without excessive public cost;

WHEREAS the proposed Tiny Homes on Wheels (THOW) use is compatible with surrounding areas and Zoning Districts where Accessory Dwelling Units (ADUs) are permitted; and
WHEREAS the text set forth in this ordinance will promote the public health, safety and general welfare by addressing ongoing and outstanding housing needs.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Chapter 17.02 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

TINY HOMES ON WHEELS (THOW): an accessory structure with a footprint between 100 and 400 square feet in size that provides seasonal or year-round independent living facilities, including provisions for living, sleeping, eating, cooking, and sanitation, and has been certified to meet the required building standards.

Section 2. Chapter 17.04 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

17.04M.060.F. Accessory Dwelling Units: Accessory Dwelling Units shall have a minimum gross floor area of three hundred (300) square feet and a maximum gross floor area of one thousand (1,000) square feet; Tiny Homes on Wheels are exempt. Supplemental standards for Accessory Dwelling Units and Tiny Homes on Wheels are contained in Chapter 17.08, Article D. Accessory Dwelling Units and Tiny Homes on Wheels.

Section 3. Section 17.05.040 of the Hailey Municipal Code is hereby amended by the addition of the underlined language and/or the deletion of the stricken language, as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>RG</th>
<th>LR-1</th>
<th>LR-2</th>
<th>GR</th>
<th>NB</th>
<th>LB</th>
<th>TN</th>
<th>B</th>
<th>LI</th>
<th>TI</th>
<th>A</th>
<th>SCI-SO</th>
<th>SCI-I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory dwelling unit (ADU) and Tiny Homes on Wheels (THOW)</td>
<td>1 accessory dwelling unit or 1 tiny home on wheels, accessory to a single-family dwelling unit or to a nonresidential principal building. Primary vehicular access to any ADU or THOW shall be from a City Street or alley. All accessory dwelling units and tiny homes on wheels shall have adequate water and sewer services installed to meet City standards</td>
<td>N</td>
<td>PA23</td>
<td>PA23</td>
<td>PA23</td>
<td>PA23</td>
<td>PA23</td>
<td>PA23</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>PA23</td>
<td>PA23</td>
</tr>
<tr>
<td>Category</td>
<td>Description (Excerpt)</td>
<td>RGB</td>
<td>LR-1</td>
<td>LR-2</td>
<td>GR</td>
<td>NB</td>
<td>LB</td>
<td>TN</td>
<td>B</td>
<td>LI</td>
<td>TI</td>
<td>A</td>
<td>SCI-SO</td>
<td>SCI-I</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>-----</td>
<td>---------------</td>
<td>---------------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Building Height</td>
<td></td>
<td></td>
<td>35(^{21,22})</td>
<td>30(^{21,22})</td>
<td>35(^{21,22})</td>
<td>30</td>
<td>35(^{24})</td>
<td>35(^{24})</td>
<td>35(^{24})</td>
<td>35(^{24})</td>
<td>35(^{24})</td>
<td>35(^{24})</td>
<td>35(^{21,22})</td>
<td></td>
</tr>
<tr>
<td>Minimum side yard setback</td>
<td></td>
<td>10</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td></td>
</tr>
<tr>
<td>Minimum side yard setback</td>
<td></td>
<td>10</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td>10(^{3,19,20})</td>
<td></td>
</tr>
<tr>
<td>Total lot coverage</td>
<td>Total maximum coverage by all buildings, which includes 1 accessory dwelling unit or 1 tiny home on wheels (percentage)</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>-</td>
<td>-</td>
<td>30(^{10})</td>
<td>-</td>
<td>75</td>
<td>75</td>
<td>See note 12</td>
<td>70</td>
<td>70</td>
</tr>
</tbody>
</table>

23. Accessory Dwelling Units (ADUs) and Tiny Homes on Wheels (THOW) 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.

**Section 4.** Chapter 17.06: Design Review, Section 17.06.010.A, Table 1, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and the deletion of the stricken language, as follows:

17.06.010.A. Design Review Approval or Exemption: No person shall build, develop, or substantially remodel or alter the exterior of the following buildings without receiving design review approval or exemption pursuant to this chapter, as outlined in the matrix below:

**TABLE 1**

**PROJECT TYPES**

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Exempt (PZ Chair And Administrator)</th>
<th>Hearings Examiner</th>
<th>Full PZ Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>New construction:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All zones: Nonresidential buildings</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>All zones: Residential of 3 or more units</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>All zones: other than Townsite Overlay District: Accessory Dwelling Units and Tiny Homes on Wheels</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townsite Overlay District: New single-family or duplex</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townsite Overlay District: Accessory structures (including excluding Accessory Dwelling Units and Tiny Homes on Wheels.)</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Section 5.** Chapter 17.08, Supplementary Regulations, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and the deletion of the stricken language, as follows:

**Article D. Accessory Dwelling Units and Tiny Homes on Wheels**

17.08D.010: Purpose and Intent

A. Purpose: The City of Hailey recognizes that land use, population growth, and community character are interrelated, and that social well-being and diversity are tied to the availability of an array of housing types and sizes available for sale and for rent at various price points. Accessory Dwelling Units and Tiny Homes on Wheels, when thoughtfully designed, can simultaneously complement the fabric of existing neighborhoods, increase the supply of available housing, and sustainably accommodate population growth.

The purpose of this section is to address supplemental design and quality of life for Accessory Dwelling Units and Tiny Homes on Wheels with the intent of reinforcing the preceding and following statements, which are reflective of statements and goals expressed in the Comprehensive Plan:

1. Hailey is a community that believes livability and quality of life can be maintained and enhanced only with strong, diverse residential neighborhoods. Further, the community recognizes its identity to include being a place primarily comprised of full-time residents and being a community where the workforce can reside.
2. The City of Hailey seeks to accommodate population growth in a balanced manner, with “infill” development and redevelopment of existing lands in City limits being two strategies. Accessory Dwelling Units and Tiny Homes on Wheels provide opportunities for infill development and redevelopment.
3. Many social benefits are realized when workers live in their own community. Quality of life and safety improve when critical care employees live within close responding distance. Children do better in school when parents are at home in the mornings and evenings. Homeowners are more active in their communities, creating a greater vibrancy and sense of unity.
4. Accessory Dwelling Units and Tiny Homes on Wheels add to the diversity of housing unit types, additionally supporting the flexibility and convenience for residents seeking housing within the City.
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—(Ord. 1275, 2021); and to all Tiny Homes on Wheels established after <insert date of adoption of code amendments>.

17.08D.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 the remaining floor area.

B. Only one (1) Accessory Dwelling Unit or one (1) Tiny Home on Wheels is permitted on a lot, as an accessory to a single-family dwelling unit.

C. Accessory Dwelling Units and Tiny Homes on Wheels are only permitted in conjunction with single-family residences in residential zones. In the Townsite Overlay, Transitional 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 mixed-use.

D. Accessory Dwelling Units and Tiny Homes on Wheels in the Special Flood Hazard Area (SFHA) shall have the top of the lowest floor elevated no lower than the flood protection elevation as defined in section 17.04J.020, "Definitions", of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.

E. Tiny Homes on Wheels are subject to the same standards as Accessory Dwelling Units, including Design Review standards, except where specifically noted herein.

F. If Tiny Homes on Wheels (THOW) are removed from Hailey’s Municipal Code as an allowable use, no THOW structure shall be considered legally non-conforming.

17.08D.040: Registration of Accessory Dwelling Units Required
A. All Accessory Dwelling Units created after <insert date of adoption of code amendments> February 10, 2021 and all Tiny Homes on Wheels established after <insert date of adoption of code amendments> shall be issued an Accessory Dwelling Unit Compliance Certificate as a prerequisite for a Certificate of Occupancy.

B. Tiny Homes on Wheels shall be registered or permitted annually with the Idaho Transportation Department Division of Motor Vehicles.

17.08D.050: Occupancy Restrictions – Short Term Occupancy
A. Accessory Dwelling Units
   i. Where a lot contains both a primary dwelling unit and an Accessory Dwelling Unit (ADU), only one dwelling unit shall be utilized for Short-Term Occupancy; and
B. ii. When one dwelling unit is utilized for Short-Term Occupancy, the other dwelling 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.

B. Tiny Homes on Wheels (THOW)
   i. THOWs are restricted for long-term use (31 days or longer) only.

17.08D.060: Subordinate Scale and Size
A. Accessory Dwelling Units
   i. Scale: The floor area of an Accessory Dwelling Unit 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.

B. ii. Maximum floor area:

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

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

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

B. Tiny Homes on Wheels (THOWs)
   i. The footprint of Tiny Homes on Wheels shall be limited between 100 to 400 square feet in size.

17.08D.070: Livability
A. Outdoor Access: All Accessory Dwelling Units and Tiny Homes on Wheels, shall have a designated area to access the outdoors. Examples include a balcony, porch, deck, paver patio, or yard area delineated by fencing, landscaping, or similar treatment 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 Administrative Design Review process.

17.08D.080: Tiny Homes on Wheels
A. Building Standards
   i. All Tiny Homes on Wheels shall meet the NOAH+ Standards, in addition to and except where they are superseded by the requirements for Hailey’s climatic conditions, listed herein.
   ii. Additional requirements for Hailey’s climatic conditions:
      a. Insulation
         i. Minimum Insulation R-values:
1. Walls: R-19
2. Floors: R-20
3. Roof/ceiling: R28
b. Vapor retarders shall be in accordance with the International Residential Code (IRC).
c. Windows and doors shall have a maximum 0.30 U-factor.
d. Roof snow loads shall meet the site-specific requirements set forth in Chapter 15.08: Building Code, Section 15.08.020: Amendment of Codes.

B. Inspections:
i. Inspection of the THOW building requirements or standards—including the NOAH+ Standards and the requirements for Hailey’s climatic conditions—shall be completed and approved by the National Organization of Alternative Housing (NOAH) or another inspection agency that is approved by the Administrator.
ii. A Certificate of Approval from the inspector shall be submitted to the Community Development Department for further review, approval, and issuance of the Compliance Certificate.

C. Establishing the THOW
i. Location/placement:
   a. The THOW shall meet the setbacks for the Zoning Districts in which it is located.
   b. The THOW shall adhere to the minimum separation distances for buildings, as articulated in Table R302.1(1) of the International Residential Code.
ii. Blocking and anchoring:
   a. The Tiny Homes on Wheels chassis shall be maintained level, supported by blocks at a minimum of eight (8) points—one (1) per corner and two (2) per wheel well—and anchored to the ground.
   b. Only a tongue jack shall be used on a full-time basis. No other jacks shall be used on a long-term (31 days or more) basis.
iii. Exterior attachments:
   a. Exterior attachments such as porches, decks, lean-tos, or sheds are permitted; however, they must be affixed in a manner that is freestanding or removable and allows for towing where appropriate.
   b. Porches and decks shall be lower than eighteen (18) inches unless located in any flood hazard plain.
   c. Detached or attached accessory structures (e.g., sheds) shall comply with the regulations outlined in Chapter 17.07 of Hailey’s Municipal Code.
iv. Skirting:
   a. Skirting is required and shall be installed to enclose all open space between the THOW and the ground.
   b. The skirting shall screen the wheels and aesthetically compliment, or continue the THOW siding, as approved through Administrative Design Review.
v. Municipal service and utility connections
   a. All municipal and utility connections are subject to City standards, inspections, and policies.
   b. Water and wastewater
      i. Tiny Homes on Wheels shall connect to municipal water and wastewater systems through the connection serving the primary
residence, or via an additional, separate connection to the water or wastewater main lines.

ii. Water connections serving THOW shall remain separate from all secondary connections (e.g., irrigation lines).

iii. Insulating THOW water and wastewater connections, to prevent freezing, is the sole responsibility of the THOW owner.

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 ____________, 2023.

______________________________
Martha Burke, Mayor, City of Hailey

Attest:

______________________________
Mary Cone, City Clerk
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On December 19, 2022 the Hailey Planning and Zoning Commission considered and denied a Design Review Application by Joel Tranter, 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 proposed project was located in the General Residential (GR), Townsite (TO) and Downtown Residential (DRO) Overlay Zoning Districts.

FINDINGS OF FACT

Notice: Notice for the December 5, 2022 public hearing was published in the Idaho Mountain Express and mailed to property owners within 300 feet on the same day, November 15, 2022. The item was continued on the record to December 19, 2022 for an additional review.

Application & Procedural History: The Applicant proposed 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 was 4,086 square feet.

The plans for the first, main floor included 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 was located on the upper floor and comprises of 896 square feet. The ADU included 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 was a 550 square foot loft that is open to the first, main floor. The main entrance was north-facing and accessed via a covered entry walkway on River Street. The entry walkway also serviced a secondary exterior entrance to the internal ADU.

At the October 17, 2022 and December 5, 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 asked the Applicant to adhere to the required lot coverage, pronounce the entry walkway on the River Street frontage, minimize the driveway curb-cuts, and adhere to the outdoor lighting standards.

The project’s second Public Hearing on December 5, 2022 lasted approximately 1 hour and 15 minutes. During this time, the Commission offered several ideas for how the Applicant might amend the design to make the garage subordinate. Specifically, the Commissioners suggested that the Applicant:
- cantilever the second story front wall plane over the garage,
- pronounce the overhead wall plane of the main entry walkway so much that it might be considered the front wall plane, and/or
- screen the garage doors with landscaping.

For the third Public Hearing held on December 19, 2022, the Applicant submitted a design or plan set that narrowly incorporated the Commission’s feedback.
While the site plan heeded the Commission’s advice to reconfigure the driveway and landscaping to screen the garage doors, the updated driveway plan did not adhere to the required property line buffer. The Public Works Department was prepared to assist the Applicant in adjusting the driveway design or installing drainage, so that the plan is compliant with Code (see Staff Comments in the report below).

The Applicant did not alter the design or plans for the front wall plane. While the Applicant included an illustration on the elevations page which appeared to extend the deck and pronounce the wall plane above the entry walkway, those changes were not reflected in the measurements of the front wall plane. The measurements and layout of the building plan appeared identical to the plan set considered on December 5, 2022. Below is a table of the elevation sketches, plus the plans for the driveway and structural elements related to the front wall plane.

<table>
<thead>
<tr>
<th>December 19, 2022</th>
<th>December 5, 2022</th>
<th>October 17, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="East Elevation" /></td>
<td><img src="image2" alt="East Elevation" /></td>
<td><img src="image3" alt="East Elevation" /></td>
</tr>
<tr>
<td><img src="image4" alt="Plan" /></td>
<td><img src="image5" alt="Plan" /></td>
<td><img src="image6" alt="Plan" /></td>
</tr>
</tbody>
</table>

Leading up to and at the December 19th Public Hearing, Staff and the Commission addressed the Applicant about incorporating the Commission’s feedback to a greater extent. In response, the Applicant team argued that the remaining lot coverage in the current design prevents them from cantilevering the front wall plane over the garage. Implicitly and explicitly, the Applicant voiced their unwillingness to reconfigure other aspects of the building’s design in order to alleviate the lot coverage constraint.

On December 19, 2022 the Commission voted to deny the Applicant’s Design Review Application, finding that the proposed design does not comply with the following standards:
- 17.06.090.C.3.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.
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.

- 17.06.090.C.3.E: Wall Planes
  - Guideline: Primary wall planes should be parallel to the front lot line.
- 17.06.090.C.4: Circulation and Parking
  - Guideline: The visual impacts of on-site parking visible from the street shall be minimized.
  - Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.
  - 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.

---

### General Requirements for Accessory Dwelling Units

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
elevation as defined in Section 17.04J.020, “Definitions”, of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.

Staff Comments

N/A – The proposed ADU is not located within the Special Flood Hazard Area.

17.08D.040: Registration of Accessory Dwelling Units Required

A. All Accessory Dwelling Units created after February 10, 2021, shall be issued an Accessory Dwelling Unit Compliance Certificate.

Staff Comments

Upon completion of construction for the proposed ADU, a Compliance Certificate will be issued.

Finding: Compliance. The Commission found that this standard was met.

17.08D.050: Occupancy Restrictions - Short Term Occupancy

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;

Staff Comments

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.

Finding: Compliance. The Commission found that this standard was met.

B. When one dwelling unit is utilized for Short-Term Occupancy, the other unit shall be owner-occupied or utilized as a long-term rental, with long-term occupancy being a period of thirty-one (31) days or more.

Staff Comments

See Section 17.08D.050A, the Applicant’s occupancy plan meets this standard, and it has been made a Condition of Approval.

Finding: Compliance. The Commission found that this standard was met.

17.08D.060: Subordinate Scale and Size

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.

Staff Comments

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.

Finding: Compliance. The Commission found that this standard was met.

B. Maximum Floor Area:

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

Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included.
### Design Review: Tranter Residence
Maple Subdivision, Block 1, Lot 2A (637 South River Street)
Hailey Planning Zoning Commission – January 17, 2023
Findings of Fact – Page 5 of 17

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>The Applicant meets this standard— the lot size 8,840 square feet and the proposed ADU is 896 square feet.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>C. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>The proposed ADU has two (2) bedrooms.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

### Chapter 17.09: Parking and Loading

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Parking areas and driveways for single-family, accessory dwelling unit, and duplex residences may be improved with compacted gravel or other dustless material.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission agreed that the Applicant work internally with Staff to identify any issues and/or revisions to the proposed driveway, and found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>The Applicant proposed a driveway on River Street, improved with compact gravel or paved.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission agreed that the Applicant work internally with Staff to identify any issues and/or revisions to the proposed driveway, and found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ ☐ ☐ ☐</td>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard was met.</td>
</tr>
</tbody>
</table>
The proposed design includes space in the driveway for one (1) to two (2) parking spaces, in addition to the two (2) car garage.

Finding: Compliance. The Commission found that this standard was met.

General Requirements for all Design Review Applications

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City Code</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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 cut and the abutting property lines, per Municipal Code, unless storm drainage is infiltrated onsite. See for the Standard Drawing for the Typical Driveway Approach, as well as the Typical or Direct Entry Drywells. Any landscaping or improvements in the City Right-of-Way shall go through the Encroachment Permit application process.

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. The proposed project does not comply with the following requirements of Section 17.06.090.C.4:

- The visual impacts of on-site parking visible from the street shall be minimized.
- When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.
- 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.

Finding: Compliance. While the Commission found that the proposed number of parking spaces meets this standard, the proposed project does not comply with the standards pertinent to location and orientation of the garage, as noted above.

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.

Finding: Compliance. The Commission found that this standard was met.

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
### Design Review: Tranter Residence

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

Hailey Planning Zoning Commission – January 17, 2023

Findings of Fact – Page 8 of 17

- **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:
  - Front Yard (West): 28’ to the front entry’; 32’ to the garage
  - Side Yard (South): 12’
  - Side Yard (North): 12’ 11”
  - 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, the Commission found the proposed design to meet the required setbacks.

**Finding:** Compliance. The Commission found that this standard will be met.

<table>
<thead>
<tr>
<th>Code</th>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.070(A)1</td>
<td>☒</td>
<td>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</td>
</tr>
<tr>
<td>17.06.070(B)</td>
<td>☒</td>
<td>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)</td>
</tr>
</tbody>
</table>

**Staff Comments**

City Staff requested 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.

**Finding:** Compliance. The Commission found that this standard will be met.

Staff will review civil plans and water line connections and improvements when they are updated.

