

**AGENDA**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, June 7, 2021**  
**In-Person and Virtual Meeting**  
**5:30 p.m.**

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyPZ>

Via One-touch dial in by phone: <tel:+15713173122,506287589#>

Dial in by phone: United States: +1 (571) 317-3122 Access Code: 506-287-589

## Call to Order

## Public Comment for items not on the agenda

### Consent Agenda

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

**CA 2** Adoption of Findings of Fact, Conclusions of Law and Decision of a Zone Change Application by Larry Green, L.L. Greens, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed changes include amending Lot 1, Block 2, Northridge X from Limited Business (LB) to Business (B), and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR). **ACTION ITEM.**

**CA 3** Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Larry Green, L.L. Greens, represented by Galena Engineering, where Lot 1, Block 2, Northridge X (21 Mckercher) is subdivided into 2 (2) lots, Lot 1A, 43,785 square feet and Lot 1B, 31,855 square feet. This project is located within the Limited Business (LB) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM.**

**CA 4** Adoption of Meeting Minutes dated April 19, 2021. **ACTION ITEM.**

### Public Hearing

**PH 1** Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 17: Zoning Regulations, Chapter 17.05, Official Zoning Map and District Use Matrix, Section 17.05.040, District Use Matrix, to amend General Residential Zone District setbacks by adding a new note, Note #23, to the Minimum Side and Rear Setbacks, which establishes new light and air setbacks from property lines abutting private property based on building height, and amending the base side yard setbacks abutting private property from ten (10) feet to eight (8) feet. **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: **June 21, 2021**

- DR: The Sage School

**SR** Discussion of county wide housing issues

**Return to Agenda**

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On May 17, 2021, the Hailey Planning and Zoning Commission considered and approved the Preliminary Plat Application by Marlow Non-Exempt Family Trust, represented by Galena Engineering, wherein Lots 5 and 7, Block 3, Quigley Farms Subdivision (1421 and 1401 Red Tail Lane) are subdivided to create four (4) townhome sublots (Sublots 5A & 5B and Sublots 7A & 7B), ranging in size from 5,638 square feet to 6,620 square feet. This project is located within the General Residential (GR) Zoning District.

### FINDINGS OF FACT

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on April 28, 2021, and mailed to adjoining property owners on April 28, 2021.

**Background and Application:** The Commission considered and approved a Preliminary Plat Application by Marlow Non-Exempt Family Trust, represented by Galena Engineering, wherein Lots 5 and 7, Block 3, Quigley Farms Subdivision (1421 and 1401 Red Tail Lane) are subdivided to create four (4) townhome sublots (Sublots 5A & 5B and Sublots 7A & 7B), ranging in size from 5,638 square feet to 6,620 square feet.

The Quigley Farms Subdivision Large Block Plat for Blocks 1-17 received Final Plat approval in June 2018. Phase I consisted of the Preliminary Plat for Blocks 1, 2, 3, 4, 10, 11 and 15, which included 36 lots comprising of 41 residential units (including eight community housing units), and commercial space. This approval included the provision that individual blocks may be approved for Final Plat, so long as each block supply separate infrastructure to stand on its own. Blocks 2, 3 and 4 received Final Plat approval on November 9, 2020.

Marlow Non-Exempt Family Trust requested approval to further subdivide Block 3 into four (4) sublots, as noted above. The proposed development will gain access off of the proposed alley, which is situated to the rear of the parcels. Driveways and all vehicular access will be from the alley.

**Procedural History:** The Application was submitted on March 31, 2021 and certified complete on April 2, 2021. A public hearing was held on May 17, 2021, in the Council Chambers of Hailey City Hall, and virtually via GoTo Meeting.

Standards of Evaluation for a Subdivision				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	<p><b>Engineering:</b> All infrastructure will require detailed final construction drawings to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey standard drawings, specifications and procedures.</p> <p>The Public Works Department recommends that the following be incorporated and/or resolved prior to the final design:</p>

				<ul style="list-style-type: none"> <li>- No potable water permits will be allowed until the water system for this portion of Quigley Farms has been approved by DEQ. These improvements have been bonded for and they are a work in progress.</li> <li>- Additional irrigation services shall be installed to each of the new lots, if this is not a 'common' system.</li> </ul> <p><i>The recommendations above have been made Conditions of Approval.</i></p>
				<b>Life/Safety:</b> No comments
				<p><b>Water and Wastewater:</b> The Water Division recommends that the following be resolved and/or completed prior to final design:</p> <ul style="list-style-type: none"> <li>- Meter vaults placed in driveways shall have a metal collar and be put to grade.</li> </ul> <p>The Wastewater Division recommends that the following be resolved and/or completed prior to final design:</p> <ul style="list-style-type: none"> <li>- Sewer services shall be installed to the center of each subplot (5A, 5B, 7A and 7B).</li> <li>- Existing sewer services shall remain abandoned.</li> </ul> <p><i>The recommendations above have been made Conditions of Approval.</i></p>
				<b>Building:</b> No comments
				<b>Streets:</b> No comments
				<b>City Arborist:</b> No comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.010 Development Standards	<p><b>Applicability:</b> The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Title, the Zoning Title and any other applicable Ordinance or policy of the City of Hailey and shall be in accordance with general provisions of the Comprehensive Plan.</p>
			Staff Comments	<i>Please refer to the specific standards as noted herein.</i>
<b>16.04.020: Streets:</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.020	<b>Streets:</b> Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p><b>Development Standards:</b> 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.</p>
			Staff Comments	<i>The project will connect to Quigley Farm Road, Red Tail Lane and Appaloosa Road. These streets are public streets. Red Tail Lane and Appaloosa Road are 60-feet in width. Quigley Farm Road is 70-feet in width. These streets are adequate to safely accommodate existing and anticipated vehicular/pedestrian traffic. For further comments or concerns noted by the Streets Division, please refer to Section 17.06.050: Streets. The Commission found that this standard has been met.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<p><b>Cul-De-Sacs; Dead-End Streets:</b> 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.</p>
			<i>Staff Comments</i>	<p><i>N/A, as no cul-de-sac or dead-end street is proposed. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<p><b>Access:</b> 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.</p>
			<i>Staff Comments</i>	<p><i>Access to the parcels can be achieved from Quigley Farm Road, Red Tail Lane, Appaloosa Road and Fox Acres Road. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>D.</b>	<p><b>Design:</b> 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.</p>
			<i>Staff Comments</i>	<p><i>It appears that all proposed streets intersect at 90-degree angles and that the proposed streets are separated by the recommended distances. Quigley Farm Road incorporates a four-way intersection and Appaloosa Road incorporates a three-way intersection. Traffic calming measures includes short street sections between Quigley Farm Road and Appaloosa Road. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>E.</b>	<p><b>Centerlines:</b> 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.</p>
			<i>Staff Comments</i>	<p><i>All streets within the subdivision are proposed as public streets. Each street varies in length, right-of-way width and alignment in order to best serve the Block 3.</i></p> <p><i>Deflections and curve radii will be further analyzed by the City Engineer at final design. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>F.</b>	<p><b>Width:</b> 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.</p>
			<i>Staff Comments</i>	<p><i>The public streets proposed (Quigley Farm Road, Red Tail Lane and Appaloosa Road) meet the minimum City Standards of 60' in width (Quigley Farm Road is proposed to be 70' in width), which is consistent with Title 18 of</i></p>

				<i>the Hailey Municipal Code. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>G.</b>	<b>Roadways:</b> 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.
			<i>Staff Comments</i>	<i>The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>H.</b>	<b>Road Grades:</b> 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.
			<i>Staff Comments</i>	<i>The subject Block is relatively flat. It appears that this standard has been met, but will be further reviewed for compliance at final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>I.</b>	<b>Runoff:</b> The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm water Discharge from Construction Activity" for all construction activity affecting more than one acre.
			<i>Staff Comments</i>	<i>To adequately accommodate runoff, drywell and other construction details shall be provided a final design. The Applicant shall also complete an EPA NPDES General Permit for Stormwater Discharge from Construction Activity prior to the commencement of construction. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>J.</b>	<b>Signage:</b> The developer shall provide and install all street and traffic control signs in accordance with City Standards.
			<i>Staff Comments</i>	<i>This standard will be met and will be reviewed for compliance at final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>K.</b>	<b>Dedication; Names:</b> 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.
			<i>Staff Comments</i>	<i>Upon approval of the Quigley Large Block Plat, dedication of street names and/or alleys have been achieved and approved by the City, as well as the Blaine County Assessor's Office. The Commission found that this standard has been met.</i>
			<b>L.</b>	<b>Private Streets:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 1.</b>	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.