**Finding:** Compliance. The Commission found that this standard will be met.

---

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

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>City Code</td>
</tr>
<tr>
<td>No</td>
<td>City Standards and Staff Comments</td>
</tr>
<tr>
<td>17.06.090(C)1</td>
<td>1) Site Planning</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------</td>
</tr>
<tr>
<td><strong>Guideline:</strong> The pattern created by the Old Hailey town grid should be respected in all site planning decisions.</td>
<td></td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>The lot is existing and rectangular; however, there is no alley in the rear. Vehicular access is only possible via River Street.</td>
</tr>
<tr>
<td><strong>Finding:</strong> Compliance. The Commission found that this standard will be met.</td>
<td></td>
</tr>
</tbody>
</table>

| | 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. However, the front entrance is not visible from River Street. |
| | 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. |
| **Finding:** Compliance and Non-Compliance. The Commission found that the proposal met this standard, with the exception of its building orientation. The proposed design incorporates the main entrance on the north side of the building, facing the side yard. Alternatively, the building orientation of the established Old Hailey grid pattern prefers the main entrance be oriented toward the street. The Commission suggested that the Applicant pronounce the front entry, to create a more welcoming, visible entrance from the public street, as well as to reduce the appearance of the forward-facing garage. The Applicant was not receptive to the Commission’s suggestions and chose to retain the original design. |
### Design Review: Tranter Residence
Maple Subdivision, Block 1, Lot 2A (637 South River Street)
Hailey Planning Zoning Commission – January 17, 2023
Findings of Fact – Page 10 of 17

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Staff Comments</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.090(C)2 2. Bulk Requirements (Mass and Scale, Height, Setbacks)</td>
<td>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.</td>
<td>Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)3 3. Architectural Character a. General</td>
<td>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.</td>
<td>Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)3b b. Building Orientation</td>
<td>The entry walkway in the proposed design is inviting and clearly visible from the front of the lot on River Street; however, the front entrance is not visible from the public street.</td>
<td>Non-Compliance. The Commission found that this standard was not met. Although the entry walkway is visible from River Street, the main entrance to the building is not. The Commission suggested that the Applicant pronounce the front entry, to create a more welcoming, visible entrance from the public street, as well as to reduce the appearance of the forward-facing garage. The Applicant was not receptive to the Commission’s suggestions and chose to retain the original design.</td>
</tr>
<tr>
<td>17.06.090(C)3c c. Building Form</td>
<td>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 leads people from River Street to the main entrance on the northside.</td>
<td>Non-Compliance. The Commission found that this standard was not met. The proposed design aligns the main entrance and front wall plane with the north side yard, not River Street.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3e</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3f</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3f</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3g</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3g</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3h</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.06.090(C)3h</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 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.

**Finding:** Compliance. The Commission found that this standard was met.

### 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.

**Finding:** Compliance. The Commission found that this standard was met.

### 17.06.090(C)3i

**Guideline:** Architectural details and ornamentation on buildings should be compatible with the scale and pattern of the neighborhood.

**Staff Comments**

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.

**Finding:** Compliance. The Commission found that this standard was met.

### 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.

**Finding:** Compliance. The Commission found that this standard was met.

### 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. The Applicant is unwilling to reconfigure the layout of the proposed building to free up allowable lot coverage and cantilever the second story wall plane over the garage, an idea offered by the Commission at the Public Hearing on December 5, 2022. The Applicant proposes to match the garage door material with the wall plane siding, to reduce the appearance of the garage.

While the Applicant proposes trees to screen the garage, the driveway must be reconfigured to respect the required ten-foot (10’) buffer with the property line.

**Finding:** Non-Compliance. The Commission found that this standard was not met.

While the Applicant proposed to reduce the appearance of the garage by matching the garage door material with the siding the wall plane and increasing landscaping along the public right-of-way, the Commission found that the visual impacts of on-
<table>
<thead>
<tr>
<th>Guideline</th>
<th>Staff Comments</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.090(C)4</td>
<td>Guideline: As a general rule, garages and parking should be accessed from the alley side of the property and not the street side.</td>
<td>N/A - This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)4</td>
<td>Guideline: Detached garages accessed from alleys are strongly encouraged.</td>
<td>N/A - This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)4</td>
<td>Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.</td>
<td>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'). On December 5, 2022 the Commission voiced their concern that the garage did not appear subordinate on the front wall plane. The design considered at the December 19, 2022 Public Hearing did not reflect any changes to the front wall plane. In other words, the Applicant did not change the design on December 5, 2022 to minimize nor to setback the garage. See the narrative at the beginning of this report for side-by-side comparisons of the front wall plane designs submitted for the October 17th, December 5th, and December 19th Public Hearings. Finding: Non-Compliance. The Commission found that this standard was not met. The Commission found that the garage doors were dominant on the front wall plane and insignificantly setback or subordinate to said plane.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)4</td>
<td>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.</td>
<td>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'). On December 5, 2022 the Commission voiced their concern that the garage did not appear subordinate on the front wall plane. The design considered at the December 19, 2022 Public Hearing did not reflect any changes to the front wall plane. In other words, the Applicant did not change the design on December 5, 2022 to minimize or setback the garage. See the narrative at the beginning of this report for side-by-side comparisons of the front wall plane designs submitted for the October 17th, December 5th, and December 19th Public Hearings. Finding: Non-Compliance. The Commission found that this standard was not met. The proposed driveway and garage are two-cars in width.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)4</td>
<td>Guideline: Off-street parking space for recreational vehicles should be developed as part of the overall site planning.</td>
<td>The proposed plans incorporate a large area for off-street parking, where recreational vehicles may be parked. Finding: Compliance. The Commission found that this standard was met.</td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Guideline</td>
<td>Staff Comments</td>
<td>Finding</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>17.06.090(C)5</td>
<td>Alleys shall be retained in site planning. Lot lines generally shall not be modified in ways that eliminate alley access to properties.</td>
<td>N/A – This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)5</td>
<td>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.</td>
<td>N/A – This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)5</td>
<td>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.</td>
<td>N/A – This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)5</td>
<td>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.</td>
<td>N/A – This lot is not serviced by an alley.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)6</td>
<td>Accessory buildings shall appear subordinate to the main building on the property in terms of size, location, and function.</td>
<td>N/A – The proposed design does not incorporate an accessory building.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)6</td>
<td>In general, accessory structures shall be located to the rear of the lot and off of the alley unless found to be impractical.</td>
<td>N/A – This lot is not serviced by an alley, and the design does not include an accessory building.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)7</td>
<td>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.</td>
<td>Ample space on the side yards will accommodate snow storage without impacting pedestrian routes nor adjacent properties.</td>
<td>Finding: Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)7</td>
<td>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.</td>
<td></td>
<td>Finding: Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)8</td>
<td>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.</td>
<td>The lot contains two (2) large shrubs that are planned to be removed.</td>
<td>Finding: Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>Section</td>
<td>Guideline</td>
<td>Staff Comments</td>
<td>Finding</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>17.06.090(C)8</td>
<td>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.</td>
<td>The lot contains two (2) large shrubs that are planned to be removed. Snow storage is planned for their location.</td>
<td>Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)8</td>
<td>Noxious weeds shall be controlled according to State Law.</td>
<td>This standard shall be met.</td>
<td>Compliance. The Commission found that this standard was met.</td>
</tr>
<tr>
<td>17.06.090(C)9</td>
<td>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.</td>
<td>N/A — The proposed design does not include a fence.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)9</td>
<td>Retaining walls shall be in scale to the streetscape.</td>
<td>N/A — The proposed design does not include a retaining wall.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)10</td>
<td>General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines:</td>
<td>N/A — The lot is empty and does not include a historic structure.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)10</td>
<td>Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 17.14.040(A), 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 17.14, Amendment, other Chapters of Title 17, and City Standards.

DECISION

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, General Residential (GR), Townsite (TO) and Downtown Residential (DRO) Overlay Zoning Districts), was denied, finding that the proposed design does not comply with the following Sections of the Hailey Municipal Code: 17.06.090.C.3.B. Building Orientation; 17.06.090.C.3.E. Wall Planes; and 17.06.090.C.4: Circulation and Parking.
Return to Agenda
AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, November 21, 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#

Present
Commission: Janet Fugate, Dan Smith, Sage Sauerbrey
Absent: Owen Scanlon, Dustin Stone
Staff: Robyn Davis, Cece Osborn, Brian Yeager, Jessie Parker, Chris Simms, Paige Nied

5:30:31 PM Chair Fugate called to order.

5:30:56 PM Public Comment for items not on the agenda.

5:31:38 PM Smith complimented City for work complimented staff on job done with tree lighting.

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Planned Unit
Development Application by Miller Kathleen Trustee and Sophie Nunberg Trust,
represented by Lee Young of CSHQA, for a 1,213 square foot addition to Albertsons and a
new 0.42-acre public recycling center for the city. This project is located at 911 North
Main Street (Sub Lots 2 and 3, Block 1, North Hailey Plaza) within the Business (B) and
Townsite Overlay (TO) Zoning Districts. Under the PUD Application, the following waiver
is requested:

1. Waiver to the maximum floor area for individual retail/wholesale trade areas
permitted within the Business (B) Zoning District for an additional three percent
(3%) of square footage, totaling to 37,127 square feet of individual
retail/wholesale trade. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a application
submitted by Powder River Development Services (PRDS) with co-applicant AT&T-
New Cingular Wireless PCS, LLC (AT&T), for a Wireless Permit to replace an existing
Wireless Permit previously obtained by Edge Wireless, LLC, and AT&T Mobility
Corporation. On September 30, 2022, AT&T Mobility Corporation submitted a
request to modify the existing Wireless Permit to upgrade the existing tower to 5G
technology, which will include the removal of one (1) battery rack, one (1) PDF power plant, twenty (20) 155AH batteries, three (3) antennas, three (3) tower mounted amplifiers, and three (3) remote radio head units. One (1) indoor Vertiv battery rack, one (1) Vertiv DC plant with three (3) battery shelves, nine (9) Vertiv rectifiers, two (2) Vertiv converters, sixteen (16) 190AH batteries, four (4) software cards, three (3) surge protection devices, three (3) antennas, three (3) AirScale Massive MIMO Adaptive Antennas, three (3) remote radio head units, one (1) suppression system box, and one (1) #6 DC trunk and (1) 24 pair fiber trunk will be added to the site. The proposed modifications will occur inside the equipment room and to the existing tower on the roof; no increase in height of the tower is proposed. The equipment is located at Pine Street Station Condominiums (400 South Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

Chair Fugate stated Sauerbrey cannot motion on consent agenda as he was not sworn in at time of public hearings.

5:33:17 PM Smith motioned to approve consent agenda items 1 and 2. Fugate seconded. Sauerbrey abstained. All in favor.

**Public Hearing**

**PH 1  5:33:42 PM** Continuation 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.**

5:34:08 PM Davis introduced project, noting has seen project twice before – at pre-app and design review hearing on October 17th. Davis summarized items requested by commission of applicant at last hearing. Davis turned floor to applicant team.

5:35:17 PM Mark Sindell explained change to lighting and colors. Sindell summarized process of transportation review and turned floor to Mike Swenson.

5:37:06 PM Swenson provided presentation that summarized his and his firm’s history, and that summarized the transportation analysis - presentation on file with Community Development Department. Swenson explained results of key intersections focused on: River Street/Spruce Street and Spruce Street/Main Street, both showing minimal impact with proposed project.

5:46:59 PM Smith asked what the existing traffic quantity heading north on river street in AM. Swenson stated did not look at am.

5:47:33 PM Sauerbrey asked if there were any analysis’s done at the lights. Swenson stated did not analyze signal intersections and explained why based off volume.
5:49:02 PM Yeager stated he has reviewed the traffic impact study, that it appears correct to him. Yeager stated key points seem to account for both residential and commercial use.

5:50:12 PM Chair Fugate opened public comment.

5:50:31 PM Michael Shawnzee, 641 W Myrtle Ct, couple issues with application would like to address – 1) no mention of current additional units coming online on River Street in the next year that will significantly impact the traffic on River Street and those have not been considered those will add as many cars to traffic flow, 2) traffic and pedestrian flow on River Street, currently River Street has no crosswalks that it is incumbent per city code that the commission not jeopardize health safety and welfare of public with the current amount of traffic in the area per the traffic study referenced in the design review, there is absolutely hazards to pedestrians in area. There are no east west cross walks on River Street. There are not only local residents in the area but also children who transit River Street from east to west to go to the middle school. So, with additional traffic on River Street in addition to the additional traffic from the other two units, this will create a hazard to current residents, and it is incumbent on the commission to minimize the impact of other development on the area.

5:52:37 PM There’s also a note in the document, sorry, city code, that says site circulation designed so pedestrians have safe access to and through the site and to the building. Again, mentioned there are no crosswalks either listed or planned and there is no current path to any downtown commercial area with existing crosswalks. With construction traffic, again this is going to be an extremely dangerous site for residents in the area. The final design document says there should be traffic control signage and markings and there’s no final mention of those at all. He requests that those be submitted before this can be approved. In addition, would like to move onto parking, while this part of the downtown area improvement district he submits that it is willful suspension of disbelief that 51 spots are all that are required. There are 51 units and if anyone thinks there will only be 51 cars for 51 units then he does not know where they came up with that number. They can go and survey any other unit in town, there will probably be, don’t know exactly, at least 75 to over 100 vehicles in this location, any time there’s a couple occupying there’s going to be two vehicles. That buses are already full going north. With 51 onsite units and plan to use on street parking spaces, there’s still really not enough parking there. In addition, that means rest of community will be required to absorb the parking spots. Again, according to city code, the commission have the ability to make sure this does not impact local residents in that area. There’s also a stipulation in the downtown overlay the guess parking needs to be available, for every 6 units there needs to be a spot so for 51 units there needs to be at least 9 spots. So, with 9 spots, considering there’s 51 units, there is no parking for guest from November 1st till April when snow is removed. Seen in last 2 weeks how difficult Have seen in last 2 weeks when had snow fall that it’s difficult to get up and down River Street and to pull in and out of those spaces. So how are we going to have guest parking there and what are we going to do with the extra cars that are going to be there invariably. If you can guarantee me that there will be no more cars there, he has no problem with this but think that need to consider fact that this is going to be a significant impact on the rest of the local community who live within 300 ft of that property.

5:56:11 PM Hydraulic analysis was supposed to be submitted and reviewed and discussed and that was not part of the recent design review and also there was also discussion about community housing units that could be deed or rent restricted. Some
could say that may not be appropriate but according to 17.060.060B the commissioner hearing examiner can impose that restriction if they so choose which would make that in line with what the community needs are. That these are deed or rent restricted for tenants in the area if this is supposed to be community housing.

5:57:10 PM Alissa Palmer, live west of the proposed property, thank you to the man that just spoke, this has been some concerns they have been raising for quite some time. With the amount of units there, 51. It is absurd to think there’s going to be 51 people actually occupying there. Around any other apartment complexes in the area, woodside, there’s would say people are cramming 3-4 people in units. That’s a huge concern of theirs, especially parking. Also concerning that vehicles have to be removed when there’s snow, where are all of those vehicle’s parking on River Street going to go.

5:58:20 PM Bergen Palmer, recently speaking with local business owners in the area, that are actually joking corner to this, they already have issues with parking especially during peak hours mentioned in the study and know there was a daycare recently added in the area as well and taking up additional parking spots for that. People who may not be joining these meetings are raising concerns outside of that that seem to be following same trend.

5:59:36 PM Patsy (unclear), 641 W Myrtle court, another concern in addition to additional traffic is if there are pets permitted at this location and don’t see a lot of places for pets to relieve themselves and concerning about amount of pet waste especially during winter that will pile up and have to be absorbed by the community.

6:00:38 PM Jen Lavigne, attend previous meetings and submitted letter, at last meeting one letter requested the letter be read publicly. Wanted to see if they have read the public comment submitted at this meeting since they were not read at the last one. Just wanted to say publically, valley resident of 25 years, spent some time going back and reading the change in the zoning, did read all of the zoning for all the residential overlays. Having read that one of her concerns is the scale of the project and do think there is some vagueness in the overlay and do hope the zoning committee consider the scale because other people (unclear), proposal that will go into this section but it’s the scale. Has spent a lot of time driving up and down river street and do think traffic is going to be concern and has not heard if had traffic proposal as late to call. Last thing, listening to last meetings it was concerning that public comment did not have a lot of depth and weight.

6:04:56 PM Chair Fugate closed public comment.

6:05:13 PM Sindell stated does not have more to address, appreciate public comment.

6:05:38 PM Yeager provided some background information, explaining the city has been working on bike ped plan along River Street. Yeager stated River Street is planned for stripping next year and explained plan cross walk. 6:07:57 PM Yeager stated if look at level service analysis does not believe the additional 40 units would change the analysis. 5:08:41 PM Yeager stated the impact to the city water pressure was determined to be minimal. Davis added that the water impact study was included as a separate link to this meetings
Chair Fugate asked Yeager if expects those crosswalks would be available by the time this project is occupied. Yeager stated it is staff goal to have those done by July 4, 2023.

Sauerbrey did not see any crosswalks going east to west, that think would be really helpful to increase the safety. Sauerbrey asked if missed that. Yeager stated that is a great point, that up in the curb & gutter sections shows crosswalks but that as go further north have not identified any crosswalks, but one could be added if necessary. Yeager explained that do not want to add them where not necessary. Yeager explained if pedestrian crossing was significant, could consider one for sure.

Chair Fugate agrees it would be important to have east west cross walk with this project. Yeager stated with the development of the sidewalk with this property could be something that would lead to that crossing. Yeager explained how it is becoming more appropriate. Chair Fugate asked if could include the cross walk as a condition. Applicant confirmed would be amenable to that condition.

Davis explained public comment letters are not read aloud during the hearing, but they are published in the packet. Chair Fugate confirmed she personally read every public comment letter. Smith confirmed he did as well, and confident other commissioners read them as well.

Chair Fugate asked about the well house. Yeager explained how working with Galena Engineering to provide protection for the well house. Yeager explained request by staff to applicant to construct asphalt pad to the well house. Chair Fugate confirmed Yeager is comfortable. Yeager confirmed, that realize this is preliminary design and they will continue to work with applicant in final stages of design.

Smith asked applicant if plan to allow pets in this development. Elizabeth Grabher stated has not even thought about it, that if allowed pets would limit number per unit. Chair Fugate believes pet owners should be responsible for pet owners. Smith suggested if allow pets should facilitate owners to take care of waste such as a bag station. Smith knows there is a concern about parking, that he shares that concern, but that at this time they meet the parking requirements. Simms agrees with that.

Sauerbrey did see a comment about deed or rent restrictions and was wondering if applicant could respond to that. Sprend stated there have been numerous discussions, that has talked about the intent of the project for workforce housing but that it is hard to finalize at this time. Sindell stated there is a need housing for people, that wants to be fair with the market rate, think it will be a nice place to live, especially young people starting out. Sauerbrey understands not making commitment at this point, asked if there was any way to get a guarantee the units are for local workforce housing. Chair Fugate clarified Sauerbrey asked if could be included in lease that renters be workforce housing. Sauerbrey confirmed, Grabher confirmed acceptable with that. Sauerbrey asked if could be a condition. Staff confirmed and applicant re-confirmed acceptable with revised condition.
6:26:24 PM Chair Fugate knows there are concerns about somethings but that they are compliant, appreciate how responsive applicant has been to requests made.

6:27:32 PM Sauerbrey asked if EV charging stations were included in final proposal. Marks confirmed it is included.

6:28:21 PM Staff and commission confirmed additional conditions: extend DR to 18 months, extend crosswalk, and final condition to lease units to residents living/working in Blaine County.

6:29:22 PM Smith reinforced Chair Fugate comments, the applicant’s willingness and responsiveness to the commission, complimented project design, that this is where want to see this kind of scale, and from planning side.