			<i>Staff Comments</i>	<i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 2.</b>	<b>Private streets, wherever possible, shall provide interconnection with other public streets and private streets.</b>
			<i>Staff Comments</i>	<i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 3.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as no private street are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 4.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as no private street are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 5.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as no private streets are proposed. A 10’-wide Public Utility Easement is proposed between all proposed Sublot 5B and Lot 6, and between proposed Sublot 7A and Lot 6. A 10’-wide Snow Storage Easement also exists along the property frontage of all lots/sublots. Additionally, a 40’-wide Public Access, Utility and Snow Storage Easement is proposed to the rear of the parcels. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 6.</b>	<b>Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10’x20’) if angle parking, or ten feet by twenty-four feet (10’x24’) if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.</b>
			<i>Staff Comments</i>	<i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i>
			<b>M.</b>	<b>Driveways:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>At this time, no driveways are shown on the plat. The Applicant could propose shared driveways between Sublots 5A and 5B, as well as between Sublots 7A and 7B. It appears that no driveway will provide access to more</i>

				<p>than two (2) residential dwelling units; however, this will be reviewed for compliance at final design.</p> <p>Lastly, all driveways will meet City Standards and further details will be provided at the time of Building Permit submittal. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 2.</b>	<p>Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:</p> <p style="padding-left: 40px;">a) Accessing one residential unit: twelve feet (12')</p> <p style="padding-left: 40px;">b) Accessing two residential units: sixteen feet (16')</p> <p>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.</p>
			<i>Staff Comments</i>	<p>At this time, no driveways are shown on the plat. That said, all driveways and vehicular access will be achieved from the proposed alley, which is situated at the rear property line of the proposed sublots. Additionally, the Applicant could propose shared driveways between Sublots 5A and 5B, as well as between Sublots 7A and 7B. It appears that no driveway will provide access to more than two (2) residential dwelling units; however, this will be reviewed for compliance at final design.</p> <p>Additionally, no driveway materials are proposed at this time, but shall conform to this standard. Lastly, no portion of the driveways are proposed to be utilized for parking, above-ground utility structures, dumpsters, snow storage and other obstructions. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 3.</b>	<p>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.</p>
			<i>Staff Comments</i>	<p>It appears that no driveway exceeds 150' in length. More details are needed with regard to proposed driveways. Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 4.</b>	<p>Driveways accessing more than one residential dwelling unit shall be maintained by an owner's association, or in accordance with a plat note.</p>
			<i>Staff Comments</i>	<p>This is preferred by the City; however, more details are needed with regard to driveways. Details and compliance of City Standards will be reviewed during the development of construction drawings. Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 5.</b>	<p>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.</p>
			<i>Staff Comments</i>	<p>Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>M. 6.</b>	<p>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.</p>

			<b>Staff Comments</b>	<i>Driveways will not impact existing infrastructure and should be compatible with existing and planned residential units; however, further details are needed with regard to driveways. Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>N.</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>N/A. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>O.</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>N/A. The Commission found that this standard has been met.</i>
<b>16.04.030: Sidewalks and Drainage Improvements</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable City standards, except as otherwise provided herein.</b>
			<b>Staff Comments</b>	<i>All proposed streets have adjacent sidewalks or multiuse paths. Additional sidewalks and pathways occur throughout the development. The width of all sidewalks shall comply with the standards noted in Section 18.06.012.C: Mobility Design. This will be further reviewed for compliance at final design.</i>  <i>Additionally, A Right-of-Way Maintenance and Waste Water Discharge Agreement was approved, which further addresses maintenance of sidewalks within the City's Right-of-Way. To summarize, the agreement notes that:</i> <ol style="list-style-type: none"> <li>1) <i>The Association shall clear snow from all paved sidewalks in the Development which are located within the City's Right-of-Way.</i></li> <li>2) <i>The Association shall cause all sidewalks to be swept and cleared of debris at least once each spring after the snow melts, and as reasonably requested by the City.</i></li> <li>3) <i>The Association shall be solely responsible for all Maintenance Obligations associated with sidewalks, at a level consistent with the maintenance of the remainder of the Common Area. The Association shall replace the sidewalks at the end of their lifecycle.</i></li> </ol> <i>The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B.</b>	<b>The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</b>
			<b>Staff Comments</b>	<i>Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<b>New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.</b>
			<b>Staff Comments</b>	<i>Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>D.</b>	<b>Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.</b>

			<b>Staff Comments</b>	<i>N/A. Please refer to Section 16.04.030(A) for further details and/or comments noted by City Staff. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>E.</b>	<b>The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.</b>
			<b>Staff Comments</b>	<i>N/A. The Commission found that this standard has been met.</i>
<b>16.04.040: Alleys and Easements</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
			<b>A.</b>	<b>Alleys:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 1.</b>	<b>Alleys shall be provided in all Business District and Limited Business District developments where feasible.</b>
			<b>Staff Comments</b>	<i>An alley is proposed along the rear property line of the proposed sublots. All driveways and vehicular access will be achieved via the alley. This has been made a Condition of approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 2.</b>	<b>The minimum width of an alley shall be twenty-six (26') feet.</b>
			<b>Staff Comments</b>	<i>The proposed alley is 40' in width. All vehicular access for Block 3 will be achieved via this alley. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 3.</b>	<b>All alleys shall be dedicated to the public or provide for public access.</b>
			<b>Staff Comments</b>	<i>The proposed alley has been dedication for public access. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 4.</b>	<b>All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.</b>
			<b>Staff Comments</b>	<i>The proposed alley is 40' in width. This is platted as a 40'-wide Public Access, Utility and Snow Storage Easement, where all infrastructure will be installed underground. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 5.</b>	<b>Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the City Engineer. The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.</b>
			<b>Staff Comments</b>	<i>The proposed alley is within the General Residential (GR) Zoning District. Drainage plans will be further reviewed by City Staff at final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 6.</b>	<b>Dead-end alleys shall not be allowed.</b>
			<b>Staff Comments</b>	<i>N/A, as the alley proposed is not a dead-end alley. The alley can be accessed via Quigley Farm Road and Appaloosa Road. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 7.</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>The proposed alley is 40' in width. This is platted as a 40'-wide Public Access, Utility and Snow Storage Easement, where all infrastructure will be installed underground. The Commission found that this standard has been met.</i>

				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:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
			<i>Staff Comments</i>	<p><i>Though the proposed subdivision does not border the Big Wood River, the following easements are shown on the proposed plat:</i></p> <ol style="list-style-type: none"> <li>1. A 10'-wide Public Utility Easement between proposed Sublot 5B and Lot 6</li> <li>2. A 10'-wide Public Utility Easement between proposed Sublot 7A and Lot 6</li> <li>3. A 40'-wide Public Access, Utility and Snow Storage Easement along the rear property line of all parcels in Block 3</li> <li>4. A 10'-wide Snow Storage Easement along the property frontage of all sublots/lots.</li> </ol> <p><i>The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
			<i>Staff Comments</i>	<i>N/A, as no natural resource, riparian area, hazardous area or other limitation requires an easement for the proposed subdivision. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 3.	To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.
			<i>Staff Comments</i>	<i>Snow storage easements have been delineated on the Civil Plans. The plat shows a 10'-wide Public Utility and Snow Storage Easement along all property frontages of the proposed sublots, as well as a 40'-wide Public Access and Utility, and Snow Storage Easement between the lots. The Commission found that this standard has been met.</i>
<b>16.04.050: Blocks</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
			<i>Staff Comments</i>	<i>All proposed blocks are shown on the Preliminary Plat. The Commission found that this standard has been met.</i>
<b>16.04.060: Lots</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.060	<b>Lots:</b> All lots shown on the subdivision plat must conform to the minimum standards for lots in the District in which the subdivision is planned. The City will generally not approve single-family residential lots larger than one-half (1/2) acre (21,780 square feet). In the event a single-family residential lot greater than one-half (1/2) acre is platted, irrigation shall be restricted to not more than one-half (1/2) acre, pursuant to Idaho Code §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
			<i>Staff Comments</i>	<i>The proposed sublots meet the minimum size required by the General Residential (GR) Zoning District. No sublots are more than double the minimum lot size. Furthermore, The Applicant has no intention to further subdivide the proposed sublots within the subdivision, and no sublots are proposed to be at or larger than one-half (1/2) acre. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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).
			<i>Staff Comments</i>	<i>N/A, as no double frontage lots are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
			<i>Staff Comments</i>	<i>N/A, as no unbuildable lots are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
			<i>Staff Comments</i>	<i>N/A, as no flag lot is proposed at this time. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>E.</b>	<b>All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Section 16.04.020 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.</b>
			<i>Staff Comments</i>	<i>Block 3 includes four (4) Townhouse Sublots (5A, 5B, 7A and 7B), all sublots have frontage on a public street, and it appears that no frontage width will be less than the required driveway width, as noted herein. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>F.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as this project is not located within the Townsite Overlay (TO) Zoning District. The Commission found that this standard has been met.</i>
<b>16.04.070: Orderly Development</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.</b>
			<i>Staff Comments</i>	<i>No Phasing Plan has been developed for Block 3 specifically. That said, the Annexation Agreement serves as such, as it outlines several project phases. This agreement has been approved by City Council and has been recorded with Blaine County.</i>  <i>Phase I includes the subdivision of Blocks 1, 2, 3, 4, 10, 11 and 15. Each of these blocks shall be fully served by all necessary infrastructure in order to consider and issue a Final Plat for the associated blocks. In accordance with the Annexation Agreement, the future subdivision of blocks, such as this, is anticipated and permitted by the Agreement. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B.</b>	<b><u>Agreement:</u> 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.</b>
			<i>Staff Comments</i>	<i>No Phasing Plan has been developed for Block 3 specifically. That said, the Annexation Agreement serves as such, as it outlines several project phases. This agreement has been approved by City Council and has been recorded with Blaine County. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<b><u>Mitigation of Negative Effects:</u> 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:</b> <ul style="list-style-type: none"> <li>a) Provision of on-site or off-site street or intersection improvements.</li> <li>b) Provision of other off-site improvements.</li> <li>c) Dedications and/or public improvements on property frontages.</li> <li>d) Dedication or provision of parks or green space.</li> <li>e) Provision of public service facilities.</li> <li>f) Construction of flood control canals or devices.</li> <li>g) Provisions for ongoing maintenance.</li> </ul>

			<i>Staff Comments</i>	<p>a) Provision of on-site or off-site street or intersection improvements. N/A</p> <p>b) Provision of other off-site improvements. Several off-site improvements will be made, which include, but are not limited to: vehicular/bike lane improvements and Toe of the Hill Trail Connections.</p> <p>c) Dedications and/or public improvements on property frontages. N/A</p> <p>d) Dedication or provision of parks or green space. Please refer to Section 16.04.110 for further details.</p> <p>e) Provision of public service facilities. All public utilities and services proposed will be developed as part of the subdivision.</p> <p>f) Construction of flood control canals or devices. The construction and/or incorporation of roads and drywells are anticipated to improve drainage conditions onsite.</p> <p>g) Provisions for ongoing maintenance. A plan for ongoing maintenance was addressed in the Annexation Agreement and associated documents.</p> <p><i>The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D.	<p>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:</p> <ol style="list-style-type: none"> <li>1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.</li> <li>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.</li> <li>3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.</li> <li>4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.</li> <li>5. Park land shall be most appropriately located on the Contiguous Parcels.</li> <li>6. Grading and drainage shall be appropriate to the Contiguous Parcels.</li> <li>7. Development shall avoid easements and hazardous or sensitive natural resource areas.</li> </ol> <p>The commission and council may require that any or all contiguous parcels be included in the subdivision.</p>
			<i>Staff Comments</i>	<i>These issues have been covered in the full development of the project through the Annexation Agreement, as well as Large Block Plat. The Commission found that this standard has been met.</i>

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

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080	The City of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The City shall also not allow any perimeter landscape berm more than 3' higher than the previously existing (original) grade.

			<i>Staff Comments</i>	<i>N/A, as it appears no perimeter walls, gates or landscape berms are proposed within Block 3. The Commission found that this standard has been met.</i>
<b>16.04.090: Cuts, Fills, Grading and Drainage</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Plans Required: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.</b>
			<i>Staff Comments</i>	<i>No floodplain exists and the parcel is currently vacant. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 1.</b>	<b>A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.</b>
			<i>Staff Comments</i>	<i>At this time, the City Engineer has not required that a Soils Report be prepared and/or submitted. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 2.</b>	<b>A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information:</b> <ul style="list-style-type: none"> <li>a) Proposed contours at a maximum of two (2) foot contour intervals;</li> <li>b) Cut and fill banks in pad elevations;</li> <li>c) Drainage patterns;</li> <li>d) Areas where trees and/or natural vegetation will be preserved;</li> <li>e) Location of all street and utility improvements including driveways to building envelopes; and</li> <li>f) Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.</li> </ul>
			<i>Staff Comments</i>	<i>Preliminary grading, drainage, and street and utility improvements have been shown on the Civil Plans. City Staff has conducted an initial review and any comments and/or concerns are noted herein. The Commission found that this standard has been met.</i>
			<b>B.</b>	<b>Design Standards: The proposed subdivision shall conform to the following design standards:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>The grading has been developed for the proposed streets within the subdivision. Grading for dwelling units shall meet this standard. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 2.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as none exist within Block 3. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 3.</b>	<b>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</b>

				established, the Developer shall maintain and protect all disturbed surfaces from erosion.
			<i>Staff Comments</i>	<i>Erosion control and re-vegetation shall be included in final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 4.</b>	<p><b>Where cuts, fills or other excavation are necessary, the following development standards shall apply:</b></p> <ul style="list-style-type: none"> <li>a) Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</li> <li>b) Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing &amp; Materials (ASTM).</li> <li>c) Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.</li> <li>d) Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.</li> <li>e) Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.</li> </ul>
			<i>Staff Comments</i>	<i>Grading and drainage review shall take place during final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 5.</b>	<p>The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the City engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm-water Discharge from Construction Activity" for all construction activity affecting more than one acre.</p>
			<i>Staff Comments</i>	<i>A Storm Water Pollution Prevention Plan (SWPPP) will be necessary for any disturbances greater than one (1) acre and shall be provided at final design. Additionally, the Applicant will complete all applicable EPA permitting prior to construction. The Commission found that this standard has been met.</i>
<b>16.04.100: Overlay Districts</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
			<b>A.</b>	<b>Flood Hazard Overlay District:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Flood Hazard Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 2.</b>	<b>Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Flood Hazard Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 3.</b>	<b>Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.</b>