6:30:56 PM Smith motion to approve the Design Review Application submitted by River Lane, LLC, for construction of a fifty-one (51) residential unit, 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, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Hailey Municipal Code, Title 18, and City Standards, provided conditions (a) through (t) are met. Sauerbrey seconded. All in favor.

6:32:03 PM Consideration 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.**

6:32:41 PM Osborn introduced project, explaining this proposed amendment is just for this section of the matrix. Osborn turned floor over to applicant team.

6:34:06 PM Jim Laski, on behalf of Valley Club, in going back seems no one knows why this provision was put in the zoning code and not even sure if its legal.

6:34:47 PM Simms agrees with Laski.

6:35:15 PM Laski explained does not believe the Valley Club should have to pay for this amendment, that believes helping the city.

Chair Fugate asked if commission has any questions. Commission agreed no questions at this time.

6:35:48 PM Chair Fugate opened public comment.

6:36:19 PM Chair Fugate closed public comment.

6:37:00 PM Sauerbrey asked if there are other places that need cleaned up. Davis confirmed, and that would be at the next hearing.
6:38:03 PM Sauerbrey to recommend approval to the Hailey City Council an Ordinance amending 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, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare. Smith seconded. All in Favor.

PH 3 6:39:48 PM Continuation 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.

6:40:36 PM Nied summarized project history, providing Sauerbrey a background on application.

6:42:47 PM Smith stated do not include roof in area that could integrated with the structure-thinks roofs should be included, next one down calling it pole mounted system but think calling them ground mounted would be more appropriate. Smith thinks need to include manually or mechanically adjustable. Smith stated also because if experience from a friend, they had significant damage to their panels due to snow. Smith suggested include snow loads. 6:45:58 PM Nied stated the ground mounted system has already been adopted, the pole mounted system is a separate system and just wanted to include that definition to be more comprehensive with the code.

6:47:16 PM Chair Fugate asked Paige about thoughts on adding snow load and manually/mechanical adjusting.

6:47:34 PM Chair Fugate opened public comment.

6:47:55 PM Chair Fugate closed public comment.

6:48:13 PM Chair Fugate believes the 10 ft is appropriate, thinks snow load is an excellent addition to that. No further comments from Sauerbrey or Smith.

6:48:51 PM Smith moved to recommend approval to the Hailey City Council an Ordinance amending 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 standards concerning the development of solar resources, finding that essential public facilities and services are available
to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare. Sauerbrey seconded. All in Favor.

Staff Reports and Discussion
SR 1  Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2  Discussion of the next Planning and Zoning Meeting: December 5, 2022
    •  TA: Matrix Amendments
    •  DR: Tranter

Staff summarized upcoming meeting.

6:51:23 PM  Smith motioned to adjourn. Sauerbrey seconded. All in Favor.
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#

Present
Commission: Dan Smith, Sage Sauerbrey, Janet Fugate, Dustin Stone, Owen Scanlon
Staff: Robyn Davis, Cece Osborn, Jessie Parker, Christian Ervin

5:31 PM Chair Fugate called to order.

5:32 PM Public Comment for items not on the agenda.

Elizabeth Jefferies, as probably know, climate and our environment are high on her list of concerns all the time. Love building, entrusted building all her life, enjoyed very much in see what PZ has done to try to reach our 100% clean energy goals, to do what can as far as talking with builders and following code and looking at alternatives have been creative and conscientious. Also wanted to say, called in last month on multi family dwelling, how much appreciate your creativity and persistence in working on getting some density in town, as far as climate activist goes, transportation is our biggest concern and if don’t have people living close to where the work, close to shopping, close to their friends, then you have cars and we would all buy EVs tomorrow but we can’t and it’s still 30% coal coming into power. Fastest thing and best thing we can do for our growing population is to increase density and think doing it as well as can be done as we try to catch up with the right thing to do.

5:34 PM 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.**

Scanlon recused himself from consent agenda.

**5:35 Sauerbrey motioned to approve CA 1-3. Smith seconded. All in Favor. Scanlon and Stone abstained.**

Public Hearing

**PH 1 5:36 PM** 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.**

Osborn introduced project, summarized suggestions from last meeting and turned floor to applicant team.

Joel Tranter, owner, explained made the required changes – downsized house and went from two garage doors to one, went to only one road cut. Tranter explained why kept garage in front instead of relocating to front. Tranter stated the house will be prewired for solar, explaining in process of doing his research for energy. Tranter discussed landscaping proposed.

5:42 David Barovetto, architect, introduced himself. Barovetto noted miscalculations from first plans submitted. Barovetto explained study completed of driveway access if garage was located at back of property. Barovetto explained how amended design of home with garage door facing River Street and proposed exterior materials. Tranter summarized his intentions for proposed build.

5:43 Scanlon asked what the width of the garage including the walkway. Barovetto stated it is 34 ft. Scanlon asked why changed from two to one garage door. Barovetto stated it was suggested by commission. Scanlon asked if would be willing to remove windows on front of garage door. Tranter confirmed willing to do that. Scanlon thinks two garage doors would look better in his opinion. Barovetto stated two garage doors would be better from structural point.

5:55 Stone asked if recommended one garage door over two or single car garage. Staff’s take away was a single car garage. Stone asked where hydrant out front is located. Barovetto
stated it is located where the curb cut is proposed. Stone asked if relocating hydrant. Staff confirmed that is the applicant’s proposal. Applicant discussed current location of hydrant and summarized options reviewed when designing. Stone asked what color is proposed for garage doors. Barovetto explained materials proposed. Stone believes if same siding with door similar, would minimize it. Stone is concerned only thing will see when drive by is the garage door with landscaping as proposed.

Osborn noted any work in right of way will need to be approved by encroachment permit.

Smith asked what the garage door width. Smith stated did recommend single car garage with single car garage door. Barovetto stated it was 16 ft long. Smith stated that is a large single car garage door. Smith stated on side note for EV charging is supposed to be in garage. Smith complimented applicant on prewiring for potential solar panels. Barovetto stated read that and summarized his discussions with other people in solar business. Smith stated it appeared to him if vehicle were to have bene parked on east side of garage would have had room to backout and not impinge on the neighbor’s property line. Smith appreciates applicant showing them that but believes there could have been work arounds to follow the code more closely. Smith stated talk about the ADU having a loft above. Barovetto stated no, the primary residence has the loft. Smith asked where the stair way to that area, asking if joins with stairway to ADU. Barovetto confirmed its a common stairway. Smith stated did recommend single car garage door and would like to see modification recommended last time. Smith referenced guideline stating one car width. Smith read guideline aloud. Discussion ensued regarding garage door sizing. Smith explained guidelines are guidelines to allow some flexibility, that would expect that flexibility to be applied for things like hillsides, neighbor privacy, heirloom landscaping such as a 50-year-old tree. Smith stated these are situations that the applicant has created.

609 Sauerbrey thanked applicant for initiative to provide long term ADU. Sauerbrey stated that it seems the garage door seems to be a sticking point, that it is contrary to the code but that their points make sense to him. Sauerbrey can see the need but does recommend some added work to really carefully lower the impact of that garage. Sauerbrey suggested few options that may assist. Sauerbrey asked about exterior access to the ADU. Barovetto noted ADU access from outside along the walkway. Sauerbrey checked with staff that is compliant. Staff confirmed.

612 Chair Fugate agrees with Smith, thinks it is very wide for single car garage. Chair Fugate also noted that she concerned that the garage door is not subordinate with the main entrance. Chair Fugate thinks it is important to adhere to the guidelines. Chair Fugate summarized what Smith said, that needs to comply with city codes. Barovetto and Chair Fugate discussed whether garage door is subordinate to main entrance. Barovetto used rendering on first page of plans while Chair Fugate referenced elevation plans. Chair Fugate does not see how the garage door facing the street is subordinate.

617 Sauerbrey asked if enough space in driveway could have to meet parking requirements. Discussion ensued between applicant and commissioners regarding parking and garage, commissioners’ opinion is garage off street would need to be one car garage.
Chair Fugate opened public comment.

Rob Lonning, 201 N 3rd in Hailey, here as a representative Climate Action Collation of Wood River Valley, and want to applaud for thinking about prewire for solar that is a great idea and want to suggest that based on past experience sounds like will have necessary wiring should someone someday want to do electric heat or (unclear) making sure have necessary load to handle future electric heat. That at his house they retrofit to allow for heat pump, and it cost him thousands of dollars to retrofit. While building house would be a great time to do it.

Chair Fugate closed public comment.

Tranter reiterated trying to fit an ADU into a single-family home and has made a number of concessions but not sure if going to keep ADU and will need to restructure it and build a home somewhere else. Tranter explained that he would like to live downtown and trying to make this work. Chair Fugate understands there are constraints but hopes they understand have to abide by the Hailey municipal code.

Barovetto feels for them to make that decision that parking area is a garage and figures that is incorrect and believes if it was a code issue it would clearly say one car garage. Barovetto thinks they misconstrued that part of the guidelines. Smith stated do have one that is mandatory, that is the one the chairman brought up – that is when garages must be planned on streetside garage doors shall be setback and remain subordinate to the front wall plain. Smith does not see a front wall plain until look at back of garage, front wall entrance has two columns for entry way. Smith asked if out of line. Scanlon stated technically there is a not a wall there but asked if meets the spirit or the letter of the law. Smith stated code states it’s a shall. Scanlon referenced comments from Stone and Sauerbrey, that he thinks Stone brought up good point regarding curb cut. Scanlon suggested modification to curb cut with landscaping. Scanlon would rather see a strip of landscaping between two houses than a sea of asphalt. Scanlon stated thinks Smith brought up good point about wall plain. Scanlon asked if there is some way that could mitigate the impact of the garage wall.

Stone stated on square footage of that wall plain there is more square footage that is not garage door, that to him to install the shall would be if only thing he sees is the garage door.

Scanlon and Chair Fugate discussed having paragraph in code re-worded to read garage and parking instead of garage or parking. Chair Fugate asked if need to get definition of parking area clarified by city attorney. Davis explained our code does not call out parking area but did read aloud definition available by good for parking area. Commission and staff continued to discuss definition of parking area and the word shall. Stone stated he won’t go against the word shall. Stone stated in his opinion that garage door is subordinate. Barovetto stated they agree and will be using top notch materials. Barovetto continued on to discuss building plan and builders discussed with.

Commission and applicant continued to discuss garage door and ideas on how to meet code requirements. Commission and staff suggested applicant team take suggestions provided
and come back with a new design. All commissioners in agreement with suggestion of moving garage back and then cantilever out the front wall while retaining decks.

**650 Stone motion to continue the public hearing 1 to December 19, 2022. Smith seconded. All in Favor.**

**652 Chair Fugate called for 5-minute break.**

**658 Chair Fugate called meeting back to order.**

**PH 2 658 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.**

**658 Davis explained would like to treat tonight more like a workshop and get commissioners’ feedback. Davis explained how staff went through the proposed changes. Davis asked commissioners how they would like to approach this.**

**700 Chair Fugate stated has a couple comments, that to her the foot notes can be more confusing that with more footnotes has more back and forth. Chair Fugate thinks less foot notes added the better. Chair Fugate asked if there would be any benefit to having a reverse matrix. Scanlon stated that is a good idea, staff agreed to explore. Smith stated would give two ways to look at it. Smith agrees that it would be easier for someone not familiar with the matrix to have the separate line items. Davis agrees.**

**704 Davis explained that staff grouped like items together and if there was not a definition would add needed definitions.**

**705 Smith asked what staff thoughts were on some of the more specific eliminations, using photography studios as an example. Davis explained how that could fall under other categories depending on the scope of the work and use.**

Sauerbrey agreed that it seemed like a lot of those fell under other categories. Sauerbrey asked how can still be protected. Davis agreed and that’s why bringing forward, that staff thought could expand on definitions.

Stone explained why in most cases does not think it matters, area that may cause concern would be those may need additional parking. Stone thinks this is great. Stone asked what airport and related uses. Staff and commission discussed potential uses such as hangars, control towers, gift shops within the terminal. Stone suggested maybe referencing where items lined out where those would go. Chair Fugate agreed. Davis confirmed that is a great idea, stating maybe could color code. Sauerbrey suggested color coding changes in uses. Chair Fugate suggested starting with categories and definitions then looking at uses. Sauerbrey suggested color coding. Stone agrees, would like to know where uses went from not permitted to permitted. Scanlon asked if there was somewhere in code that tills what SCI-I and SO. Staff explained would need to go to each zoning district. Scanlon complimented having reference bar on each page. Commissioners suggested having a single page providing single page summarizing zones. Davis explained color
coding may be difficult, but staff will do their best to explain thought process of changes. Commissioners suggested thinking of area to consider would be ACI for those few business types that could not place in current zoning.

725 Chair Fugate opened public comment.

725 Chair Fugate closed public comment.

727 Scanlon motion to continue the public hearing to a date to be determined. Smith seconded. All in Favor.

Staff Reports and Discussion
SR 1  Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2  Discussion of the next Planning and Zoning Meeting: December 19, 2022
•   TA: THOW
•   TA: Title 18 Driveway Width
•   DR: Tranter (continued)

Davis summarized upcoming meeting items.

728 Smith motioned to adjourn. Scanlon seconded. All in Favor.
Return to Agenda
AGENDA
Hailey Planning and Zoning Commission
Monday, December 19, 2022
5:30 p.m.

Hailey Planning and Zoning Meetings are open to the public, in person, and by electronic means when available. The city strives to make the meeting available virtually but cannot guarantee access due to platform failure, internet interruptions or other potential technological malfunctions. Participants may join our meeting virtually by the following means:

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

Present:
Commission: Dan Smith, Dustin Stone, Sage Sauerbrey, Janet Fugate
Staff: Robyn Parker, Cece Osborn, Paige Nied, Jessie Parker, Chris Simms, Christian Ervin
Absent: Owen Scanlon

530 Chair Fugate called to order.

Call to Order
- Public Comment for items not on the Agenda

Consent Agenda
- **CA 1** Adoption of Meeting Minutes dated June 6, 2022. ACTION ITEM.
- **CA 2** Adoption of Meeting Minutes dated June 8, 2022. ACTION ITEM.
- **CA 3** Adoption of Meeting Minutes dated July 18, 2022. ACTION ITEM.
- **CA 4** Adoption of Meeting Minutes dated August 1, 2022. ACTION ITEM.
- **CA 5** Adoption of Meeting Minutes dated August 15, 2022. ACTION ITEM.
- **CA 6** Adoption of Meeting Minutes dated October 3, 2022. ACTION ITEM.
- **CA 7** Adoption of Meeting Minutes dated October 17, 2022. ACTION ITEM.

531 Smith motioned to approve CA 1-CA 7 with minor edits given to staff. Stone seconded. All in Favor.

Public Hearing
- **PH 1** 531 Consideration of a City-Initiated Text Amendment to amend the Standard Drawing for Driveways in Title 18, Chapter 18.14, Section 18.14.012.K: Driveway Approach, to include a maximum width for standard driveways. ACTION ITEM.

Nied introduced project, explaining staff proposing to clarify minimum and maximum of driveways and include new sub note 7 to assist with snow removal. Davis stated Brian Yeager has requested to remove the minimums but keep maximums.
Smith asked for clarification of definition of joint use. Davis explained it is when have a shared driveway or shared access to driveways.

Stone recommended removing word feet and replace with symbol like in note 1. Stone asked if this obstruction zone contradict parking in the Townsite right of way. Davis stated no, the note 7 would be in reference to items such as mailboxes. Stone stated by obstruction don’t mean a car. Davis explained how Townsite is slightly different to other areas. Stone asked if staff feels comfortable this doesn’t contradict that. Davis offered to clarify, but that does not believe it contradicts what is permitted in Townsite. Commission and staff discussed if need to define no obstruction zone.

Smith noted areas where two lines are noted A and A Prime, suggested to define a little bit more. Smith stated otherwise does not have an issue with it. Smith understands what Stone is talking about regarding obstruction but feels it’s a general label.

Sauerbrey thinks it looks good and achieves what it needs to. Sauerbrey thinks it will need to be updated with time.

542 Chair Fugate opened public comment.

543 Chair Fugate closed public comment.

543 Sauerbrey moves to recommend approval to the Hailey City Council an Ordinance amending Hailey Municipal Code, Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.012.K: Street and Drainage, Driveway Approach, to include additional language to provide clarity regarding driveway width allowances and to add information regarding snow removal procedures, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare. Smith seconded. All in Favor.

544 Continuation of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units, to allow for Tiny Homes on Wheels within all residential zoning districts. ACTION ITEM.

Osborn introduced project, noting second time reviewing this item. Osborn explained changes since last hearing including revised definitions. Osborn explained after discussion with other jurisdictions, now proposing changes to energy efficiencies.

546 Sauerbrey stated he was going to reuse himself. Simms stated he does not need to. Sauerbrey agreed to continue with hearing. Commission all agreed no issues.

Stone is curious on use of jack for stability. Sauerbrey explained uses jacks while building to ensure structure is level as ground can change. Sauerbrey recommends not using jacks on a permanent basis as they are not as stable as a concrete pad. Stone asked if these will be placed on blocks. Osborn stated there is remove for clarification as she meant to add blocks not wheel blocks. Osborn confirmed can change that. Sauerbrey recommended a minimum of 8 support points, and that most manufactures of suggestions of where to place those. Stone asked if even 100 ft ones are dual access.
Sauerbrey has not built one that length, but 8 points would still be sufficient. Stone asked if this is written to allow one to be placed on a lot by itself. Commission and staff confirmed no, not unless place on a foundation and which point would fall under the IRC. Stone asked about change from A. Staff explained A was for approved not Accessory Use previously. Osborn explained tiny homes on wheels does not meet IRC requirements. Stone asked if this is written to allow one to be placed on a lot by itself. Davis explained its written that it’s in conjunction with a single-family home and can have either a tiny home on wheels or an ADU. Sauerbrey explained tiny house would not be considered real property, but that if placed on a foundation would have the benefit of being considered real property. Stone suggested to consider in the future, for people who have an empty lot seems to him being able to roll a tiny house on there would help progress some things discussed previously. Sauerbrey added that tiny homes were originally expected to depreciate because they were called RVs but has found tiny homes are appreciating in value. Sauerbrey appreciates staff moving away from verbiage of RV for tiny homes. Sauerbrey stated if you are placing a tiny home on a property with the w the market is going, the demand is there, and these homes are appreciating similar to an actual house. Davis stated thinks Stone’s ideas are good ones, that staff does have plans to bring back to the commission the discussion for tiny home communities.

Sauerbrey asked if this tiny home would fall under same category to place on lot while building the primary home. Simms stated would need to look at that before give a firm opinion, suggesting maybe come up with something that grants temporary use.

Chair Fugate really likes idea of tiny home community but let’s work on this now. Davis thinks could embed something to do with tiny homes within the RV code to include tiny homes.

Smith stated since its registered would fall under same idea. Smith added to follow up with tiny home community could be good for an overlay district.

Stone likes the use of this tied into the ADU. Stone stated looks like homework has basically been done and does not have any further questions.

Smith likes idea of tiny home as an alternative, has some concerns that in certain zones may not be as good as a fit. Smith stated has some qualms about opening up to all zones because of that. Smith had a few conversations with the public, one was adamant against it and other said would be ok if it was done right. Smith is totally supportive of expanding these housing ideas into the city. Davis clarified only proposing where ADU’s are permitted. Smith stated would be easier to name where not allowed then where proposing to allow. Smith understands need, thinks idea of notifying those within 300 ft is a benefit but that there are those further away in neighborhoods that could have a shock when see a tiny home on wheels suddenly appear on corner in their neighborhood. Smith stated not against it just trying to figure out the potential effects. Smith believes some neighborhoods would be less amendable to this than others. Smith believes need to have further discussion on this, want to make sure this doesn’t undermine the community.

Chair Fugate understands Smith concerns, stating what helps mitigate those concerns for her is because its where ADUs are permitted. Chair Fugate stated a tiny house is different than an RV, thinks aesthetically can be compared positively to an ADU. Sauerbrey added administrative review would be part of the process would still need to meet character of surrounding neighborhood. Sauerbrey agrees could be a shock when these are placed on properties with the large truck but when compared to 3-6 months of construction in your backyard thinks it balances out. Sauerbrey recommends err on side of greater review not more restrictions. Smith stated one of his concerns, if building actual ADU going to have it complement the existing structure but with tiny homes could purchase in Colorado
and it look nothing like the existing home. Chair Fugate thinks want that for the ADU and the tiny homes.

Osborn noted tiny homes would have to adhere to code and would be held to ADU design review standards that include design requirements of complementing the existing structure. Smith noted that does place the burden on staff and chair. Smith stated if they feel comfortable with that, that would help relieve his concerns and that if they are not comfortable could always route to the planning and zoning.

Chair Fugate is in agreement. Chair Fugate agrees with what Sauerbrey said. Smith noted spoke with a Ketchum council member who purchased several these, so that they are readily available. Sauerbrey added that several jurisdictions across the country are permitting these and looking at this ordinance it is one of the more comprehensive ones there. Sauerbrey explained would be hard pressed to find readily built tiny home that meets all requirements.

Osborn clarified City of Ketchum purchased park model RVs and held to different standard than these.

Sauerbrey stated he especially appreciates the work, that if it goes south and has unintended consequences it’s not good for the builders either.

622 Chair Fugate opened public comment.

622 Steve Crosser, 431 Aspen Drive, these definitely need to be under the accessory dwelling unit category that should not change. One of his biggest fears is that he comes home and in his mailbox is a notice of a tiny trailer next to his house having a whole family there with their dog. He realizes need housing. As far as putting one of these tiny trailers in the back yard is not going to happen, these are going to be in between the homes. Can’t get the sewer back there. These are going to be next to the houses. Is there someone on the planning and zoning who builds/sells these tiny homes. That is all his questions for now.

625 Chair Fugate closed public comment.

Davis explained the tiny homes on wheels will have to meet the bulk requirements including setbacks, so not likely to be on side of homes. Chair Fugate and Davis also confirmed will need to have full hook ups to city services.

Simms thinks there’s been full disclosure and that there’s not a conflict-of-interest int eh matter. Simms has advised Commissioner Sauerbrey he can stay on to deliberate and cast a vote.

Stone recommends that continue to do design review for tiny homes inside of the overlay. Chair Fugate clarified thinking in Townsite overlay should require full design review. Stone confirmed. Stone asked if feel that would cause undue burden on applicants? Davis stated it is definitely expensive to go through this process, adding expense of required drawings and application. Commission and staff discussed required submittals for this- elevations, color rendering, site plan, that these should be sufficient. Davis asked if all in agreement that would remove ADUs from process unless in conjunction with new single-family. All commission in agreement, and that if there is a concern can bring to the commission.
Sauerbrey understands that it has been verified he can participate in this topic and that he is a member of an industry related to this and that this specific text amendment does not relate to any builds he has, but that he is going to abstain from this vote.

633 Stone move to recommend approval by the Hailey City Council an Ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units, to allow for Tiny Homes on Wheels (THOW) within all residential zoning districts, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare. Smith seconded. Stone, Fugate, Smith in Favor. Sauerbrey abstained.

- **PH 3** 635 Continuation 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.**

Osborn turned floor to the applicant. Chair Fugate asked applicant to present just the changes brought forward since has seen this project before.

David Barovetto introduced himself and summarized concerns of view of front of house and entry. Barovetto stated there was a suggestion to cantilever the front of the house towards the street but is unsure of the purpose. Barovetto stated he did review this and want to show them what he came up with as a possibility. Barovetto provided elevation of proposed structure, noting that roofs allow snow to slide and if were to cantilever front it would impact the snow. Barovetto stated extension would only be 8 inches in order to comply with lot coverage and if were to cantilever out would change from beam and deck to different type of construction that would require insulation.

Chair Fugate asked if there have been any changes made since last hearing. Barovetto stated no changes, he is showing how the suggested changes would negatively impact the home. Barovetto continued to explain the negative impacts if were to cantilever out the front of the home and that he is going back with their original presentation. Barovetto believes this is a very attractive house and they stand on their design.

641 Chair Fugate opened public comment.

642 Chair Fugate closed public comment.

Stone no comments.

Sauerbrey stated is same project already deliberated at length, essentially big sticking point being as per our code when garage must be planned on streets side it must be setback and subordinate. Barovetto stated garage door is set back and is subordinate.
Smith stated unfortunately this project has many points of noncompliance with the guidelines both required and suggested guidelines and therefore cannot approve it.

Chair Fugate agrees with comments made, that two commissioners had offered to suggestions and those were not option.

Stone stated its surprising to him that it keeps getting back to their desk in this manor, would seem to him that things would not come to commission that their job is not to be their backstop, they are here to address different issued not to interpret code for city administration. If the City tells him, you are violating a certain part of code he is not here to argue with them. The city has a lawyer, has staff with years of experience. Stone does understand what saying with interpretation, but he is not here to contradict the city staff, he is not here to interrupt the code, it is not his position to supersede city staff. Stone stated it is odd for him to be sitting here with city recommendation that says you are not compliant, and you are still here.

Chair Fugate understands he has a different interpretation but in her experience that is non-compliant. Chair Fugate stated they disagree on that, but the commission is the one who has to make a decision and they are bound by this code.

Barovetto asked what part of code they are not meeting. Stone stated it is in the packet. Chair Fugate read code sections aloud. Barovetto stated it is setback, they set it back by 1ft, he is having a very difficult time understanding what is required. Barovetto explained he is having a hard time understanding what subordinate is.

Smith motion to deny 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 Overlay Zoning Districts, finding that multiple standards have not been met specifically 17.06.050 general requirements, also 17.06.090c3b front wall orientation to street, 17.06.090c3e, and there are actually 3 of them under 17.06.090 c4, also last 17.06.090c8 all shown as non-compliant in the staff report and those standards are not met and would move to deny this. Stone seconded. All in Favor.

Applicant expressed concern that was not given time with staff. Simms stated could apply for right of appeal to City Council. Simms encourages applicant to work with city staff to see if could come up with a compliant design. Applicant team expressed disgruntlement of motion and lack of support and lack of communication, applicant team suggested redesign to smaller single-family home. (Applicant Team was away from microphones and not all statements were clear.)

### Staff Reports and Discussion
- **SR 1** Discussion of current building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion of the next Planning and Zoning Meeting: **January 17, 2023**
  - Rezone and Text Amendment: Silver Creek Living Facility
  - Title 17: DR Tree Percentage

Davis summarized upcoming meeting.

Davis stated this is Paige’s last evening with us, she has taken a position with the City of Ketchum.
656 Sauerbrey motioned to adjourn. Smith seconded. All in favor.
Return to Agenda
To: Hailey Planning & Zoning Commission

From: Cece Osborn, Community Development City Planner

Overview: Consideration of a Preliminary Plat Application by Pilling Family Trust, represented by Manya Yamada, wherein two (2) cottage lots in Sunbeam Subdivision Phase I (SUNBEAM SUBDIVISION PHASE 1 LOT 41 BLK 3, SUNBEAM SUBDIVISION PHASE 1 LOT 49 BLK 3) are subdivided into ten (10) sublots for single-family cottage units. This project is located along the public streets of San Badger Drive, Eclipse Street, and Sunbeam Street within the Limited Residential (LR-1) Zoning District.

Hearing: January 17, 2023

Applicant: Pilling Family Trust

Project: Panorama Point Subdivision

Location: SUNBEAM SUBDIVISION PHASE 1 LOT 41 BLK 3, SUNBEAM SUBDIVISION PHASE 1 LOT 49 BLK 3

Size: 1.02 acres (44,431 square feet)

Zoning/Size: Limited Residential (LR-1) Zoning District

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners on December 27, 2023.

Background: The Final Plat for Phase I of the Sunbeam Subdivision was approved on April 12, 2021—wherein Tax Lot 6655, Section 9 & 10, T2N, R18E, Hailey, was subdivided into 85 units on 70 lots. Phase I includes three (3) cottage lots for a total of 18 cottage units, as outlined in the Planned Unit Development (PUD) Agreement (recorded on June 29, 2020; Instrument #670234). The PUD also required that a 4.54-acre park/open area space and a six-foot (6') wide pedestrian trail be completed during Phase I. Now, the Pilling Family Trust, represented by Manya Yamada, proposes to subdivide two (2) of the Phase I cottage lots, Lots 41 and 49, into ten (10) sublots and cottage units under a Preliminary Plat Application. If approved, a new subdivision within Phase I of the Sunbeam Subdivision would be developed and named Panorama Point Subdivision.

Of relevance to this project, the Hailey Municipal Code defines the following cottage, townhouse, and sublot terms in the following ways:
TOWNHOUSE DEVELOPMENT: A multi-family residential project of two (2) or more townhouse units, where permitted under the Hailey zoning ordinance, which may be constructed as either or both of the following:

A. Building(s) containing two (2) or more townhouse units erected generally in a row, with each unit being separated from the adjoining unit or units by a party wall or walls, subject to building and fire code requirements, and all other applicable codes and ordinances, and with party walls extending from the basement floor to the roof along the dividing townhouse sublot line. Each unit has its own access to the outside, and no unit is located over another unit in part or in whole.

B. "Cottages", which are buildings containing single townhouse units on individual townhouse sublots, provided the separation between units and/or buildings complies with applicable building and fire code requirements and all other applicable codes and ordinances.

TOWNHOUSE SUBLOT: The lot resulting from platting a residential townhouse development. Townhouse sublots shall have a minimum area equal to that of the perimeter of each individual townhouse unit, and an additional area three feet (3') in width adjacent to any opening, measured at the foundation. Said sublots shall not be buildable for structures other than a "townhouse unit", as defined in this section. Platting of sublots shall follow the procedures set forth in this title and other applicable codes in effect. All other detached and/or accessory buildings shall be contained within the perimeter of the townhouse sublot, except as otherwise permitted herein.

TOWNHOUSE UNIT: A dwelling including a minimum of one bathroom and a single kitchen, designed for or occupied as a unit by one family for living and cooking purposes, located in a townhouse development on a platted townhouse sublot.

As specified in the Code, a cottage is a building that contains a single townhouse unit on an individual townhouse sublot. Per Code, townhouse units are required to include a minimum of one (1) bathroom and one (1) kitchen. Furthermore, townhouse units are to be designed or occupied by one (1) family. In other words, cottages are small single-family housing units due to the typically small size of townhouse sublots. Staff aims to clarify and develop the Municipal Code as it relates to cottage units via the public hearing process with the Commission and Council later this year.

Each sublot of the proposed Panorama Point Subdivision is between 0.07 and 0.14 acres in size and will contain one (1) cottage. In total, the proposed subdivision amounts to 1.02 acres with ten (10) single-family cottage units. Per the Planned Unit Development Agreement for Phase I of the Sunbeam Subdivision, eighteen (18) residences are planned across the three (3) cottage lots. As such, this application generally aligns with planned number of cottage units for Phase I of the Sunbeam Subdivision. The remaining eight (8) cottage units—required of the cottage lot 64, which is 0.93 acres in size—will then be an average of about 0.12 acres in size.

The proposed plat for Panorama Point Subdivision includes seven (7) driveways off the public streets of San Badger Drive, Eclipse Street, and Sunbeam Street within the Limited Residential (LR-1) Zoning District. The driveway widths vary based on the number of cottages served—driveways approaching one (1) cottage are vaguely planned to be twelve to twenty feet (12’-20’); driveways for joint use, approaching two (2) cottages are planned to be thirty feet (30’) wide. The proposed driveway design contradicts a Condition of Approval for the Final Plat of Sunbeam Phase I that states: “Minimal driveway crossings of the 10’-wide multi-use paths are preferred.” Staff has worked internally with the Applicant to review and reduce the total number of driveways proposed within the new subdivision, and while the
proposed driveway plan complies with code, fewer driveways and/or a singular private access to the group of units is preferred.

**Procedural History:** The Preliminary Plat Application was submitted on December 5, 2022 and certified complete on December 12, 2022. A public hearing before the Planning and Zoning Commission is scheduled for January 17, 2023, virtually via Go-To-Meeting and in-person in the Council Chambers at Hailey City Hall.

This property is subject to a Planned Unit Development (PUD) Agreement dated June 18, 2020 (Instrument #670234), as well as the Final Plat for Phase I of the Sunbeam Subdivision that was approved on April 12, 2021.

### Standards of Evaluation for a Subdivision

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Standards and Staff Comments**

<table>
<thead>
<tr>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.050</td>
<td>Complete Application</td>
</tr>
</tbody>
</table>

**Department Comments**

**Engineering:** Public Works Staff have reviewed the proposed application. Any issues, questions, or concerns will be thoroughly reviewed and discussed with the Applicant prior to final design.

<table>
<thead>
<tr>
<th>City Code</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.04.010</td>
<td>Please refer to the specific standards as noted herein.</td>
</tr>
</tbody>
</table>

#### 16.04.020: Streets:

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Standards and Staff Comments**

<table>
<thead>
<tr>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.04.020</td>
<td>Streets: Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.</td>
</tr>
</tbody>
</table>

**A. Development Standards:** All streets in the subdivision must be platted and developed with a width, alignment, and improvements such that the street is adequate to safely accommodate existing and anticipated vehicular and pedestrian traffic and meets City standards. Streets shall be aligned in such a manner as to provide through, safe and efficient access from and to adjacent developments and properties and shall provide for the integration of the proposed streets with the existing pattern.

**Staff Comments**

| N/A – The public streets for Phase I of the Sunbeam Subdivision were platted in 2021 and have since been built/are existing. The project proposed here does not include any new streets. |

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No cul-de-sacs nor dead-end streets are proposed.</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – Each of the proposed cottage units includes a public street frontage, additional access points are not required.</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No streets are proposed, only driveways from public streets.</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No public streets nor traffic calming measures are proposed.</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No public streets are proposed.</th>
</tr>
</thead>
</table>

G. Roadways: Roadway, for the purpose of this section, shall be defined as the area of asphalt from curb face to curb face or edge to edge. Roadway includes areas for vehicle travel and may include parallel or angle in parking areas. The width of roadways shall be in accordance with the adopted City Standards for road construction.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No roadways are proposed.</th>
</tr>
</thead>
</table>

H. Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No new road grades are proposed. The public streets are existing and meet City Standards.</th>
</tr>
</thead>
</table>

I. Runoff: The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy
Preliminary Plat: Panorama Point Subdivision
Hailey Planning and Zoning Commission
Staff Report – January 17, 2023
Page 5 of 24

of EPA’s “NPDES General Permit for Storm water Discharge from Construction Activity” for all construction activity affecting more than one acre.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – Storm drains and/or drainage areas of adequate size are in place.</th>
</tr>
</thead>
</table>

☐ ☐ ☒ J. Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No signage is proposed, the proposed cottage units are located on existing public streets.</th>
</tr>
</thead>
</table>

☐ ☐ ☐ K. Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No new streets nor alleys are proposed.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>L. Private Streets:</th>
</tr>
</thead>
</table>

☐ ☐ ☒ L. 1. Private streets may be allowed (a) to serve a maximum of five (5) residential dwelling units, (b) within Planned Unit Developments, or (c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, and Service Commercial Industrial districts. Private streets are allowed at the sole discretion of the Council, except that no Arterial or Major Street, or Collector or Secondary Street may be private. Private streets shall have a minimum total width of 36 feet, shall be constructed to all other applicable City Standards including paving, and shall be maintained by an owner’s association.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

☐ ☐ ☒ L. 2. Private streets, wherever possible, shall provide interconnection with other public streets and private streets.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

☒ ☐ ☐ L. 3. The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C below. The plat shall clearly indicate that the parcel is unbuildable except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

☐ ☐ ☒ L. 4. Private street names shall not end with the word “Road”, “Boulevard”, “Avenue”, “Drive” or “Street”. Private streets serving five (5) or fewer dwelling units shall not be named.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

☐ ☐ ☒ L. 6. Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10’ x 20’) if angle parking, or ten feet by twenty-four feet (10’ x 24’) if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – No private streets are proposed.</th>
</tr>
</thead>
</table>

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

**Staff Comments**
The proposal includes seven (7) driveways to the ten (10) cottage units—three (3) joint access driveways to six (6) cottage units, and four (4) individual driveways to four (4) cottages. The joint access driveways service a maximum of two (2) cottage units. No driveways are named.

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

- a) Accessing one residential unit: twelve feet (12’)
- b) Accessing two residential units: sixteen feet (16’)

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

**Staff Comments**
The proposed driveways include an all-weather surface, and widths vary based on the number of cottages served. The four (4) individual driveways approaching one (1) cottage each are designed to be twelve to twenty feet (12’-20’) in width; the driveways for joint access, approaching two (2) cottages each, are designed to be thirty feet (30’) wide. The maximum width for a single residential driveway is twenty feet (20’), while the maximum width for joint use is thirty feet (30’).

The proposed plat does not include exact measurements, for example, explaining where the driveways are located in relation to the proposed lot lines. Staff will work internally and with the Applicant to review and clarify driveway measurements as they relate to the number of cottages served, the number of curb-cuts on public street frontages, and the required buffer between driveways and lot lines. This has been made a Condition of Approval.

**M. 3.** Driveways longer than 150 feet must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department.

**Staff Comments**
N/A – None of the proposed driveways exceed one-hundred and fifty feet (150’).

**M. 4.** Driveways accessing more than one residential dwelling unit shall be maintained by an owner’s association, or in accordance with a plat note.

**Staff Comments**
This has been made a Condition of Approval.

**M. 5.** The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback.

**Staff Comments**
Staff will work internally and with the Applicant to review—and, if necessary, revise—the driveway design and easements to adhere to this standard. The Applicant shall dedicate driveway easements for all shared driveways. Such dedication shall be noted as plat notes within the Panorama Point Subdivision Plat. This has been made a Condition of Approval.

**M. 6.** No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots.

**Staff Comments**
It appears that no driveway interferes with the maintenance of existing infrastructure. That said, Staff has worked internally with the Applicant to review and reduce the total number of driveways proposed within the
new subdivision, and while the proposed driveway plan complies with code, fewer driveways and/or a singular private access to the group of cottage units is preferred.

N. Parking Access Lane: A parking access lane shall not be considered a street but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.

Staff Comments N/A – Each of the proposed cottage units includes a public street frontage, as such parking access lanes are not required.

O. Fire Lanes: Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.

Staff Comments N/A – Each of the proposed cottage units includes a public street frontage, as such fire lanes are not required.