			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located adjacent to the Big Wood River or its tributaries. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<b>Hillside Overlay District:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 1.</b>	<b>Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 17.04N, of the Hailey Municipal Code.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 2.</b>	<b>Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 3.</b>	<b>All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>
<b>16.04.110: Parks, Pathways and Other Green Spaces</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</b>
			<i>Staff Comments</i>	<i>Open space dedications to the BCRD (Block 10) and BCSD (Block 1) were conveyed at the time of the Large Block Preliminary Plat. A 30'-wide open space/park pathway and public utility easement was granted within Lots 1-4 of Block 3. Numerous other open space parcels and pathways have been delineated on the Large Block Plat, creating the feel of a pedestrian-oriented development. Pathways have also been set aside for certain areas within the Quigley Farm Subdivision (i.e., extension of the Toe-of-the-Hill Trail, asphalt pathway to Quigley Road from Fox Acres, multiuse pathways planned in collaboration with BCRD, etc.); however, Block 3 was not required to provide for either parks or additional pathways at this time.</i>
				<i>The Commission found that this standard has been met.</i>
			<b>A. 1.</b>	<b>Parks:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 1. a.</b>	<b>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:</b>
				<b>P = x multiplied by .0277</b>
				<b>"P" is the Parks contribution in acres</b>
				<b>"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.</b>

			<b>Staff Comments</b>	<p><i>Mathematical calculations of this formula for the submitted plat result in the following requirements:</i></p> <p><b>Project Buildout with Number of Units:</b>  <math>.0277 \times 176 = 4.8752</math> acres</p> <p><i>The above calculation was discussed at length during the Preliminary Plat process of the Quigley Farm Subdivision Large Block Plat. Park Space was conveyed during this process and the Hailey City Council found that the amount of permanent open space protected by the project greatly exceeds the required amount. Furthermore, Block 3 is within the Large Block Plat of the Quigley Farm Subdivision, and as an individual plat, is not required to provide separate park space.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A.1.b</b>	<p><b>In the event the subdivision is located in the Business (B), Limited Business (LB), Neighborhood Business (NB), or Transitional (TN) zoning districts, the area required for a Park shall be reduced by 75%, but in no event shall the area required for a Park/Cultural Space exceed 17.5% of the area of the lot(s) being developed.</b></p>
			<b>Staff Comments</b>	<p><i>N/A, as the proposed subdivision is located in the General Residential (GR) Zoning District. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A. 2.</b>	<p><b>Pathways: The developer of any subdivision, or any part thereof, shall provide pathways for all trails and paths identified in the master plan that are located on the property to be subdivided or on City property adjacent to the property to be subdivided, and sidewalks required by this ordinance.</b></p>
			<b>Staff Comments</b>	<p><i>Pathways were also conveyed during the Preliminary Plat process of the Quigley Farm Subdivision Large Block Plat. A 30'-wide open space/park pathway and public utility easement was granted within Lots 1-4 of Block 3. Numerous other open space parcels and pathways have been delineated on the Large Block Plat, creating the feel of a pedestrian-oriented development. Pathways have also been set aside for certain areas within the Quigley Farm Subdivision (i.e., extension of the Toe-of-the-Hill Trail, asphalt pathway to Quigley Road from Fox Acres, multiuse pathways planned in collaboration with BCRD, etc.); however, Block 3, specifically, Sublots 5A, 5B, 7A and 7B, were not required to provide additional pathways.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<p><b>Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly:</b></p> <ul style="list-style-type: none"> <li>a) <b>By the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or</b></li> <li>b) <b>By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where a) such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or b) the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),</b></li> <li>c) <b>Multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sub-lots or condominium units, are subject to the provisions of this ordinance, and shall provide the required</b></li> </ul>

				<p>improvements subject to the required standards at or before the platting or development of the lots, sub-lots or units.</p> <p>d) <b>Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.</b></p>
			<i>Staff Comments</i>	<p><i>N/A, as these issues were covered in the full development of the project through the Annexation Agreement, as well as within the Large Block Plat. This does not apply specifically to the subject parcel. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<p><b>Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.</b></p>
			<i>Staff Comments</i>	<p><i>The Parks and Lands Board reviewed the full project in September 2016 and again in December 2017. In September 2016, the Parks and Lands Board reviewed the plan to develop Quigley Farm. The discussion included the relocation of ball fields and the addition of sports fields. It also included future cross-country skiing trails, biking trails and connections to the existing Toe of the Hill Trail. The addition of paved bike paths, parking, a pavilion and restroom, mountain bike and hand-cycling trails and other connections to existing trails were also discussed.</i></p> <p><i>At the December 2017 meeting, the Parks and Lands Board unanimously voted to approve Quigley Farm Subdivisions open space dedication as proposed, with the following conditions:</i></p> <ol style="list-style-type: none"> <li><i>1) A bike path be added between Quigley Road and Fox Acres Road, east of the dedicated parcel to BCSD;</i></li> <li><i>2) A public process to take place to determine the future of the berms on the west side of the parcel dedicated to the BCSD; and</i></li> <li><i>3) Wayfinding and dog pot station to be added at the end of Antler Drive where the bike path begins.</i></li> </ol> <p><i>These conditions were covered in the full development of the project through the Large Block Plat. They are a work in progress and will see completion through the ongoing development of Quigley Farm Subdivision.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
			<b>D.</b>	<b>Minimum Requirements:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>D. 1.</b>	<p><b>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.</b></p>
			<i>Staff Comments</i>	<p><i>No private green space specifically for Block 3 is being proposed at this time. Numerous open space parcels have been delineated on the Large Block Plat, which is protected from redevelopment, and will be managed by the Homeowner’s Association.</i></p> <p><i>The Commission found that this standard has been met.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>D. 2.</b></p> <p><b>Neighborhood Park:</b> 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.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no neighborhood park is proposed within Block 3 at this time. Open space dedications to the BCRD (Block 10) and BCSD (Block 1) were conveyed at the time of the Large Block Preliminary Plat. The parcels, if fully developed, satisfy this standard.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>D. 3.</b></p> <p><b>Mini Park:</b> 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.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no mini park is proposed within Block 3 at this time. The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>D. 4.</b></p> <p><b>Park/Cultural Space:</b> 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.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no park/cultural space is proposed within Block 3 at this time. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>D. 5.</b></p> <p><b>Pathway:</b> 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.</p>
			<p><i>Staff Comments</i></p> <p><i>Pathways were conveyed during the Preliminary Plat process of the Quigley Farm Subdivision Large Block Plat. That said, a 30'-wide open space/park pathway and public utility easement was granted within Lots 1-4 of Block 3. The subject parcels are Sublots 5A, 5B, 7A and 7B of Block 3. The pathway will be further addressed at the time of development or replat of Lots 1-4.</i></p> <p><i>Other pathways have been delineated on the Large Block Plat, creating the feel of a pedestrian-oriented development. Pathways have also been set aside</i></p>