### 16.04.030: Sidewalks and Drainage Improvements

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

### 16.04.040: Alleys and Easements

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>
| ☐ | ☐ | ☒ | Staff Comments

- Alleys are not required, nor are they planned. The proposed underground utilities are routed in two (2) groups, across the sublots and connecting to the main lines at two (2) points—one on Sunbeam Street and another on San Badger Drive. The City Water and Wastewater Departments are supportive of the proposed plans. |

| ☒ | ☐ | ☒ | N/A – Alleys are not required, nor are they planned. |
| ☐ | ☐ | ☒ | Staff Comments

- The proposed design does not include a dead-end alley. |

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

- The proposed plat includes a ten-foot (10') wide easement on the public street frontage of each townhouse sublot, as well as a rectangular easement for shared outdoor space in the middle of all the sublots. Plat note #6 further specifies that, "All cottage unit owners shall have mutual reciprocal easements for existing and future water, sewer, cable tv, telephone, natural gas and electrical lines over, under and across their townhouse sublots for the repair, maintenance and replacement of those services." Any concerns and/or issues with the proposed easements will be reviewed by the City Engineer and resolved prior to final design. The Applicant shall also address the easement and maintenance of the utilities in the CC&R's for the subdivision. Both stipulations have been made Conditions for Approval. |

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ten-foot (10’) wide easement on the public street frontage of each townhouse sublot is shown for public utility and snow storage, in addition to a rectangular easement for shared outdoor space in the middle of the sublots.</td>
</tr>
</tbody>
</table>

B. 1. To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries, or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot-wide fisherman’s access easement, measured from the Mean High-Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman’s access.

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>As explained in plat note #6, “All cottage unit owners shall have mutual reciprocal easements for existing and future water, sewer, cable tv, telephone, natural gas and electrical lines over, under and across their townhouse sublots for the repair, maintenance and replacement of those services.” As such a ten-foot (10’) wide easement on the public street frontage of each townhouse sublot is shown for public utility and snow storage. Any concerns and/or issues with the proposed easements will be reviewed by the City Engineer and resolved prior to final design. The Applicant shall also address the easement and maintenance of the utilities in the CC&amp;R’s for the subdivision. Both stipulations have been made Conditions for Approval. Additionally, a rectangular easement for shared outdoor space is delineated in the middle of the sublots.</td>
</tr>
</tbody>
</table>

There is no need for a river access easement, as this site does not border the Big Wood River.

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A – No natural resource, riparian area, hazardous area or other limitation requires an easement, as specified above, for the proposed subdivision.</td>
</tr>
</tbody>
</table>

B. 2. To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High-Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A – No natural resource, riparian area, hazardous area or other limitation requires an easement, as specified above, for the proposed subdivision.</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The measurements of the circulation areas are not provided; however, snow storage is considered on the plat. This has been made a Condition of Approval, and this standard shall be met prior to Final Plat approval.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>16.04.050: Blocks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliant</td>
</tr>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>
16.04.050  Blocks: The length, width and shape of blocks shall be determined with due regard to adequate building sites suitable to the special needs of the type of use contemplated, the zoning requirements as to lot size and dimensions, the need for convenient access and safe circulation and the limitations and opportunities of topography.

Staff Comments  N/A – This subdivision and proposed plat involves an existing block. No new blocks are proposed.

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

Staff Comments  The project parcel is subject to the Planned Unit Development (PUD) Agreement for Phase I of the Sunbeam Subdivision. The PUD Agreement and Final Plat for Phase I specified that three (3) cottage lots shall be developed into eighteen (18) cottage units. In keeping with the affiliated PUD Agreement and Final Plat, this application proposes ten (10) townhouse sublots between 0.07 and 0.14 acres in size, for single-family cottage units. As such, the remaining cottage lot in Phase I Lot 64, 0.93 acres) shall be developed into eight (8) cottage units of an average size of 0.12 acres.

Also of relevance, the Hailey Municipal Code specifies a minimum lot size for townhouse sublots— “a minimum area equal to that of the perimeter of each individual townhouse unit, and an additional area three feet (3’) in width adjacent to any opening, measured at the foundation”— but not a maximum size. The proposed lots meet and exceed the minimum area required for townhouse sublots.

A.  If lots are more than double the minimum size required for the zoning district, the Developer may be required to arrange lots in anticipation of future re-subdivision and provide for future streets where necessary to serve potential lots, unless the plat restricts further subdivision.

Staff Comments  N/A

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

Staff Comments  N/A – The plat does not include any double frontage lots.

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

Staff Comments  N/A – Each of the proposed townhouse sublots are buildable.

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

**Staff Comments**

N/A – No flag lots are proposed.

☐ ☐ ☐

E. All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Sections 4.1.11.1 and 4.5.4 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.

**Staff Comments**
The proposed townhouse sublots all have public street frontages.

☐ ☐ ☐

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

**Staff Comments**
N/A – This project is not located within the Townsite Overlay (TO) Zone District.

### 16.04.070: Orderly Development

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.</td>
</tr>
</tbody>
</table>

**Staff Comments**
The proposed project—the development of cottages through Panorama Point Subdivision—is subject to the Phasing Plan and Planned Unit Development for Phase I of the Sunbeam Subdivision. Per the PUD Agreement, “All cottage lots depicted in the PUD development Plan must be developed with cottage units by the Owner or its successors pr assigns.” The “Owner shall use commercially reasonable efforts to expedite the development of said cottage units.” This project—the proposed Panorama Point Subdivision—can be understood as a subset of Phase I of the development of the Sunbeam Subdivision, Staff does not see any reason to create an additional phasing plan for the development of the proposed cottage units.

| ☐ | ☐ | ☑ | Agreement: Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council. |

**Staff Comments**
N/A – Neither the Applicant nor Staff are requesting that the proposed subdivision be phased.

| ☐ | ☐ | ☐ | Mitigation of Negative Effects: No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:  
  a) Provision of on-site or off-site street or intersection improvements.  
  b) Provision of other off-site improvements.  
  c) Dedication and/or public improvements on property frontages.  
  d) Dedication or provision of parks or green space.  
  e) Provision of public service facilities.  
  f) Construction of flood control canals or devices.  
  g) Provisions for ongoing maintenance. |

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

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

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

### Staff Comments

N/A – The Commission and Council completed this process for the Planned Unit Development Plan for Phase I of the Sunbeam Subdivision, of which this project is a part.

### 16.04.080: Perimeter Walls, Gates, and Berms

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>N/A – No perimeter walls, gates, landscape berms, nor retaining walls are proposed.</td>
</tr>
</tbody>
</table>

### 16.04.090: Cuts, Fills, Grading and Drainage

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The Commission and Council completed this process for the Planned Unit Development Plan and Final Plat or Phase I of the Sunbeam Subdivision. Those processes, cottages were planned for this site.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The City Engineer will determine whether a Soils Report is required for this project.</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
b) Cut and fill banks in pad elevations;
c) Drainage patterns;
d) Areas where trees and/or natural vegetation will be preserved;
e) Location of all street and utility improvements including driveways to building envelopes; and
f) Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.

**Staff Comments**

A Grading Plan has been submitted and is under review by the City Engineer.

<table>
<thead>
<tr>
<th>B. 1.</th>
<th>Grading Standards: The proposed subdivision shall conform to the following design standards:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>Grading shall be designed to blend with natural land forms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong> Very little grading will be necessary as the site is relatively flat. That said, a Grading Plan has been submitted and will be reviewed and approved by the City Engineer prior to issuance of a Building Permit.</td>
</tr>
<tr>
<td>☒</td>
<td>Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong> N/A</td>
</tr>
<tr>
<td>☒</td>
<td>Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion.</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong> Erosion control and re-vegetation shall be included in the final design where necessary. This has been made a Condition of Approval.</td>
</tr>
<tr>
<td>☒</td>
<td>Where cuts, fills or other excavation are necessary, the following development standards shall apply:</td>
</tr>
<tr>
<td>a)</td>
<td>Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</td>
</tr>
<tr>
<td>b)</td>
<td>Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing &amp; Materials (ASTM).</td>
</tr>
<tr>
<td>c)</td>
<td>Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.</td>
</tr>
<tr>
<td>d)</td>
<td>Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.</td>
</tr>
<tr>
<td>e)</td>
<td>Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong> Proposed grading and drainage appear to be adequate for the site but shall meet the approval of the City Engineer, this has been made a Condition of Approval.</td>
</tr>
<tr>
<td>☒</td>
<td>The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State, and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval</td>
</tr>
<tr>
<td>☒</td>
<td><strong>Staff Comments</strong></td>
</tr>
<tr>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>☒</td>
<td></td>
</tr>
</tbody>
</table>
of the City engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm-water Discharge from Construction Activity” for all construction activity affecting more than one acre.

**Staff Comments**

A Drainage Plan has been submitted. Runoff is proposed along the public street frontage and landscaping. Storm water will be retained onsite. These have been made Conditions of Approval and will be reevaluated at final design, prior to Final Plat approval.

### 16.04.100: Overlay Districts

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City Code</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>A. Flood Hazard Overlay District:</td>
<td></td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. 1. Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. 2. Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. 3. Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>B. Hillside Overlay District:</td>
<td></td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>B. 1. Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 4.14, of the Zoning Ordinance.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>B. 2. Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☒ ☐ ☐</td>
<td></td>
</tr>
<tr>
<td>B. 3. All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.</td>
<td>Staff Comments</td>
</tr>
</tbody>
</table>

### 16.04.110: Parks, Pathways and Other Green Spaces

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City Code</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</td>
<td>Staff Comments</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. 1. Parks:</td>
<td></td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td></td>
</tr>
<tr>
<td>A. 1. a. The developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sub-lots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for Parks. Parks shall be developed within the City of Hailey and set aside in accordance with the following formula:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>P = x multiplied by .0277</td>
</tr>
<tr>
<td></td>
<td>“x” is the number of single-family lots, residential townhouse sub-lots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, “x” is maximum number of residential lots, sub-lots, and units possible within the subdivision based on current zoning regulations.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A – The parks and pathways required of this site were accounted for in the Planned Unit Development Agreement and Final Plat for Phase I of the Sunbeam Subdivision.</td>
</tr>
<tr>
<td></td>
<td>☐ ☐ ☒</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A – The proposed subdivision is located within the Limited Residential (LR-1) Zoning District.</td>
</tr>
<tr>
<td>☒ ☐ ☐</td>
<td>A. 2.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>Sidewalks and shared-use paths were constructed for Phase I of the Sunbeam Subdivision, and are adequate for the site. No additional pathways are proposed at this time.</td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td>B.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A</td>
</tr>
<tr>
<td>☒ ☐ ☒</td>
<td>C.</td>
</tr>
</tbody>
</table>
ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A – This application is subject to the existing Planned Unit Development Agreement for Phase I of the Sunbeam Subdivision, which addressed park/open space requirements. No additional Park/Open Space is required at this time.</th>
</tr>
</thead>
</table>

D. Minimum Requirements:

| ☐ | ☒ | ☐ | Private Green Space: Use and maintenance of any privately-owned green space shall be controlled by recorded covenants or restrictions which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the council. |
| Staff Comments | The Applicant shall address the maintenance of the outdoor shared space delineated by the easement between the proposed townhouse sublots in CC&R’s for the subdivision. This has been made a Condition of Approval. |

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

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

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

| ☒ | ☐ | ☐ | Pathway: Pathways shall have a minimum twenty-foot (20’) right-of-way width and shall be paved or improved as recommended by the Parks and Lands Board. Construction of Pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the Council otherwise allows when deemed beneficial for the project. The Developer shall be entitled to receive a Park dedication credit only if the Developer completes and constructs a Pathway identified in the Master Plan or completes and constructs a Pathway not identified in the Master Plan where the Pathway connects to existing or proposed trails identified in the Master Plan. The City may permit easements to be granted by Developers for Pathways identified in the Master Plan, thereby allowing the Developer to include the land area in the determination of setbacks and building density on the site, but in such cases, a Park dedication credit will not be given. A Developer is entitled to receive a credit against any area required for a Park for every square foot of qualified dedicated Pathway right-of-way. |
| Staff Comments | Please refer to Section 16.04.110(A)2 for further details. |
### E. Specific Park Standards

All Parks shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

1. Shall meet the minimum applicable requirements required by Subsection D of this section.

   **Staff Comments**
   
   N/A

2. Shall provide safe and convenient access, including ADA standards.

   **Staff Comments**
   
   N/A

3. Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. If a Park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.

   **Staff Comments**
   
   N/A

4. Shall be configured in size, shape, topography, and improvements to be functional for the intended users. To be eligible for Park dedication, the land must, at a minimum, be located on slopes less than 25 degrees, and outside of drain ways, floodways and wetland areas. Mini Parks shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.

   **Staff Comments**
   
   N/A

5. Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.

   **Staff Comments**
   
   N/A

6. Shall require low maintenance or provide for maintenance or maintenance endowment.

   **Staff Comments**
   
   N/A

### F. Specific Pathway Standards

All Pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

1. Shall meet the minimum applicable requirements required by Subsection D of this section.

   **Staff Comments**
   
   N/A – Please refer to Section 16.04.110(A.2) for further information.

2. Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.

   **Staff Comments**
   
   N/A – Please refer to Section 16.04.110(A.2) for further information.

### G. Specific Green Space Standards

If green space is required or offered as part of a subdivision, townhouse or condominium development, all green space shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

1. Shall meet the minimum applicable requirements required by section 4.10.04 of this section.

   **Staff Comments**
   
   N/A – Please refer to Section 16.04.110 for further detail.

2. Public and private green spaces on the same property or adjacent properties shall be complementary to one another. Green space within proposed developments shall be designed to be contiguous and interconnecting with any adjacent Green Space (both existing and potential future space).

   **Staff Comments**
   
   The Applicant shall address the design of the outdoor shared space delineated by the easement between the proposed townhouse sublots in CC&R’s for the subdivision. This has been made a Condition of Approval.

3. The use of the private green space shall be restricted to Parks, Pathways, trails or other recreational purposes, unless otherwise allowed by the City.

   **Staff Comments**
   
   N/A – Please refer to Section 16.04.110 for further detail.

4. The private ownership and maintenance of green space shall be adequately provided for by written agreement.
### Staff Comments
The Applicant shall address the design of the outdoor shared space delineated by the easement between the proposed townhouse sublots in CC&R’s for the subdivision. This has been made a Condition of Approval.

**H. In-Lieu Contributions:**

- ☑️

#### H. 1. After receiving a recommendation by the Parks and Lands Board, the Council may at their discretion approve and accept voluntary cash contributions in lieu of Park land dedication and Park improvements.

**Staff Comments**
N/A – The required park/open space is existing and was developed according to the PUD Agreement for Phase I of the Sunbeam Subdivision.

- ☑️

#### H. 2. The voluntary cash contributions in lieu of Park land shall be equivalent to the area of land (e.g., square footage) required to be dedicated under this ordinance multiplied by the fair market value of the land (e.g., $/square foot) in the development at the time of preliminary plat approval by the Council. The City shall identify the location of the property to be appraised, using the standards in Sections 4.10.5.4 and 4.10.5.5 of these ordinances. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.

**Staff Comments**
Please reference Section 16.04.110 for further detail.

- ☑️

#### H. 3. Except as otherwise provided, the voluntary cash contribution in lieu of Park land shall also include the cost for Park improvements, including all costs of acquisition, construction and all related costs. The cost for such improvements shall be based upon the estimated costs provided by a qualified contractor and/or vendor. In the Business (B), Limited Business (LB), Neighborhood Business (NB) and Transitional (TN) zoning districts, in-lieu contributions will not include the cost for Park improvements.

**Staff Comments**
Please reference Section 16.04.110 for further detail.

- ☑️

#### H. 4. In-lieu contributions must be segregated by the City and not used for any other purpose other than the acquisition of Park land and/or Park improvements, which may include upgrades and replacement of Park improvements. Such funds should be used, whenever feasible or practicable, on improvements within walking distance of the residents of the subdivision.

**Staff Comments**
Please reference Section 16.04.110 for further detail.

### 16.05: Improvements Required:

<table>
<thead>
<tr>
<th></th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compliant</strong></td>
<td><strong>Standards and Staff Comments</strong></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☑️</td>
<td>☐</td>
</tr>
<tr>
<td>☑️</td>
<td>☐</td>
</tr>
</tbody>
</table>
| ☑️ | ☐ | ☐ | | **Staff Comments**
This standard shall be met.
### 16.05.020: Streets, Sidewalks, Lighting, Landscaping

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

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

**Staff Comments**
Any and all street cuts for the installation of the water and sewer mains shall be repaired per this standard. Connection details to the existing water system shall be approved by the Wastewater Division prior to construction. Street cuts shall be approved by the Streets Division prior to construction. All infrastructure will be approved by the city prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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

**Staff Comments**
N/A – Signage for the public street names is existing, this project does not any other signage.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

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

**Staff Comments**
N/A – No streetlights are planned for this project.

### 16.05.030: Sewer Connections

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

#### 16.05.030
Sewer Connections: The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the City engineer for review and approval.
At the City engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

**Staff Comments**
Staff has no concerns or issues with the proposed sewer connections at this time. Wastewater connections will be revisited at final design, prior to Final Plat approval.

### 16.05.040: Water Connections

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

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

**Staff Comments**
Staff has no concerns or issues with the proposed sewer connections at this time. Water connections will be revisited at final design, prior to Final Plat approval.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**B. Townsite Overlay:** Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.

**Staff Comments**
N/A – This project is not within the Townsite Overlay (TO) District.

### 16.05.050: Drainage

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Drainage:** The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the City engineer or his authorized representative. (Ord. 1191, 2015)

**Staff Comments**
Drainage appears to be adequate for the site but will be reviewed by City Staff and shall meet the approval of the City Engineer, prior to Final Plat approval. This has been made a Condition of Approval.

### 16.05.060: Utilities

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Utilities:** The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.

**Staff Comments**
All utilities are shown to be installed underground. A 10'-wide easement along the public street frontages is planned for where the utilities connect to the municipal services. The easement shall meet the approval of the City Engineer, this has been made a Condition of Approval.

### 16.05.070: Parks, Green Space

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Parks, Green Space:** The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council.

**Staff Comments**
See Section 16.04.110 for further detail.

### 16.05.080: Installation to Specifications; Inspections

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Installation to Specifications; Inspections:** All improvements are to be installed under the specifications and inspection of the City engineer or his authorized representative. The minimum construction requirements shall meet City
Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.

Staff Comments
An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey specifications and will be evaluated in greater detail at final design.

16.05.090: Completion; Inspections; Acceptance

A. Installation of all infrastructure improvements must be completed by the developer and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the City engineer, and appropriate City departments to determine a punch list of items for final acceptance.

Staff Comments
This standard shall be met.

B. The developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)

Staff Comments
N/A – The completion of all major infrastructure by the Developer is preferred over bonding.

16.05.100: As Built Plans and Specifications

As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of “as-built plans and specifications” certified by the developer’s engineer shall be filed with the City engineer. (Ord. 1191, 2015)

Staff Comments
As built drawings will be required. This standard will be met.

16.08: Townhouses:

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

Staff Comments
The proposed subdivision is for single-family cottages that do not include party walls. However, the Applicant shall include CC&R’s to address the maintenance of utilities and shared outdoor space in the easements. This has been made a Condition of Approval.