				<p>for certain areas within the Quigley Farm Subdivision (i.e., extension of the Toe-of-the-Hill Trail, asphalt pathway to Quigley Road from Fox Acres, multiuse pathways planned in collaboration with BCRD, etc.); however, Block 3, specifically, Sublots 5A, 5B, 7A and 7B, were not required to provide additional pathways.</p> <p><i>The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E.	<p><b>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):</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 1.	<p><b>Shall meet the minimum applicable requirements required by Subsection D of this section.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110 for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 2.	<p><b>Shall provide safe and convenient access, including ADA standards.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110 for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 3.	<p><b>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.</b></p> <p><i>Staff Comments</i> No gates or restricted access are proposed. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 4.	<p><b>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.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110 for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 5.	<p><b>Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110 for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. 6.	<p><b>Shall require low maintenance or provide for maintenance or maintenance endowment.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110 for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F.	<p><b>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):</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F. 1.	<p><b>Shall meet the minimum applicable requirements required by Subsection D of this section.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110.D for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F. 2.	<p><b>Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.040.110.A for further details. The Commission found that this standard has been met.</p>

			<b>G.</b>	<b>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):</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>G. 1.</b>	<b>Shall meet the minimum applicable requirements required by subsection D of this section.</b>
			<i>Staff Comments</i>	<i>Please refer to Section 16.04.110 for further details. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>G. 2.</b>	<b>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).</b>
			<i>Staff Comments</i>	<i>Please refer to Section 16.04.110 for further details. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>G. 3.</b>	<b>The use of the private green space shall be restricted to Parks, Pathways, trails or other recreational purposes, unless otherwise allowed by the City.</b>
			<i>Staff Comments</i>	<i>Please refer to Section 16.04.110 for further details. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>G. 4.</b>	<b>The private ownership and maintenance of green space shall be adequately provided for by written agreement.</b>
			<i>Staff Comments</i>	<i>Maintenance shall be managed and funded by the Subdivision's HOA, if private space is proposed. The Commission found that this standard has been met.</i>
			<b>H.</b>	<b>In-Lieu Contributions:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>H. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>H. 2.</b>	<b>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 subsections E4 and E5 of this section. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.</b>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>H. 3.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>H. 4.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>

16.05: Improvements Required:				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.010	<p><b>Minimum Improvements Required:</b> It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.</p> <p><i>Staff Comments</i>                      The Applicant intends to construct all necessary infrastructure, if the project is approved. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p><b>Plans Filed, maintained:</b> Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.</p> <p><i>Staff Comments</i>                      This standard will be met. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	<p><b>Preconstruction Meeting:</b> Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.</p> <p><i>Staff Comments</i>                      This standard will be met. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<p><b>Term of Guarantee of Improvements:</b> The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City engineer, except that parks shall be guaranteed and maintained by the developer for a period of two years.</p> <p><i>Staff Comments</i>                      This standard will be met. The Commission found that this standard has been met.</p>
16.05.020: Streets, Sidewalks, Lighting, Landscaping				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.020	<p><b>Streets, Sidewalks, Lighting, Landscaping:</b> The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix and shall chip-seal streets and alleys within one year of construction.</p> <p><i>Staff Comments</i>                      All public infrastructure shall meet City specifications. No street lights are proposed at this time. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p><b>Street Cuts:</b> 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</p>

				<p>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)</p>
			<i>Staff Comments</i>	<p>Any and all proposed street cuts shall be per this standard and shall be approved by the Streets Division prior to construction.</p> <p>All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B.</b>	<p><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.</b></p>
			<i>Staff Comments</i>	<p>Street names and signage are proposed. All proposed street names have been reviewed and approved by the City and the Assessor's Office. A Street Signage Plan shall be approved prior to installation. This has been made a Condition of Approval.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>C.</b>	<p><b>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 VIII B of the Hailey Zoning Ordinance.</b></p>
			<i>Staff Comments</i>	<p>N/A, as no street lights are shown and/or proposed. The Commission found that this standard has been met.</p>
<b>16.05.030: Sewer Connections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.030</b>	<p><b>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.</b></p>
			<i>Staff Comments</i>	<p>Sewer services are shown from connecting into a sewer main. Connection details to the existing sewer system shall be approved by the Wastewater Division prior to construction. All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.</p> <p>Other recommendations and/or comments made by the Wastewater Division include:</p> <ul style="list-style-type: none"> <li>- Sewer services shall be installed to the center of each subplot (5A, 5B, 7A and 7B)</li> <li>- Existing sewer services shall remain abandoned.</li> </ul> <p>The items above have been made Conditions of Approval.</p>
<b>16.05.040: Water Connections</b>				

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>A.</b></p> <p><b>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.</b></p> <p><i>Staff Comments</i></p> <p><i>Water services are shown from each lot and connecting into an eight (8”) inch water main. Connection details to the existing water system shall be approved by the Water Division prior to construction. All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.</i></p> <p><i>Other recommendations and/or comments made by the Water Division include:</i></p> <ul style="list-style-type: none"> <li>- <i>No potable water permits will be allowed until the water system for this portion of Quigley Farms has been approved by DEQ. These improvements have been bonded for and they are a work in progress.</i></li> <li>- <i>Additional irrigation services shall be installed to each of the new lots, if this is not a ‘common’ system.</i></li> <li>- <i>Meter vaults placed in driveways shall have a metal collar and be put to grade.</i></li> </ul> <p><i>The items above have been made a Conditions of Approval.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>B.</b></p> <p><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.</b></p> <p><i>Staff Comments</i></p> <p><i>N/A, as this project is not within the Townsite Overlay (TO) District. The Commission found that this standard has been met.</i></p>
<b>16.05.050: Drainage</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>16.05.050</b></p> <p><b>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)</b></p> <p><i>Staff Comments</i></p> <p><i>Review of drainage calculations will take place during final design. Design concepts must conform to City of Hailey standard drawings, specifications and procedures. The Commission found that this standard has been met.</i></p>
<b>16.05.060: Utilities</b>			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>16.05.060</b></p> <p><b>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.</b></p>

			<b>Staff Comments</b>	<i>Utilities will be constructed and installed underground. Additional utility company comment and engineering details will be required at final design. The Commission found that this standard has been met.</i>
<b>16.05.070: Parks, Green Space</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.070</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>Please refer to Section 16.04.110 for further detail. The Commission found that this standard has been met.</i>
<b>16.05.080: Installation to Specifications; Inspections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.080</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey specifications and will be further evaluated in greater detail at final design. The inspection process of the proposed public improvements shall include materials testing to ensure the compliance with the Hailey Municipal Code.</i>  <i>The City will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction. The Commission found that this standard has been met.</i>
<b>16.05.090: Completion; Inspections; Acceptance</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>This standard shall be met. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<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)</b>
			<b>Staff Comments</b>	<i>N/A, as completion of all major infrastructure by the Developer is preferred over bonding. The Commission found that this standard has been met.</i>
<b>16.05.100: As Built Plans and Specifications</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.100</b>	<b>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)</b>
			<b>Staff Comments</b>	<i>As built drawings will be required. This standard will be met. The Commission found that this standard has been met.</i>
<b>16.08: Townhouses:</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.010</b>	<p><b>Plat Procedure:</b> The developer of the townhouse development shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control (including billing, where applicable) and maintenance of all common utilities, commonly held facilities, garages, parking and/or green spaces. Prior to final plat approval, the developer shall submit to the city a final copy of the party wall agreement and any other such documents and shall record the documents prior to or at the same time of the recordation of the plat, which plat shall reflect the recording instrument numbers thereupon. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<i>This standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.020</b>	<p><b>Garages:</b> All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is appurtenant to specific townhouse units on the townhouse plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<i>No garages have been shown on the plat. That said, it is expected that all garages be located on the same subplot as the principal dwelling. This standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.030</b>	<p><b>Storage, Parking Areas:</b> Residential townhouse developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<i>Per the Hailey Municipal Code, Multifamily Dwellings are required to provide at least 1.5 onsite parking spaces. At this time, no onsite parking has been delineated. Upon further development of a site plan, this standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.040</b>	<p><b>Construction Standards:</b> 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)</p>
			<i>Staff Comments</i>	<i>This standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.050</b>	<p><b>General Applicability:</b> 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)</p>
			<i>Staff Comments</i>	<i>This standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.060</b>	<p><b>Expiration:</b> 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).</p>
			<i>Staff Comments</i>	<i>This standard will be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.08.070</b>	<p><b>Conversion:</b> The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)</p>