Staff Comments
Vehicular access on the proposed plat directly leads to the cottage units, where garages can be assumed.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>16.08.030</strong></td>
<td>Storage, Parking Areas: Residential townhouse developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015)</td>
<td>Each single-family cottage unit is required to have two (2) parking spaces, this has been made a Condition of Approval.</td>
</tr>
<tr>
<td><strong>16.08.040</strong></td>
<td>Construction Standards: All townhouse development construction shall be in accordance with the IBC, IRC, and IFC. Each townhouse unit must have separate water, sewer and utility services, which do not pass through another building or unit. (Ord. 1191, 2015)</td>
<td>The proposed plat complies with this standard. Although the plat indicates municipal services passing through the townhouse sublots, they do not pass through other buildings or units.</td>
</tr>
<tr>
<td><strong>16.08.050</strong></td>
<td>General Applicability: All other provisions of this title and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse developments. (Ord. 1191, 2015)</td>
<td>This standard will be met.</td>
</tr>
<tr>
<td><strong>16.08.060</strong></td>
<td>Expiration: Townhouse developments which have received final plat approval shall have a period of three (3) calendar years from the date of final plat approval by the council to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the council. If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the council. Further, if construction on any townhouse development or phase of any development ceases or is not diligently pursued for a period of three (3) years without the prior consent of the council, that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. (Ord. 1191, 2015)</td>
<td>This standard will be met.</td>
</tr>
<tr>
<td><strong>16.08.070</strong></td>
<td>Conversion: The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>16.08.080</strong></td>
<td>Density: The maximum number of cottage townhouse units on any parcel shall be twelve (12), and not more than two (2) cottage townhouse developments shall be constructed adjacent to each other. (Ord. 1191, 2015)</td>
<td>This project is subject to the Planned Unit Development Agreement and Final Plat for Phase I of the Sunbeam Subdivision, which identified these two (2) adjacent cottage lots and requires the development of eighteen (18) cottage units in Phase I of the Sunbeam Development. Per the affiliated PUD Agreement and Final Plat, ten (10) cottage units are proposed on the parcel and the remaining eight (8) cottage units required in Phase I will be of a similar size.</td>
</tr>
<tr>
<td><strong>16.11.010</strong></td>
<td>Exceptions: Whenever the tract to be subdivided is, in the shape or size, or is surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the council may vary or modify such requirements by making findings for their decision so that the developer is allowed to develop his property in a reasonable manner, while ensuring that the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of this title are preserved. As used in this section, the phrase “real difficulties and substantial hardships or injustices” shall apply only to situations where strict application of the requirements of this title will deny to the developer the reasonable and beneficial use of the property in question, and not in situations where the</td>
<td></td>
</tr>
</tbody>
</table>
Summary and Suggested Conditions: The Commission shall review the Preliminary Plat Application and continue the public hearing, approve, conditionally approve, or deny the Application. If approved, the Final Plat Application will be forwarded to the Hailey City Council for review.

The following are suggested Conditions of Approval for this Application:

a) All conditions of the Planned Unit Development approval, dated June 18, 2020, shall be met.
b) All Fire Department and Building Department requirements shall be met.
c) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval and shall meet City Standards where required. Requirements to be completed at the Applicant’s sole expense include, but will not be limited to:
   i. Permits for the installation of all drywells.
   ii. Metal collars for the meter vault lids on any and all meter vaults located in asphalt or concrete.
   iii. An Erosion Control Plan, prior to Final Plat.
   iv. The complete removal and replacement of all paving adjacent to the development where street cuts (for the subdivision construction and installation of utility services) exceed 25% of the street area.
d) Drainage facilities, grading, driveways, and utility easements shall be reviewed and approved by the City Engineer prior to Final Plat approval.
e) Connection details to the municipal water and wastewater system shall be approved by the Water and Wastewater Division prior to Final Plat approval.
f) Driveways accessing more than one residential dwelling unit shall be maintained by an owner’s association, or in accordance with a plat note.
g) The Applicant shall dedicate driveway easements for all shared driveways. Such dedication shall be noted as plat notes within the Panorama Point Subdivision Plat.
h) The Applicant shall address the maintenance of utilities, shared outdoor space, and joint use driveways in the easements within the subdivision’s CC&R’s.
i) The location and style of the garages (attached or detached) must be addressed on the Final Plat, drawn and/or in a plat note (per Section 16.08.020 of Code).
j) The Applicant shall provide a minimum of two (2) onsite parking spaces per single-family cottage unit.
k) All improvements within the public right-of-way shall be completed and accepted, or surety provided pursuant to Subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the Final Plat.
l) The Applicant shall repair and/or install new sidewalks if the existing sidewalks are damaged during the construction process.
m) Snow Storage areas shall be delineated on the plat and comply with City Standards prior to Final Plat approval.
n) The Final Plat must be submitted within two (2) calendar years from the date of approval of the Preliminary Plat, unless otherwise allowed for within a phasing agreement.
o) Any application and/or subdivision inspection fees due shall be paid prior to recording the Final Plat.

Motion Language:
Approval: Motion to approve a Preliminary Plat Application by Pilling Family Trust, wherein two (2) cottage lots in Sunbeam Subdivision Phase I (SUNBEAM SUBDIVISION PHASE 1 LOT 41 BLK 3, SUNBEAM SUBDIVISION PHASE 1 LOT 49 BLK 3) are subdivided into ten (10) sublots for single-family cottage units, finding that the application meets all City Standards, and that Conditions (a) through (o) are met.

Denial: Motion to deny a Preliminary Plat Application by Pilling Family Trust, wherein two (2) cottage lots in Sunbeam Subdivision Phase I (SUNBEAM SUBDIVISION PHASE 1 LOT 41 BLK 3, SUNBEAM SUBDIVISION PHASE 1 LOT 49 BLK 3) are subdivided into ten (10) sublots for single-family cottage units, finding that ________________ [Commission should cite which standards are not met and provide the reason why each identified standard is not met].

Continuation: Motion to continue the public hearing to ________________ [the Commission should specify a date].
A SITE GRADING & UTILITY PLAN FOR PANORAMA POINT SUBDIVISION

PROJECT INFORMATION

Civil Engineers & Land Surveyors

NO REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any Project or extensions of this Project except by agreement in writing with Galena Engineering, Inc.

317 N. River Street
Hailey, Idaho 83333
(208) 788-1705
dalena@galena-engineering.com

DATE

BY REVISIONS

LOCATED WITHIN SECTION 10, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

PREPARED FOR PILLING FAMILY TRUST

PRELIMINARY

NOT FOR CONSTRUCTION

DESIGNED BY

DRAWN BY

CHECKED BY

PURPOSE: ISSUE FOR PERMIT

SCALE IN GRAPHIC SCALE 20 FEET 0 INCHES

LEGEND

C1.00
GENERAL CONSTRUCTION NOTES

1. All construction shall be in accordance with the most current edition of the "State Standards" for public works construction specification (ISPD). Any variance in material types or thicknesses shall be in accordance with the City of Hailey standards. There shall be no exceptions to these standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

2. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

3. In addition to the City of Hailey's standards, all work shall conform to OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

4. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

5. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

6. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

7. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

8. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

9. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

10. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

11. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

12. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

13. All construction shall be performed in accordance with the City of Hailey's standards. Any exceptions shall be in accordance with the Idaho Standards for Public Works (ISPD) and the City of Hailey's specifications.

SEWER CONSTRUCTION NOTES

1. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

2. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

3. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

4. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

5. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

6. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

7. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

8. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

9. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

10. All sewer work shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

WATER CONSTRUCTION NOTES

1. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

2. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

3. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

4. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

5. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

6. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

7. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

8. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

9. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.

10. All water lines shall comply with OSHA and NIOSH guidelines. Any exceptions shall be in accordance with the City of Hailey's standards and OSHA and NIOSH guidelines.
PURPOSE: ISSUE FOR PERMIT

4" TYPE I CRUSHED

Existing Sewer Main

Pipe Must be Core Drilled

2-45° Elbows

Required

4' Min.

Romac Universal CB

8' Steel Fence Post

Saddle/Band or

(Painted Green)

Approved Equivalent

Prefabricated "Y" or

45° Elbow

in Top of Pipe

PLAN VIEW

SewerInterceptor

10" Dia. or Larger

PROFILE VIEW

PLAN VIEW

CONNECTION FOR

CONNECTION FOR NEW SEWER

N.T.S.

N.T.S.

N.T.S.

N.T.S.

2"x4" Redwood

Blocking

NOTES

Bend as Required, Tap into

#12 Copper Finder Wire

Top Half of Sewer Lateral

Wrapped Around Steel Post

NOTES

Bend as Required, Tap into

#12 Copper Finder Wire

Top Half of Sewer Lateral

Wrapped Around Steel Post

PANORAMA POINT SUBDIVISION

LOCATED WITHIN SECTION 10, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

2. An approved tapping saddle shall be required for all new taps to existing sewer laterals. Saddle to be approved by The City Min. Grade 1/4"/ft. 1/8"/ft. if Approved (Typ.)

3. An owner constructing a new public sewer system in a subdivision or development shall construct a sewer tap and service for each potential user and extend it into the property. See current edition of ISPWC Standard Drawing 407, IDAPA 58.01.08.542.07.a and IDAPA 58.01.08.542.07.b which address the requirements for separation distances between potable water lines (including mains and service lines) with

TYPICAL SECTION

From Horizontal

Unless Otherwise Specified

N.T.S

CITY OF HAILEY RESIDENTIAL WATER SERVICE CONNECTION DETAIL (18.14.010.B.3)

CITY OF HAILEY SEWER SERVICE CONNECTION DETAIL (18.14.010.C.4)

NOTES

CITY OF HAILEY DETAIL WATER MANHOLE - TYPE A (18.14.010.C.1)

CITY OF HAILEY DETAIL SEWER MANHOLE - TYPE A (18.14.010.C.1)

CITY OF HAILEY DETAIL DRIVEWAY APPROACH (18.14.012.K.2)

TYPICAL STREET ASPHALT SECTION

TYPICAL CONCRETE SECTION

TYPICAL SECTION

CONNECTION FOR NEW SEWER

CONNECTION FOR INTERCEPTOR SEWER

NOTES

2. An approved tapping saddle shall be required for all new taps to existing sewer laterals. Saddle to be approved by The City Min. Grade 1/4"/ft. 1/8"/ft. if Approved (Typ.)

3. An owner constructing a new public sewer system in a subdivision or development shall construct a sewer tap and service for each potential user and extend it into the property. See current edition of ISPWC Standard Drawing 407, IDAPA 58.01.08.542.07.a and IDAPA 58.01.08.542.07.b which address the requirements for separation distances between potable water lines (including mains and service lines) with

TYPICAL SECTION

From Horizontal

Unless Otherwise Specified

N.T.S

CITY OF HAILEY RESIDENTIAL WATER SERVICE CONNECTION DETAIL (18.14.010.B.3)

CITY OF HAILEY SEWER SERVICE CONNECTION DETAIL (18.14.010.C.4)

NOTES

CITY OF HAILEY DETAIL WATER MANHOLE - TYPE A (18.14.010.C.1)

CITY OF HAILEY DETAIL SEWER MANHOLE - TYPE A (18.14.010.C.1)

CITY OF HAILEY DETAIL DRIVEWAY APPROACH (18.14.012.K.2)

TYPICAL STREET ASPHALT SECTION

TYPICAL CONCRETE SECTION

TYPICAL SECTION

CONNECTION FOR NEW SEWER

CONNECTION FOR INTERCEPTOR SEWER

NOTES

2. An approved tapping saddle shall be required for all new taps to existing sewer laterals. Saddle to be approved by The City Min. Grade 1/4"/ft. 1/8"/ft. if Approved (Typ.)

3. An owner constructing a new public sewer system in a subdivision or development shall construct a sewer tap and service for each potential user and extend it into the property. See current edition of ISPWC Standard Drawing 407, IDAPA 58.01.08.542.07.a and IDAPA 58.01.08.542.07.b which address the requirements for separation distances between potable water lines (including mains and service lines) with
Return to Agenda
To: Hailey Planning and Zoning Commission
From: Cece Osborn, Community Development City Planner

Overview: Consideration of a Zone Change Application by Silvercreek Living, LLC, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The Applicant proposes to rezone 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1) from Limited Residential (LR-1) to Limited Business (LB).

Hearing: January 17, 2023

Application Contact: Mark Caplow, represented by Samantha Stahlnecker of Opal Engineering

Request: 31 East McKercher Boulevard (Northridge X Subdivision, Lot 1, Block 1) from Limited Residential (LR-1) to Limited Business (LB)

Location and Size: 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1); 2.23 acres

Current Zoning: Limited Residential (LR-1)

Proposed Zoning: Limited Business (LB)

Notice: Notice for the public hearing published in the Idaho Mountain Express and mailed to property owners and agencies within 300 feet on December 27, 2022. Notice was posted on the property on January 10, 2023

Application: The Applicant requests an amendment to the City of Hailey Zoning District Map that would rezone the 2.23-acre parcel at 31 East McKercher Boulevard (NORTHFRIDGE X SUBDIVISION LOT 1 BLK 1) from Limited Residential (LR-1) to Limited Business (LB). This Application is concurrent with a Text Amendment Application to define “Residence Hall” and modify the parking requirements to include such a use, within Hailey's Municipal Code. Details can be found in the accompanying Text Amendment Staff Report.

The previous use at the subject property and in the existing building— Silvercreek Assisted Living— was permitted outright in the Limited Residential (LR-1) Zoning District as a residential care facility. Now, the Applicant would like to repurpose the building to provide multifamily-style residential units, specifically employee and/or workforce housing. The affiliated Text Amendment discusses the nature of the proposed
employee housing use, as well as how it differs from how multifamily use is defined in Hailey’s Municipal Code.

The existing building is well designed for residential units, and the property borders the Business (B) Zoning District. Specifically, both of the existing buildings includes communal living spaces and sixteen (16) bedrooms with individual private bathrooms. Between the two (2) buildings, the site includes thirty-two (32) bedrooms and private bathrooms. Each building contains the following communal living spaces: one (1) kitchen, one (1) dining room, one (1) living room, one (1) dayroom, one (1) sunroom, and one (1) covered patio. Additionally, each building includes a variety of smaller rooms that were used for laundry, storage, medicine/first aid, communal bathrooms, and offices when the building was used as a residential care facility. As shown on the site plan, the parcel includes a sidewalk along the McKercher Boulevard frontage; pedestrian paths to the sidewalk, between the buildings, and through the outdoor leisure areas; raised garden beds; and landscaping around the perimeter of the lot. The parcel and existing facilities include nineteen (19) parking spaces, although thirty-eight (38) would be required of the proposed use—as discussed in the affiliated Text Amendment Application. Until the additional parking spaces are provided and/or a Development Agreement is in place, the Applicant proposes to only occupy one (1) building.

The images below depict the existing and proposed site plan, as well as the location of the property in relation to its surrounding uses:

1. **Existing Land Uses:**
   The subject property is located on the northern edge of downtown, on the east side of Main Street. The property is adjacent to commercial and residential uses, including single-family and multi-family uses. Specifically, the surrounding uses include:
   - AmeriGas operations to the north, outside of City Limits but in the Area of City Impact (ACI);
   - single-family residential units in the Northridge subdivision to the east (LR-1);
   - a Sinclair gas station and Albertsons supermarket to the southwest (B and DRO);
   - the new L.L. Green’s Hardware Store (under construction) directly to the south (B and DRO); and
   - a proposed multifamily residential project (40 McKercher) directly to the south (B and DRO).
In summary, the subject property at 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1) borders the Business and Downtown Residential Overlay Zoning Districts to the south and southwest, Area of City Impact to the west and north, and Limited Residential 1 to the northeast, east, and southeast.

As exhibited in the annotated map below, the parcels directly south of the subject property were recently rezoned from Limited Business and General Residential to Business. The proposed changes would provide a new buffer between the expanding Business Zoning District in Downtown Hailey and the pre-existing Limited Residential (LR-1) Northridge neighborhood to the east.

Notably, multi-family residential uses now exist on the southern edge of downtown Hailey, at the Blaine Manor family and senior housing development. The proposed rezone to allow for multi-family use at the 31 East McKercher Boulevard, on the northern edge of downtown Hailey, would create a symmetry at the Community Gateways, into and out of downtown Hailey.

2. Purposes of Zoning Districts:
   a. Limited Residential (LR):
      i. 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.
      ii. 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.
   b. Limited Business (LB):
      i. 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.
   c. Business (B): The purpose of the B district is to provide areas for general business and commercial activities and a limited number of residential uses.
      i. The subject lot borders the Business Zoning District to the south and southwest, as well as the LR-1 Zoning District to the east and northeast.
   d. 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1)
      i. The Applicant is proposing that the parcel, currently zoned within Limited Residential (LR-1) be rezoned to the Limited Business (LB) Zoning District.
      ii. The proposed zoning—as well as the Applicant’s intentions for the existing building—continues to allow for residential uses and expands the allowable commercial uses. Staff concurs that the parcel’s location on the most trafficked corridor in the County (Main Street/SH75), as well as its proximity to the active mid-density Business Zoning District of downtown Hailey, justifies the request to expand the commercial uses allowed on the property.
      iii. Additionally, Staff recognizes the need to create a buffer between the different Limited Residential (LR-1) and Business (B) Zoning Districts. While the stated
purpose of LR-1 is to create a “stable, low density, single-family residential” area, the Business uses surrounding the Applicant’s lot are subject to change and increase in density. In other words, the nearby uses in the Business Zoning District are incompatible with the longstanding, Limited Residential (LR-1) neighborhood of Northridge. By rezoning the subject parcel from LR-1 to LB, commercial uses would be restricted, “a wide range of residential uses” would be encouraged, and a buffer between the LR-1 and Business Zoning Districts on the northeast end of Hailey’s downtown would occur.

e. Summary of Uses
   i. The proposed zone change would increase the range of commercial uses permitted on the subject parcel and increase the parcel’s resemblance of the Business Zoning District to its south. Staff concurs that expanding commercial uses is appropriate for this location, at the northern edge of downtown Hailey and on Main Street/SH75. While resemblant of the Business (B) Zoning District, the proposed Limited Business (LB) zoning is softer. As specified below, the density and lot coverage allowed in Limited Business (LB) is less than in Business; commercial uses in LB are also more restricted than in B. As such, the proposed rezone would create a transition between Limited Residential (LR-1) and Business (B).

3. **Density, Setback and Bulk Requirement Comparison:** The density, setbacks and other bulk requirements would see the following changes, if rezoned as proposed:

<table>
<thead>
<tr>
<th>Address/Parcel/Use</th>
<th>Existing Zone District</th>
<th>Proposed Zone District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>31 East McKercher Boulevard</strong> <strong>(NORTHRIDGE X SUBDIVISION LOT 1 BLK 1)</strong></td>
<td>LR-1</td>
<td>LB</td>
</tr>
<tr>
<td>Setbacks</td>
<td>Minimum front yard setback (feet)</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Minimum side yard setback (feet)</td>
<td>10³, 19, 20</td>
</tr>
<tr>
<td></td>
<td>Minimum rear yard setback (feet)</td>
<td>10³, 19, 20</td>
</tr>
<tr>
<td>Height</td>
<td>Maximum building Height</td>
<td>30²¹,²²</td>
</tr>
<tr>
<td>Notes</td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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,</td>
<td></td>
</tr>
</tbody>
</table>
The existing parcel, 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1), is approximately 2.23 acres and zoned within the Limited Residential (LR-1) Zoning District, which does not allow for increased densities and restricts lot coverage to 40%. As proposed, the Limited Business Zoning District (LB) would allow for an underlying density of 20 units per acre for the subject lot and eliminates the lot coverage. While the Limited Business Zoning District (LB) maintains similar setback and height requirements as LR-1, its density and lot coverage stipulations resemble the Business Zoning District. As such, rezoning the subject lot would create a buffer between the LR-1 and Business Zoning Districts in the northeast part of Hailey’s downtown.

Criteria for Review:
17.14.060(A) Criteria Specified: When evaluating any proposed amendment under this Article, the Commission shall make findings of fact on the following criteria:

1) The proposed amendment is in accordance with the Comprehensive Plan;
The Comprehensive Plan Land Use Map reflects suitable projected land uses for the city. It considers existing conditions, trends, and desirable future situations with the objective of creating a sensible and balanced mix of land uses for the community. The Map establishes a basis and direction for the expansion and/or location of business, residential, industrial, institutional, and green space areas within and adjacent to the City. The Land Use Map purposefully does not demarcate between land uses specific to property boundaries. Instead, it allows for the Commission and Council’s decision-making processes to determine actual zoning boundaries.