			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080</b>	<b>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)</b>
			<i>Staff Comments</i>	<i>The proposed parcel is zoned General Residential (GR), which allows for ten (10) units per one (1) acre. Four (4) sublots are proposed, which are separated in half (two sublots to the north and two sublots to the south) by Lot 6 (different ownership). Only one (1) dwelling unit is proposed per sublot. That said, if duplexes are constructed, the duplexes shall be constructed with a shared party wall. This has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.11.010</b>	<b>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 developer establishes only that exceptions will allow more financially feasible or profitable subdivision. (Ord. 1191, 2015).</b>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>

### CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

- 1) Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
- 2) The project is in general conformance with the Hailey Comprehensive Plan.
- 3) The project does not jeopardize the health, safety, or welfare of the public.
- 4) Upon compliance with the conditions set forth, the project conforms to the applicable standards of the Hailey Municipal Code and City Standards.

### DECISION

The Preliminary Plat Application by Marlow Non-Exempt Family Trust, represented by Galena Engineering, wherein Lots 5 and 7, Block 3, Quigley Farms Subdivision (1421 and 1401 Red Tail Lane), are subdivided to create four (4) townhome sublots, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Chapter 17.11, applicable requirements of the Hailey Municipal Code, Title 18, and City Standards, provided conditions (1) through (12) are met.

**General Conditions:**

- 1) All Fire Department and Building Department requirements shall be met and shall meet City Standards where required.

- 2) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 16.02.080 of the Hailey Municipal Code.
- 3) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the Final Plat.
- 4) The Final Plat must be submitted within one (1) calendar year from the date of approval of the Preliminary Plat.
- 5) Any Subdivision Inspection Fees due shall be paid prior to recordation of Final Plat.
- 6) Any Application Development Fees shall be paid prior to recordation Final Plat.
- 7) Prior to construction, the Applicant shall submit the following, if deemed necessary:
  - i. A Storm Water Pollution Prevention Plan (SWPPP)
  - ii. An Erosion Control Plan

**Streets and Right-of-Ways:**

- 8) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to:
  - i. Driveways accessing more than one (1) residential dwelling unit shall be maintained by a Homeowner's Association, or in accordance with a plat note.
  - ii. Drywell and other construction details shall be provided at final design.
  - iii. A Street Signage Plan shall be approved prior to the installation of street name signs and traffic control signs.

**Water and Wastewater:**

- 9) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to:
  - i. Sewer services shall be installed to the center of each subplot (5A, 5B, 7A and 7B)
  - ii. Existing sewer services shall remain abandoned.
  - iii. No potable water permits will be allowed until the water system for this portion of Quigley Farms has been approved by DEQ.
  - iv. The Applicant shall install additional irrigation services to each of the new sublots, if system is not a 'common' system.
  - v. All meter vaults that are placed in driveways shall have metal collars and be put to grade.

**Other:**

- 10) All of the requirements of the Annexation, Services and Development Agreement dated August 16, 2017, the Large Block Plat Conditions of Approval dated July 9, 2018, and Phase I of the Final Plat for Blocks 2-4 dated November 23, 2020, still apply.

- 11) A plat note shall be added that states, “All duplexes shall be constructed with a shared party wall”.
- 12) All dwelling units shall be accessed via the alley.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On May 17, 2021, the Hailey Planning and Zoning Commission considered and approved a Zone Change Application by Larry Green, L.L. Greens, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed changes include amending Lot 1, Block 2, Northridge X from Limited Business (LB) to Business (B), and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR).

### FINDINGS OF FACT

**Notice:** Notice for the public hearing scheduled for was published in the Idaho Mountain Express May 5, 2021, and mailed to property owners and agencies within 300 feet on May 5, 2021. Notice was posted on the property on May 10, 2021.

**Background:** In 2017, L.L. Green's Hardware received approval for a rezone of the subject parcel, Lot 1, Block 2, Northridge X Subdivision, from Limited Residential (LR-1) to Limited Business (LB). The rezone was to allow for the construction of a new hardware store on a portion of the lot. The Applicant intended to develop the parcel once the building that the hardware store currently occupies (101 North Main Street) sold. No sales were ever finalized.

Then, in February 2021, the Applicant and Silver Creek Property Holdings joined forces and proposed to rezone the subject parcel from Limited Business (LB) and General Residential (GR) to Business (B), as well as rezone the residential parcel from Limited Residential (LR-1) to General Residential (GR) and Downtown Residential Overlay (DRO). This rezone would have allowed for the development of a new car dealership for the existing business, Silver Creek Ford, as well as a new hardware store for the existing business, L.L. Green's Hardware.

Due to various reasons, Silver Creek Property Holdings withdrew all applications (Rezone, CUP and Design Review Preapplication). Larry Green of L.L. Green's Hardware, represented by Galena Engineering, is now requesting approval to subdivide Lot 1, Block 2, Northridge X (21 East McKercher) into two (2) lots, to utilize proposed Lot 1A as the new home for L.L. Green's Hardware. Larry Green has been granted written permission by the property owner, West of First, LLC, to apply for this rezone. See also related subdivision staff report.

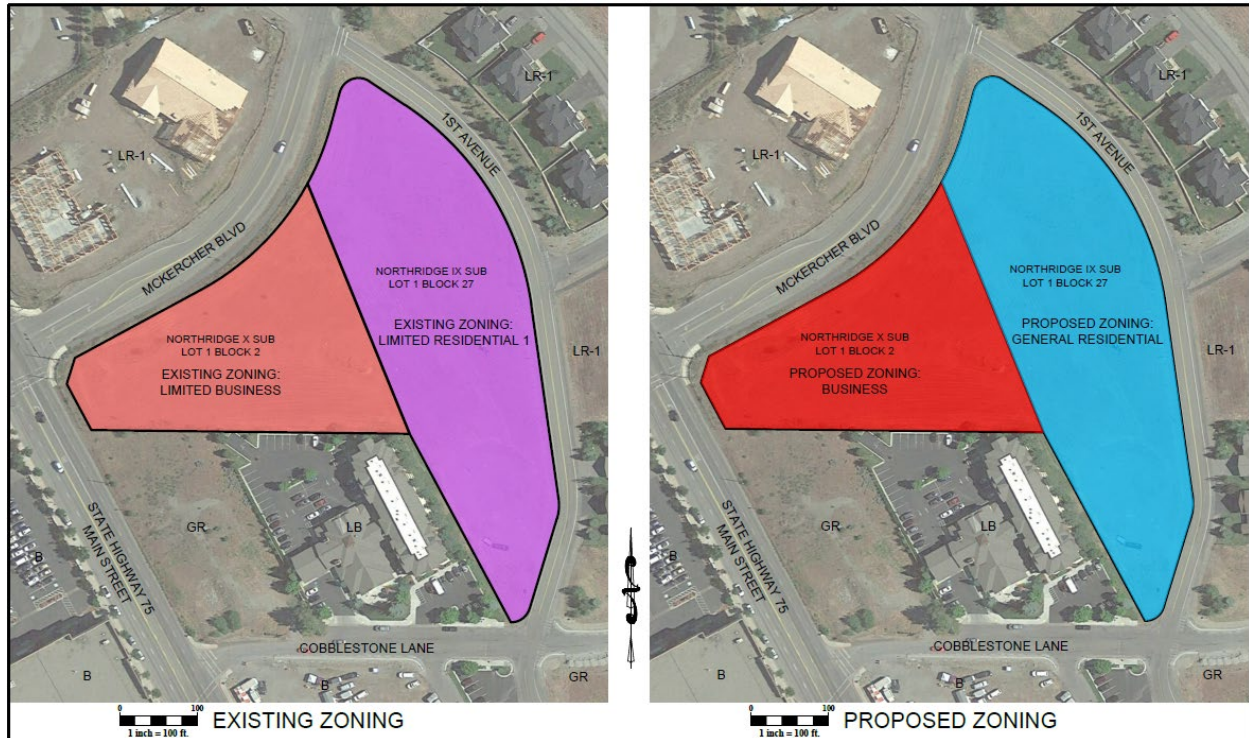
**Application:** The Applicant requested an amendment to the City of Hailey Zoning District Map with a Rezone Application. The proposed changes included amending Lot 1, Block 2, Northridge X from Limited Business (LB) to Business (B), and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR).

Current Zoning is as follows:

Property Owner	Address	Current Zone	Requested Zone
West of First LLC	Lot 1, Block 2, Northridge X (21 E McKercher Blvd)	Limited Business and Downtown Residential Overlay (DRO)	Business (B) and would remain within the Downtown Residential Overlay (DRO)

West of First LLC	Lot 1, Block 27, Northridge IX	Limited Residential 1 (LR 1)	General Residential (GR)
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As described in the above table and shown in the image below, there are two (2) parcels the Applicant is requesting a zone change for.



**Analysis and Discussion:** The subject property is located on the northern edge of downtown, on the east side of Main Street. The parcels are vacant and the AmericInn is nestled adjacent to the two (2) lots. The area is primarily commercial, but transitions to residential along First Avenue. Properties to the south and west are zoned Business (B) and are located within the Downtown Residential Overlay (DRO), and the property to the north, occupied by Silver Creek Assisted Living (31 East McKercher Boulevard), is zoned Limited Residential (LR-1). (However, note that the use of Silver Creek Assisted Living has more intensity than single family uses).

**1. Purposes of Zone Districts. 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. The Applicant is proposing that one of the two parcels, originally zoned Limited Business and within the Downtown Residential Overlay (DRO), (21 East McKercher Boulevard), be zoned Business (B) and remain in the DRO.

To further support the rezone request, the Applicant has stated:

- Northridge X Subdivision, Proposed Lots 1A and 1B, Block 2

All properties north of Walnut Street within the DRO on both sides of Main Street are currently

zoned Business with the exception of Tax Lot 7589, Gateway Subdivision Block 1, Lot 1, and subject properties listed above. Changing the existing zoning from LB to B will provide consistency with the northern DRO along Main Street. Additionally, the current LB zoning does not allow for retail 'mercantile' use despite the property's adjacency to Main Street and surrounding Business zoned properties.

- Northridge IX Subdivision, Lot 1, Block 27

Revising the zoning of Northridge IX Subdivision, Lot 1, Block 27 to allow for higher density residential uses would provide a buffer or transition between commercial uses and low-density residential uses adjacent to the east. This buffer or transition from commercial use to higher density residential use to low density residential use is consistent throughout the city. Low density, LR zoning is directly adjacent to commercial or industrial uses in only a handful of locations in the City of Hailey. The largest occurrence of adjacency occurs along Broadford Road where industrial uses abut low LR-1 and LR-2 zoning. Broadford Road and adjacent landscaping provides buffering between these two use types that is not possible between Northridge IX Subdivision, Lot 1, Block 27 and Northridge X, Subdivision Lot 1, Block 2.

**General Residential (GR):** The purpose of the GR District is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood. Located near the north entrance of the City, the subject parcel is undeveloped and underutilized. The Applicant is proposing to rezone the parcel (Lot 1, Block 27, Northridge IX) from Limited Residential (LR-1) to General Residential (GR).

Per the Applicant, the change in zoning would protect the traditional character and scale of the residential zoning districts; however, provide a higher density of residential infill adjacent to the Main Street Corridor. Additionally, the rezone will provide a residential buffer between the existing single-family homes and lower density housing (east side of First Avenue) and the existing/proposed commercial uses to the west.

**Summary of Uses:** The proposed zone changes would increase the range of uses permitted on these properties, as well as provide greater flexibility with density, setback and bulk requirements. Comparisons of existing and proposed rezones are noted below.

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

Address/Parcel/Use		Existing Zone District	Proposed Zone District
<b>21 East McKercher Boulevard (Lot 1, Block 2, Northridge X) – L.L. Greens</b>		<b>LB/DRO</b>	<b>B/DRO</b>
Setbacks	Minimum front yard setback (feet)	20	0 <sup>7</sup>
	Minimum side yard setback	10 <sup>7, 19, 20</sup>	0 <sup>7, 19, 20</sup>

	(feet)		
	Minimum rear yard setback (feet)	10 <sup>7, 19, 20</sup>	0 <sup>7, 19, 20</sup>
Height	Maximum building Height	35'	35'
Notes	7.	Townhouse unit shall be allowed 0 setbacks from the lot lines created by a townhouse subplot and the separation of the building containing townhouse units in a townhouse development parcel shall be not less than 6 feet as measured between any wall or any projection of a building, including, but not limited to, eaves, cornices, canopies, or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.	
	19.	See also subsections <a href="#">17.07.010</a> F and G of this title.	
	20.	See also subsections <a href="#">17.07.010</a> F and G of this title.	

The existing parcel at 21 East McKercher (Lot 1, Block 2, Northridge X) is approximately 1.74 acres. It is zoned LB and is within the DRO. Within the LB Zone District, the underlying density is 20 units per acre and does not have a maximum lot coverage. That said, the parcel is also located within the DRO, and within the DRO, the use and bulk requirements shall meet those of the underlying zoning district; however, some have been amended to allow for no maximum residential percentage on the ground level, and no provisions for residential units per acre applies. Additionally, density is limited by required open space, parking, landscaping and the Design Review Standards.

This zone change is a logical extension of the Business Zone District and would not create a spot zoning condition within the area. Furthermore, the zone change would allow for commercial and retail development along the Main Street Corridor.

The proposed use, L.L. Greens, another long-standing business in the City of Hailey, is permitted in the Business Zone District. The change in zoning districts could result in a building setback of zero (0) feet on all sides of the property line (in Business Zone District) rather than setbacks of 20 feet in the front yard and 10 feet in the side yards and rear (in Limited Business Zone District). The Applicant does not intend to construct the proposed building on the property lines (in any alternative) and has shown the building setback from all property lines, although the building is closer than 20' near the intersection of Main and McKercher where the lot is narrow. See preliminary site plan attached to this report.