The Comprehensive Plan Land Use Map includes the subject lot in the “Residential Buffer” and “1/4 Mile Service Area” areas. Specifically, the Plan explains “Residential Buffer” as a “medium density residential” area that “provide[s] a buffer between lower density residential neighborhoods to the east and west of the Main Street District.” Additionally, the Map identifies service areas within ¼ and ½ mile of important resources like the Community Activity Area on the north side of Hailey’s downtown. See the images below for relevant portions of the map:
In other words, the Comprehensive Plan Land Use Map highlights the area of the subject lot as:

1. important to buffering the surrounding residential neighborhood of Northridge from the higher density Business Zoning District along Main Street/SH75 in downtown Hailey, and
2. as an opportunity to lessen dependency on the automobile (see Goals 5.1, 5.2, 5.5, and 10.1 below).

Among others, the Application complies with the following goals and objectives of the Hailey Comprehensive Plan:

5.1 Retain a compact City comprised of a central downtown with surrounding diverse neighborhoods, areas and characteristics as depicted on the Land Use map.

a. Main Street Corridor – area of high density commercial, mixed-use and residential development. The proposed rezone includes a Main Street frontage just beyond the Community Activity Center, coinciding with the Plan’s goal to increase density and mix uses along the Main Street Corridor.

e. Residential Buffer – medium density residential, providing a buffer between lower density residential neighborhoods to the east and west and the Main Street District. As discussed above, the subject parcel falls within the Residential Buffer specified by the Land Use Map. The proposal to rezone the subject parcel to Limited Business (LB) would increase the density currently allowed on the lot. However, the proposed LB rezone would maintain a lower density than the neighboring Business Zoning District to the South. In this way, the Applicant’s proposal directly aligns with and reflects the Comprehensive Plan’s goal to create a Residential Buffer between the Business Zoning District and Community Activity Center to the south of the subject lot, on the north end of downtown Hailey, and the surrounding LR-1 neighborhoods to the north and northeast of the subject lot.

g. Neighborhood Service Centers – Small commercial areas serving residents within walking distance (¼ to ½ mile) where commercial use is subordinate to residential uses and to Downtown or Community Activity Areas. The subject parcel is located in the ¼ Mile Service Area demarcated on the Land Use Map, on the northern outskirt of downtown Hailey. With a proposal to rezone to Limited Business (LB), the Applicant adheres to the Comprehensive Plan’s directive for this area to remain subordinate and in service of residential uses, as well as the Downtown and Community Activity Areas.
5.2 Maintain Downtown as the area containing the greatest concentration of commercial, cultural, and civic activity and the priority area of encouraging higher density commercial and mixed-use development. As described above, the proposed rezone supports the goal of encouraging mixed-use, higher density uses in downtown Hailey.

5.5 Lessen the dependency on the automobile. By proposing to increase the allowed density of residential and commercial units at the subject lot—that is within the ¼ Mile Service Area, which is designated in the Comprehensive Plan Land Use Map—this Application supports the Plan’s goals to lessen the dependency on the automobile and support active transportation modes of travel in downtown Hailey. Increasing the allowed number of residential units in proximity to schools, downtown amenities, and public transit opportunities is known to reduce dependency on the automobile and encourage more sustainable modes of transportation.

10.1 Create and maintain a pedestrian and bicycle-friendly community that provides a safe, convenient, and efficient multi-modal transportation system for all Hailey residents. Associated with this goal, the Comprehensive Plan specifically aims to see increases in the “Percent of [the] population within ¼ of a transit stop” and the “Percent of residents who walk, bike, use transit, or carpool to work” increase. By providing mid to high density housing units within the ¼ mile service area, as proposed in this Application, the City aligns with its transportation and sustainability goals.

Additionally, this rezone Application supports the following Housing and Economic directives laid out by the Plan:

- Promoting mixed use in Downtown ensures a diversified, sustainable economic condition. Mixed-use buildings lining Downtown Main Street allow for commercial activity on the ground floor with residences or offices above. This type of planning helps maintain the neighborhood scale. These types of buildings also ensure round the clock activity and eyes on the street for added safety (page 27). The proposed rezone would allow for the mixed-use development on the subject parcel—as it is described by the Plan and located on the Land Use Map, in proximity to the Community Activity Area and downtown Hailey.

- 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). The rezone proposed in this Application particularly pertains to the Plan’s workforce housing directives because the Applicant has expressed his intention to maintain the existing building, with residential therein, to provide employee housing for The Valley Club, a local employer. Rezoning the subject parcel to Limited Business (LB), as proposed, would allow for a higher density of housing units, i.e. multi-family residential dwelling, where it is currently not permitted.

- Productivity of the workforce improves when commutes are shortened (page 38). In concert with the active transportation goals and workforce housing directive described above, the Comprehensive Plan discusses the importance of planning for housing workers in proximity to active transportation and transit opportunities. The proposed rezone would allow for increased
residential units in proximity to the commercial core and employment opportunities, as well as transit stops.

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;**

It is anticipated that public facilities and services are available to support the full range of uses permitted by the Limited Business Zoning District under consideration. Notably, the immediate land-use change that is proposed with this rezone Application is to repurpose a former residential care facility for multi-family residential units. In other words, the Applicant intends to maintain and use the existing building for a similar but different residential use.

**Water:** The professional opinion offered by a third-party engineer is that the “conversion of the facility to the proposed use as a residence hall should not increase overall water usage. In fact, water usage may decrease as the new residents spend more time outside the facility each day as compared to the former residents.” As found in the water study required for a nearby development application at 40 McKercher Boulevard, “Peak water usage at the facility is anticipated to occur during the summer and be driven by seasonal irrigation which is not anticipated to change with the proposed use.” The water for that vicinity is dominated by seasonal, summer irrigation in the Northridge area. In other words, landscaping is more concerning for water usage than are residential units. Higher density multi-family residential uses or developments are known to make efficient use of water, especially compared to single-family residences. The proposed multi-family use is not anticipated to create an undue burden on the municipal water system, nor is it anticipated to incur additional requirements or public costs.

**Traffic:** The traffic analysis provided by the Applicant states that “the proposed residence hall is anticipated to generate less trips than a standard multifamily development.” Additionally, the report analyzed the anticipated vehicle trips generated by the proposed “residence hall,” as compared to a) the vehicle trips generated by the previous residential care facility use and b) the anticipated vehicle trips generated by the alternative land use of twelve (1) single-family residences. The proposed use is anticipated to generate one-hundred and thirty-two (132) more vehicle trips per day than the previous residential care facility, as well as seventy-two (72) more vehicle trips per day than the alternative land use of twelve (12) single-family residences. Both the proposed and alternative land use scenarios are anticipated to generate more vehicle trips per day than the previous residential care facility use. See the below table and attached Trip Generation Study for specifics.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Vehicle Trips Generated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous – Residential Care Facility</td>
<td>84</td>
</tr>
<tr>
<td>Proposed – Residence Hall/Co-living Dwelling</td>
<td>216</td>
</tr>
<tr>
<td>Alternative – Single-family Residences</td>
<td>144</td>
</tr>
</tbody>
</table>

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

Situated between a) the Business (B) Zoning District of downtown Hailey (to the south and southwest) and b) the Limited Residential (LR-1) Zoning District of the Northridge neighborhood to the north and northeast, the proposed rezone to Limited Business (LB) would create a buffer where there is none. The
The proposed rezone would create intermediary bulk requirements between the traditional residential and commercial zones—a transition between opposite underlying densities, lot coverage, and mixed-uses.

Specifically, the surrounding uses include:
- AmeriGas operations to the north, outside of City Limits but in the Area of City Impact (ACI);
- single-family residential units in the Northridge subdivision to the north and northeast (LR-1);
- a Sinclair gas station and Albertsons supermarket to the southwest (B and DRO);
- the new L.L. Green’s Hardware Store (under construction) directly to the south (B and DRO); and
- a proposed multifamily residential project (40 McKercher) directly to the south (B and DRO).

The current zoning of the parcel—Limited Residential (LR-1)—would allow for single-family homes, without the option to construct an Accessory Dwelling Unit due to the Northridge Subdivision CC&R’s. Multi-family dwelling units and commercial uses are prohibited in LR-1, meanwhile they are encouraged in Limited Business (LB). Changing the zoning district to LB would encourage mixed-uses at a lower density than in the Business Zoning District. Although no redevelopment is currently planned, future commercial and multifamily projects would be subject to Design Review by the Commission and community input.

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

City Staff notes a strong basis in the Hailey Comprehensive Plan for this rezone application:
- The proposed rezone would create a residential buffer where there is none.
- This Application supports the Plan’s goals to increase the density of residential units on the edge of downtown Hailey, within the ¼ Mile Service Area and in proximity to transit stops.
- The City and greater Wood River Valley have a documented need for housing, and the Applicant currently seeks to house local employees in the existing building. The approval of this Application would allow for immediate employee housing on the parcel.

Action: The Commission is required by the Hailey Municipal Code to make a recommendation to the Hailey City Council based on compliance with the Comprehensive Plan and the following criteria:

17.14.040(B) Recommendation.

1. Following the hearing, if the Commission or Hearing Examiner makes a substantial change from what was presented at the hearing, the Commission or Hearing Examiner may either conduct a further hearing after providing notice of its recommendation, or make its recommendations to the Council, provided the notice of the Commission’s or Hearing Examiner’s recommendation shall be included in the notice of the hearing to be conducted by the Council.

2. The Commission or Hearing Examiner shall recommend, with reasons therefore, to the Council that the proposed amendment be granted or denied, or that a modified amendment is granted.

3. If the proposal initiated by an Applicant is not in accordance with the Comprehensive Plan, the Commission or Hearing Examiner shall notify the Applicant of this finding and inform the Applicant that the Applicant must apply for an amendment to the Comprehensive Plan before the Hailey Municipal Code or Zoning Map can be amended.
A. 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.

B. Rezones: When evaluating any proposed zoning ordinance map amendment to rezone property to business (B) zoning district, limited business (LB) zoning district or transitional (TN) zoning district, the hearing examiner or commission and council shall consider the following:

1. Vacancy rates of existing buildings and land within the existing business (B), limited business (LB) or transitional (TN) zoning districts. A lower vacancy rate will favor a rezone, while a higher vacancy rate will not favor a rezone. The Applicant contacted the Sun Valley Board of Realtors in an attempt to obtain a vacancy report for residential uses in the City of Hailey. Unfortunately, the residential vacancy rate data in Blaine County is not readily available. However, the City of Ketchum’s Housing Action Plan (page 10) identifies a demand for 4,700 to 6,400 housing units in Blaine County over the next 10 years: https://www.projectketchum.org/wp-content/uploads/2022/05/Ketchum-Housing-Matters_2022.2023_Action-Plan.pdf. As such, the Applicant attests that the need for local need for housing is great; and the proposed rezone, which would allow for a greater density of housing units on site, meets a current need.

2. The distance of the parcel proposed for rezone from the central core overlay district boundary. A shorter distance from the central core overlay district boundary will favor a rezone, while a longer distance from the central core overlay district boundary will not favor a rezone. (Ord. 1191, 2015). The subject parcel and proposed rezone are approximately 0.6 miles from the Central Core Overlay District of downtown Hailey.

Summary and Suggested Conditions of Approval: The Commission shall recommend approval or denial to the Hailey City Council the Zone Change Application by Silvercreek Living, LLC for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1) from Limited Residential 1 (LR-1) to Limited Business (LB), finding that the changes are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, the proposed uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare; and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.14, Amendment, additional applicable requirements of Title 17, Title 18, and City Standards.

Motion Language:

Approval: Motion to recommend approval by the City Council an Ordinance, Ordinance No. _______amending the City of Hailey Zoning District Map, Section 17.05.020. The proposed change
includes amending 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1) from Limited Residential 1 (LR-1) to Limited Business (LB), finding that the changes are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, the proposed uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare.

**Denial:** Motion to recommend denial by the City Council an Ordinance, Ordinance No. ________, amending the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending 31 East McKercher Boulevard (NORTHRIDGE X SUBDIVISION LOT 1 BLK 1) from Limited Residential 1 (LR-1) to Limited Business (LB), finding that __________ [Commission should cite which standards are not met and provide the reason why each identified standard is not met].

**Continuation:** Motion to continue the public hearing to _______________ [the Council should specify a date].
HAILEY ORDINANCE NO. 1314

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, SECTION 17.05.020, OFFICIAL ZONING MAP; REZONING LOT 1, BLOCK 1, NORTHRIDGE X SUBDIVISION (31 EAST MCKERCHER BOULEVARD) FROM LIMITED RESIDENTIAL (LR-1) TO LIMITED BUSINESS (LB); 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 real property located at 31 McKercher Boulevard and more particularly described as Lot 1, Block 1, Northridge X Subdivision (“Subject Property”) is in the Limited Residential (LR 1) Zoning District;

WHEREAS, the Hailey City Council has found that by amending the Zoning Map to include Lot 1, Block 1, Northridge X Subdivision to be located within the Limited Business (LB), would encourage higher density residential projects in close proximity to the Main Street Corridor;

WHEREAS, the Hailey City Council has found that essential public facilities and services are available to the uses in the Limited Business (LB) zoning district without excessive public cost;

WHEREAS, the Hailey City Council has found that the proposed uses in the Limited Business (LB) Zoning District are compatible with the surrounding area; and

WHEREAS, the Hailey City Council has found that the following amendments to the Hailey Municipal Code Title 17 conform to the Hailey Comprehensive Plan;

WHEREAS, the Hailey City Council has found that the amendment set forth in this Ordinance will promote the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 17.05.010 of the Hailey Municipal Code is hereby amended by the adoption of changing the zoning on the Official Zoning Map for Lot 1, Block 1, Northridge X Subdivision (31 East McKercher Boulevard) from Limited Residential (LR-1) to Limited Business (LB);

Section 2. Severability Clause. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after the approval, and publication according to law.
PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS __ DAY OF ________________, 2023.

____________________________
Martha Burke Mayor, City of Hailey

Attest:

____________________________
Mary Cone, City Clerk
January 4, 2023

Mr. Brian Yeager, PE, PLS
Public Works Director/City Engineer/Land Surveyor
115 South Main Street, Suite H
Hailey, ID 83333

Subject: **31 East McKercher Boulevard Water Usage Projections**

Dear Brian,

We understand that a change in use is proposed for the property at 31 East McKercher Boulevard. The facility was formerly used as an assisted living facility and under the proposal it would be converted to a residence hall. There are two buildings at the facility with 16 bedrooms each, for a total of 32 individual rooms. The rooms have private bathrooms, and each building includes common kitchen facilities.

In my professional opinion, conversion of the facility to the proposed use as a residence hall should not increase overall water usage. In fact, water usage may decrease as the new residents spend more time outside the facility each day as compared to the former residents. Peak water usage at the facility is anticipated to occur during the summer and be driven by seasonal irrigation which is not anticipated to change with the proposed use.

Guidance published by the Idaho Department of Water Resources recommends a planning value of 50 gallons per day (gpd) per resident for boarding houses and apartments, and 75-125 gpd/resident for institutions. Higher usage in assisted living facilities may be due to additional employees, laundry, kitchen, and cleaning requirements.

Please feel free to contact me with any questions or if you need any additional information.

Sincerely,

Eric Landsberg, PE
Good day,
These comments are regarding the Notice of Public Hearing for the January 17th Meeting.

The request by Mark Caplow regarding zone changes and amendments to the City Code;

- It appeared the City was held hostage by their own Code the last time Mr. Caplow came before the City.
- Comments were made by members of the City that they did not want to approve what was before them but it met the Code.
- Members of the City also stated that they need to review the Code and make changes before something like that happens again.
- I am not inferring that what Mr. Caplow is requesting from the City is pushing the boundaries of the Code again or not. However, now would be a good time to take a step back and address failings or weaknesses in the Code and make the changes that would be in the City's best interest rather than letting Code changes be dictated by requests from individual developers.

Thank you and regards,

Larry Green
101 N Main St
Hailey, ID  83333
MEMORANDUM

Date: January 11, 2023

To: Opal Engineering
Samantha Stahlecker, P.E.

From: Hales Engineering

Subject: Idaho Hailey 31 East McKercher Boulevard Trip Generation Study

Introduction

This memorandum discusses the trip generation study completed for the proposed 31 East McKercher Boulevard development in Hailey, Idaho. A vicinity map of the proposed development is shown in Figure 1.

Figure 1: Vicinity map of the proposed development in Hailey, Idaho
Background

The proposed development is located at 31 East McKercher Boulevard in Hailey, Idaho. The existing land use on-site includes a senior assisted living facility with 32 total beds. It is proposed that the existing land use be repurposed to a residence hall with shared kitchen and living areas. An alternative scenario of 12 single-family dwelling units was also evaluated for comparison.

Trip Generation

Trip generation for the existing and proposed land uses for the development were calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) Trip Generation (11th Edition, 2021). A comparison of the trip generation for the existing land use, the proposed land use, and an alternative land use is included in Table 1. ITE does not have specific trip generation rates for a residence hall. Therefore, the rates for low-rise multifamily housing were used as a comparable land use. However, the proposed residence hall is anticipated to generate less trips than a standard multifamily development.

Table 1: Trip Generation Comparison

<table>
<thead>
<tr>
<th>Land Use</th>
<th># of Units</th>
<th>Unit Type</th>
<th>Trip Generation</th>
<th>New Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td>% In</td>
</tr>
<tr>
<td><strong>Weekday Daily</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Assisted Living</td>
<td>32 Beds</td>
<td>84</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Proposed Multifamily Housing</td>
<td>32 DU</td>
<td>216</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Alternative Single-Family Detached Housing</td>
<td>12 DU</td>
<td>144</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td><strong>AM Peak Hour</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Assisted Living</td>
<td>32 Beds</td>
<td>6</td>
<td>60%</td>
<td>40%</td>
</tr>
<tr>
<td>Proposed Multifamily Housing</td>
<td>32 DU</td>
<td>14</td>
<td>24%</td>
<td>76%</td>
</tr>
<tr>
<td>Alternative Single-Family Detached Housing</td>
<td>12 DU</td>
<td>12</td>
<td>26%</td>
<td>74%</td>
</tr>
<tr>
<td><strong>PM Peak Hour</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Assisted Living</td>
<td>32 Beds</td>
<td>8</td>
<td>39%</td>
<td>61%</td>
</tr>
<tr>
<td>Proposed Multifamily Housing</td>
<td>32 DU</td>
<td>18</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>Alternative Single-Family Detached Housing</td>
<td>12 DU</td>
<td>14</td>
<td>63%</td>
<td>37%</td>
</tr>
</tbody>
</table>


SOURCE: Hales Engineering, January 2023

As shown in Table 1, it is anticipated that the existing land use for the project generates approximately 84 trips on an average weekday, including 6 trips during the morning peak hour, and 8 trips during the evening peak hour. The proposed land use will generate approximately 216 trips on an average weekday, including 14 trips during the morning peak hour, and 18 trips during the evening peak hour. The alternative land use will generate approximately 144 trips on an average weekday, including 12 trips during the morning peak hour, and 14 trips during the evening peak hour.
Therefore, the proposed land use is anticipated to generate 132 more trips on an average weekday, including 8 more morning peak hour trips, and 10 more evening peak hour trips. Similarly, the alternative land use is anticipated to generate 60 more trips on an average weekday, including 6 more morning peak hour trips, and 6 more evening peak hour trips. Hence, both the proposed and alternative land uses are anticipated to generate more trips than the existing land use.

Conclusions

The findings of this study are as follows:

- The existing site includes a senior assisted living facility with 32 total beds.
- It is proposed that the existing land use be repurposed to a residence hall.
  - Since ITE does not have specific trip generation rates for a residence hall, the rates for low-rise multifamily housing were used as a comparable land use
  - However, the proposed residence hall is anticipated to generate less trips than a standard multifamily development.
- An alternative scenario of 12 single-family dwelling units was evaluated for comparison
- The existing land use generates approximately 84 trips on an average weekday, including 6 trips during the morning peak hour, and 8 trips during the evening peak hour.
- The proposed land use generates approximately 216 trips on an average weekday, including 14 trips during the morning peak hour, and 18 trips during the evening peak hour.
  - Therefore, the proposed land use is anticipated to generate 132 more trips on an average weekday, including 8 more morning peak hours trips, and 10 more evening peak hour trips
- The alternative land use will generate approximately 144 trips on an average weekday, including 12 trips during the morning peak hour, and 14 trips during the evening peak hour.
  - Therefore, the alternative land use is anticipated to generate 60 more trips on an average weekday, including 6 more morning peak hours trips, and 6 more evening peak hour trips
- Hence, both the proposed and alternative land uses are anticipated to generate more trips than the existing land use

If you have any questions regarding this memorandum, please contact us at 801.766.4343.
Good day,
These comments are regarding the Notice of Public Hearing for the January 17th Meeting.

The request by Mark Caplow regarding zone changes and amendments to the City Code;

- It appeared the City was held hostage by their own Code the last time Mr. Caplow came before the City.
- Comments were made by members of the City that they did not want to approve what was before them but it met the Code.
- Members of the City also stated that they need to review the Code and make changes before something like that happens again.
- I am not inferring that what Mr. Caplow is requesting from the City is pushing the boundaries of the Code again or not. However, now would be a good time to take a step back and address failings or weaknesses in the Code and make the changes that would be in the City's best interest rather than letting Code changes be dictated by requests from individual developers.

Thank you and regards,

Larry Green
101 N Main St
Hailey, ID  83333
Return to Agenda
To: Hailey Planning and Zoning Commission

From: Robyn Davis, Community Development Director

Overview: Consideration of a Text Amendment to the Hailey Municipal Code, submitted by Silvercreek Living, LLC, c/o West of First, LLC, to amend Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.02.020: Meaning of Terms or Words, to define Residence Hall, as well as amend Section 17.05.040: District Use Matrix, to include Residence Hall as a permitted use within the Limited Business (LB) Zoning District only, to allow for a maximum density of 20 units per acre within the district, and to amend Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.01: Residential, to include parking regulations for the new use.

Hearing: January 17, 2023

Applicant: Silvercreek Living, LLC c/o West of First, LLC

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

Background and Application. In 2013, the Hailey Planning and Zoning Commission approved a Design Review Application for the location and construction of a Residential Care Facility, known as The Cottages of Sun Valley. This approval comprised of two structures, approximately 11,407 square feet each. Construction commenced and continued until 2015. From 2015 to 2017, the buildings sat unfinished and vacant. In 2017, a Design Review Exemption was approved, which allowed the owner to complete the construction of the buildings and begin operating as a care facility. In early 2022, the care facility closed, and as a result, the Applicant has been exploring ways to repurpose the buildings at 31 East McKercher.

The Applicant is aware of the housing shortage and lack of diverse housing options within the City of Hailey, and greater Wood River Valley, and as such, the Applicant - Silvercreek Living, LLC c/o West of First, LLC - has submitted a Text Amendment Application to amend Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.02.020: Meaning of Terms or Words, to include and define Residence Hall within Hailey’s Municipal Code. The Applicant is proposing to define Residence Hall as:

Residence Hall: A residential building with at least one (1) shared kitchen, at least one (1) shared living space, and a minimum of ten (10) private bedrooms with one (1) attached private bathroom per bedroom available for long-term rent or lease for residential occupancy.

Staff doesn’t believe the proposed term and definition fully capture Hailey’s demographic, existing and new, in its entirety, as Residence Hall is often tied to educational facilities and/or can be limiting of other
living arrangements. Staff is suggesting that the Commission consider incorporating the following term and definition, instead of Residence Hall, into Hailey’s Municipal Code:

**Co-Living Dwelling:** A building, or portion thereof, containing multiple private living spaces, at least one (1) shared kitchen, and at least one (1) shared living space. Each private living space shall include a bedroom but may or may not include a private bathroom. Each Co-Living Dwelling shall not exceed a total occupancy of four (4) people. Typically, private living spaces within a co-living dwelling are leased for residential occupancy only.

The Applicant is further proposing to amend Section 17.05.040: District Use Matrix, to include Residence Hall as a permitted use within the Limited Business (LB) Zoning District only, as well as to allow for a maximum density of 20 units per acre, which is consistent with the current maximum density of the LB Zoning District.

There are 32 bedrooms between the two (2) existing buildings onsite at 31 East McKercher. The parcel is 2.23 acres in size. If utilized as a Residence Hall/Co-Living Dwelling within the LB Zoning District, and with a maximum density of 20 units per acre, approximately 44 units could be established onsite (assuming the parking requirements can be met). It is Staff’s assumption that the Applicant will utilize the units and buildings as existing, and no additional development and/or increase in unit count are proposed at this time.

While the terms, Residence Hall or Co-Living Dwelling, are not codified in code, the use is currently permitted within all residential zoning districts (i.e., dwelling unit), and the City does not regulate where in residential zones this use is utilized nor how it functions. In code, Dwelling Unit is defined as:

**A building or separate portion thereof having a single kitchen and providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, designed to be occupied as a residence. Every dwelling unit shall have a total gross floor area of not less than two hundred (200) gross square feet, and shall include other requirements as specified in the IBC or IRC.**

The Applicant is proposing that the new term and use be permitted within the Limited Business (LB) Zoning District. Staff also recommends that the Commission consider expanding this use to the Business (B) District. The Applicant’s proposed amendments and Staff’s suggestions are shown in the table below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>Zones and Subdistricts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>RGB LR-1 LR-2 GR NB LB TN B LI TI A SCI- SO SCI-I</td>
</tr>
<tr>
<td>Residential:</td>
<td>Dwellings units within mixed use buildings</td>
<td>N N N N N P P P N p18 N N N N P P</td>
</tr>
<tr>
<td></td>
<td>Manufactured home</td>
<td>N P P P N P P N N N N N N</td>
</tr>
<tr>
<td></td>
<td>Multi-family dwellings</td>
<td>N N N P P C p18 N N N N N N</td>
</tr>
<tr>
<td></td>
<td>Single-family dwellings</td>
<td>N P P P N P P N N N N N N</td>
</tr>
</tbody>
</table>
In light of explicitly codifying the proposed use within the Limited Business (LB) and Business (B) Zoning Districts, the Commission may wish to specifically allocate density maximums consistent of the LB and B Zoning Districts. These amendments are shown in the table below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>Zones and Subdistricts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>RGB</td>
</tr>
<tr>
<td>Mixed-Use, Multifamily, and Co-Living Density</td>
<td>Mixed Use Residential Density: Maximum Units per Acre</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Multifamily Residential Density: Maximum Units per Acre</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Residence Hall/Co-Living Density: Maximum Units per Acre</td>
<td>20</td>
</tr>
</tbody>
</table>

Lastly, the Applicant is proposing to include parking for the new use within Hailey’s Municipal Code, and amend Section 17.09.040.01: Residential, to add this use and specify parking related to such use. The Applicant is proposing to require one (1) space per bedroom AND one (1) guest parking space for every six (6) Residence Hall/Co-Living rooms, as further shown in the table below. These proposed parking requirements are also consistent to that of the Downtown Residential Overlay (DRO) Zoning District.

| Accessory dwelling units and all dwellings less than 1,000 square feet | Minimum of 1 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. |
| Multiple-family dwellings and dwelling units with a mixed-use building | Minimum of 1.5 spaces per unit. |
| Single-family dwellings | 2 spaces per dwelling minimum, 6 spaces per dwelling maximum. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per 9 feet of floor width and 18 feet of floor length. The city will allow the use of 100-foot-wide rights of way within the Hailey original townsit for licensed passenger vehicle parking for single-family dwellings. Parking for accessory dwelling units must be provided on site. |
While Staff is supportive of the proposed parking amendments, the Applicant may need to limit the total number of leased rooms until parking improvements can be made to the site and/or a Development Agreement is established with regard to parking appurtenant to the subject parcel (Lot 1, Block 1, Northridge Subdivision X). Currently, the total number of onsite parking spaces at Silvercreek Living Facility are 19 spaces, of which, four (4) are accessible. If the parking requirements for Residence Hall/Co-Living Dwelling are approved as proposed, the total number of parking spaces required for this type of use would be 38 spaces. In this instance, the Applicant would need to improve approximately 19 onsite spaces to lease units in both buildings.

As another exercise, if the Commission chose to align the parking requirements of the proposed use with parking requirements of multifamily dwellings, a minimum of 1.5 spaces per unit would be required, or in this case 48 spaces would need to be provided onsite. Generally speaking, Co-Living Dwellings are intended to be utilized as workforce or employee housing, or serve individuals that are biologically unrelated, as an interim solution until more permanent housing can be secured. While there is no “stay limit” for this type of use, Staff feels that by aligning this use with the parking structure for multifamily units is unnecessary. Staff supports the parking requirements as proposed. If the Commission prefers to follow the parking structure for multifamily units, another alternative could be to consider reduced parking standards for those developments that include workforce and/or employee housing units.

The specific objective of the proposed amendment is to help alleviate the acute housing shortage, and further diversify the housing options in Hailey. This amendment would define a new residential use within the LB and Business (B) Zoning Districts. This amendment would further allow the existing Silvercreek Living Facility to be repurposed and utilized by residents that are currently employed with a local employer of Blaine County as employee housing, as workforce housing, or as an interim solution until more permanent housing is secured. The proposed amendment is in conjunction with a Rezone Application, which if approved, will further support the proposed text amendment, as well as offer a zoning district buffer between the Business (B) and Limited Residential (LR-1) Zoning Districts within the area. A detailed analysis of this can be found in the attached Staff Report.

Proposed Amendments. If adopted, the underlined text below would be added to the applicable code sections within Title 17: Zoning Regulations:

Chapter 17.02: Definitions
Section 17.02.020: Meaning of Terms or Words
Residence Hall: A residential building with at least one (1) shared kitchen, at least one (1) shared living space, and a minimum of ten (10) private bedrooms with one (1) attached private bathroom per bedroom available for long-term rent or lease for residential occupancy.

OR

Co-Living Dwelling: A building, or portion thereof, containing multiple private living spaces, at
least one (1) shared kitchen, and at least one (1) shared living space. Each private living space shall include a bedroom but may or may not include a private bathroom. Each Co-Living Dwelling shall not exceed a total occupancy of four (4) people. Typically, private living spaces within a co-living dwelling are leased for residential occupancy only.

Chapter 17.05: Official Zoning Map and District Use Matrix

### Section 17.05.040: District Use Matrix

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>Zones and Subdistricts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>RG B LR-1 LR-2 GR NB LB TN B LI TI A SCI-SO SCI-I</td>
</tr>
<tr>
<td>Residential:</td>
<td>Dwelling units within mixed use buildings</td>
<td>N N N N P P N P18 N N N P P</td>
</tr>
<tr>
<td></td>
<td>Manufactured home</td>
<td>N P P P N P P N N N N N</td>
</tr>
<tr>
<td></td>
<td>Multi-family dwellings</td>
<td>N N N P N P C P18 N N N N N</td>
</tr>
<tr>
<td></td>
<td>Single-family dwellings</td>
<td>N P P P N P P N N N N N</td>
</tr>
<tr>
<td></td>
<td>Residence Hall/Co-Living Dwelling</td>
<td>P P</td>
</tr>
</tbody>
</table>

Chapter 17.09: Parking and Loading Spaces

### Section 17.09.040.01: Residential

<table>
<thead>
<tr>
<th>Accessory dwelling units and all dwellings less than 1,000 square feet</th>
<th>Minimum of 1 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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple-family dwellings and dwelling units with a mixed-use building</td>
<td>Minimum of 1.5 spaces per unit.</td>
</tr>
<tr>
<td>Single-family dwellings</td>
<td>2 spaces per dwelling minimum, 6 spaces per dwelling maximum. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per 9 feet of floor width and 18 feet of floor length. The city will allow the use of 100-foot-wide rights of way within the Hailey original townsit for licensed passenger vehicle parking for single-family dwellings. Parking for accessory dwelling units must be provided on site.</td>
</tr>
</tbody>
</table>
Standards of Review:

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

1. The proposed amendment is in accordance with the comprehensive plan;
2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;
3. The proposed uses are compatible with the surrounding area; and
4. The proposed amendment will promote the public health, safety, and general welfare.

1. The proposed amendment is in accordance with the comprehensive plan; The Comprehensive Plan articulates the merits of diverse housing and population growth management through a balanced combination of infill and redevelopment. The Comprehensive Plan recognizes the importance of diverse housing opportunities to meet the demands of its residents, and further aims to encourage development that provides housing for an underserved market, small scale apartments – which are commonly rented by the locally-employed working class, as well as individuals of all socio-economic levels.

Staff finds that the proposed amendments, and suggested amendments by Staff, are directly supporting the goals and objectives of 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; The proposed amendments will not create excessive additional requirements at public cost for services, as Hailey’s municipal services are capable of servicing infill development and higher-density projects, and the amendments are intended to expand housing options and regulations within the City of Hailey – which is directly called for within Hailey’s Comprehensive Plan.

3. The proposed uses are compatible with the surrounding area. The proposed uses are compatible with the surrounding area and other areas throughout Hailey: this type of use is existing city-wide, is articulated in Hailey Comprehensive Plan, and is further considered in the long-term planning of the zoning districts.

4. The proposed amendment will promote the public health, safety, and general welfare. The amendments recommended are consistent with the Hailey Comprehensive Plan and will further increase Hailey’s housing stock – with a focus on serving an underserved market, providing small scale apartments – which are commonly rented by the locally-employed working class, as well as provide diverse housing opportunities for individuals of all socio-economic levels.
**Motion Language:**

**Approval:** Motion to recommend for approval by the Hailey City Council an Ordinance, Ordinance No. __________, amending Hailey's Municipal Code, Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.02.020: Meaning of Terms or Words, to define Residence Hall/Co-Living Dwelling, as well as amend Section 17.05.040: District Use Matrix, to include Residence Hall/Co-Living Dwelling as a permitted use within the Limited Business (LB) and Business (B) Zoning Districts, and to amend Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.01: Residential, to include parking regulations for the new term and use, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare, and read by title only.

**Denial:** Motion to recommend for denial by the Hailey City Council an Ordinance, Ordinance No. __________, amending Hailey's Municipal Code, Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.02.020: Meaning of Terms or Words, to define Residence Hall/Co-Living Dwelling, as well as amend Section 17.05.040: District Use Matrix, to include Residence Hall/Co-Living Dwelling as a permitted use within the Limited Business (LB) and Business (B) Zoning Districts, and to amend Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.01: Residential, to include parking regulations for the new use, finding that ____________________ [the Commission should cite which standards are not met and provide the reason why each identified standard is not met].

**Continuation:** Motion to continue the public hearing to ________________ [the Commission should specify a date].
HAILEY ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17: ZONING REGULATIONS, CHAPTER 17.02: DEFINITIONS, SECTION 17.02.020: MEANING OF TERMS OR WORDS, TO DEFINE CO-LIVING DWELLING; SECTION 17.05.040 DISTRICT USE MATRIX, TO INCLUDE CO-LIVING DWELLING AS A PERMITTED USE WITHIN THE LIMITED BUSINESS (LB) AND BUSINESS (B) ZONING DISTRICTS; AND CHAPTER 17.09: PARKING AND LOADING SPACES, SECTION 17.09.040.01: RESIDENTIAL, TO INCLUDE PARKING REGULATIONS FOR THE NEW USE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Municipal Code, Title 17, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the Hailey City Council has found that the proposed amendments will increase the housing supply and further diversify the housing options within the City of Hailey;

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

WHEREAS, the text amendment set forth in this ordinance will promote the public health, safety and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Title 17, Sections 17.02.020, 17.05.040, and 17.09.040.01 of the Hailey Municipal Code, are hereby amended by the addition of the underlined language, as follows:

Chapter 17.02: Definitions
Section 17.02.020: Meaning of Terms or Words

Residence Hall: A residential building with at least one (1) shared kitchen, at least one (1) shared living space, and a minimum of ten (10) private bedrooms with one (1) attached private bathroom per bedroom available for long-term rent or lease for residential occupancy.

OR

Co-Living Dwelling: A building, or portion thereof, containing multiple private living spaces, at least one (1) shared kitchen, and at least one (1) shared living space. Each private living space shall include a bedroom but may or may not include a private bathroom. Each Co-Living Dwelling shall not exceed a total occupancy of four (4) people. Typically, private living spaces within a co-living dwelling are leased for residential occupancy only.
### Chapter 17.05: Official Zoning Map and District Use Matrix

#### Section 17.05.040: District Use Matrix

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>Zones and Subdistricts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>RG B LR-1 LR-2 GR NB LB TN B LI TI A SCI-SO SCI-I</td>
</tr>
<tr>
<td>Residential:</td>
<td></td>
<td>RG B LR-1 LR-2 GR NB LB TN B LI TI A SCI-SO SCI-I</td>
</tr>
</tbody>
</table>

**Residential:**

<table>
<thead>
<tr>
<th>Description (Excerpt)</th>
<th>Zones and Subdistricts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling units within mixed use buildings</td>
<td>N N N N P P N P18 N N N N P P</td>
</tr>
<tr>
<td>Manufactured home</td>
<td>N P P P P N P P N N N N N N</td>
</tr>
<tr>
<td>Multi-family dwellings</td>
<td>N N N P N P C P18 N N N N N N</td>
</tr>
<tr>
<td>Single-family dwellings</td>
<td>N P P P N P P N N N N N N</td>
</tr>
<tr>
<td>Residence Hall/Co-Living Dwelling</td>
<td>P P</td>
</tr>
</tbody>
</table>

### Chapter 17.09: Parking and Loading Spaces

#### Section 17.09.040.01: Residential

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory dwelling units and all dwellings less than 1,000 square feet</td>
<td>Minimum of 1 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.</td>
</tr>
<tr>
<td>Multiple-family dwellings and dwelling units with a mixed-use building</td>
<td>Minimum of 1.5 spaces per unit.</td>
</tr>
<tr>
<td>Single-family dwellings</td>
<td>2 spaces per dwelling minimum, 6 spaces per dwelling maximum. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per 9 feet of floor width and 18 feet of floor length. The city will allow the use of 100-foot-wide rights of way within the Hailey original townsite for licensed passenger vehicle parking for single-family dwellings. Parking for accessory dwelling units must be provided on site.</td>
</tr>
<tr>
<td>Residence Hall/Co-Living Dwelling</td>
<td>Minimum of one (1) space per bedroom AND one (1) guest parking space for every six (6) co-living dwelling units.</td>
</tr>
</tbody>
</table>
Section 2. Severability Clause. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _____________________, 2023.

_________________________________
Martha Burke, Mayor, City of Hailey

Attest:

____________________________
Mary Cone, City Clerk
Return to Agenda