The maximum building height in the LB Zone District is 35'. The maximum building height in the Business District is thirty-five feet (35'), except a building containing at least one (1) residential dwelling unit may

have a maximum height of forty feet (40'). A residential unit for the proposed use (L.L. Greens) is not shown on the drawing set; therefore, the maximum height for the building within the Business District is 35'. Additionally, any building exceeding thirty feet (30') shall comply with relevant sections and appendices of the IFC, such as, fire access lanes, provisions for exterior roof access, and provisions of sprinkler systems. No building may exceed three (3) stories from the street frontage. L.L. Greens is proposed to be two (2) stories in height.

Address/Parcel/Use		Existing Zone District	Proposed Zone District
<b>Address TBD (Lot 1, Block 27, Northridge IX) – Northridge Condos</b>		<b>LR-1</b>	<b>GR</b>
Setbacks	Minimum front yard setback (feet)	25	20
	Minimum side yard setback (feet)	10 <sup>3, 19, 20</sup>	10 <sup>7, 19, 20</sup>
	Minimum rear yard setback (feet)	10 <sup>3, 19, 20</sup>	10 <sup>7, 19, 20</sup>
Height	Maximum building Height	30'	35'
Notes	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 <a href="#">17.04B.050</a> of this title for more explanation.	
	7.	Townhouse unit shall be allowed 0 setbacks from the lot lines created by a townhouse subplot and the separation of the building containing townhouse units in a townhouse development parcel shall be not less than 6 feet as measured between any wall or any projection of a building, including, but not limited to, eaves, cornices, canopies, or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.	
	19.	See also subsections <a href="#">17.07.010</a> F and G of this title.	
	20.	See also subsections <a href="#">17.07.010</a> F and G of this title.	

The existing parcel at Lot 1, Block 27, Northridge IX is approximately 2.64 acres. It is zoned LR-1 and is not within the DRO. It has remained undeveloped for the last 40 years. It serves as a transitional parcel between single family uses to the east and the commercial zone district to the west.

The Applicant proposed to rezone the parcel to General Residential (GR). The GR Zone District would allow the Applicant to construct ten (10) homes per acre, or up to 26 new residential units. Note that this density may not actually be achievable, as roads have not been accounted for. This density would be compatible with the Comprehensive Plan, is encouraged within the area.

Under the current LR zoning on this parcel, the Applicant would be able to construct approximately 14 single-family homes.

Per the Applicant, the change in zoning would protect the traditional character and scale of the residential zoning districts; however, provide a higher density of residential infill adjacent to the Main Street Corridor. Additionally, the rezone will provide a residential buffer between the existing single-family homes and lower density housing (east side of First Avenue) and the existing/proposed commercial uses to the west.

The change from LR to GR only minimally affects bulk, in the form of front yard setback and building height. The front yard setback would change from 20' to 25', and would place buildings 5' closer to 1<sup>st</sup> Avenue. The height change would allow for buildings to be 5' taller. The Commission discussed this matter, and found that limiting the building height on this parcel to 30' would create better neighborhood compatibility. This has been made a condition of approval.

Note that the current LR Zoning does not provide any 'step-down' in scale and size from the adjacent commercial uses. This may explain why this parcel remains undeveloped as single-family uses over the 20+ year life of the Northridge neighborhood buildout.

**3. Existing Land Uses:** The subject property is located on the northern edge of downtown, on the east side of Main Street. The parcels are vacant and the AmericInn is nestled between the two (2) lots. The area is primarily commercial, but transitions to residential along First Avenue. Properties to the south (both vacant) and west (Albertsons Grocery and Stinker Gas Station) are zoned Business (B) and are located within the Downtown Residential Overlay (DRO), with the exception of a remnant parcel on Main Street zoned GR that was part of the previous application but is not part of this application. Staff fully expects that the zoning would be changed on this parcel to Business at some point in the future, as the GR zoning does not make sense in this location. The property to the north, occupied by Silver Creek Assisted Living (31 East McKercher Boulevard), is zoned Limited Residential (LR-1), but is a more intensive use than typically found in that zone district.

**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, the objective being a 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 depicts the area proposed for the rezone as Community Activity Areas, High Density Residential and Residential Buffer. The area in question sees varied land use opportunities given its location and size, and the Land Use Map purposefully does not demarcate between land uses that are specific to property boundaries, allowing for decision-making processes such as this to determine actual zoning boundaries.

**L.L. Greens.** Pursuant the District Use Matrix, this use is classified as Mercantile within the Business Zone District. This use is permitted within the Business Zone District and is consistent with the purpose of said district -- Provide areas for general business and commercial activities and a limited number of residential uses.

Future uses for remaining Business-zoned parcel. If the rezone were approved, a parcel of 0.73 acres would be available for other uses permitted in the District Use Matrix. This parcel is closer to commercial uses than residential, and is buffered by the 2.64-acre parcel to the east.

The Comprehensive Plan calls for a strong retail core. The Comprehensive Land Use Map identifies this area as a Community Activity Area:

**Community Activity Areas – located at the north and south ends of Main Street Corridor. High density residential is encouraged. Commercial and mixed-use development is appropriate, but should be subordinate to the infill of Downtown.**

The proposed redevelopment is within a '1/4 Mile Service Area.' It is within walking distance of businesses that provide similar products and services. It is also within walking distance of other uses and activities not found within the Downtown Core.

The proposed development is within a Community Activity Area. It does not deter, detract, or compete with current and potential commercial activities within the Downtown Core. It will provide products and services that are not incompatible with uses within the Downtown Core and Main Street Corridor. It's an infill project well within the City's limits. The site is not located near any waterways, floodplains, wildlife migration corridors, or near any avalanche or wildfire hazards. The proposed commercial development will be a year-round retail facility. It will serve the residents of both Hailey and Blaine County. The proposed development will continue to help create economic diversity with products, services, and full-time jobs that are not directly dependent upon tourism and seasonal business. Relocation of L.L. Greens could allow for higher-density commercial and/or mixed-use developments at the current location.

The proposed development contributes to a year-round economy unrelated to the tourism industry. This project will bring civic activity to a vacant lot in Hailey's downtown, promote economic growth, as well as downtown diversity. The Commission found that LL Greens was a suitable business in this location, and in conformance with the Hailey Comprehensive Plan.

The Comprehensive Plan further states:

**A Land Use Map is a required element of the Land Use component of the Comprehensive Plan. Pursuant to Idaho Code requirements, the Land Use Map reflects suitable projected land uses**

**for the City. The creation of a land use map establishes general direction for projected land uses within and adjacent to the city. The Land Use Map depicts broad community goals. When considering land use applications, site-specific data and circumstances should be balanced with the overall goals depicted on the map.**

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.
- 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.
- 6.1 Encourage a diversity of economic development opportunities within Hailey.
- 6.2 Encourage abundant, competitive and career-oriented opportunities for young workers.

The Hailey Comprehensive Plan also identifies housing as a high priority:

**High Density Residential – high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street.**

The Land Use Map identifies likely areas for housing. In addition to housing, the Plan stresses the importance of downtown housing, and the reason to plan for mixed-uses:

**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.**

While this project is not a traditional mixed-use project, in that the residential uses are not integrated into the commercial uses, the residential uses could serve as a buffer between commercial and the nearby single-family residential.

The Land Use Section describes High-Density Residential as follows:

**High Density Residential – high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street.**

- 5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.
- 5.7 Encourage development at the densities allowed in the Municipal Code.
- 7.2 Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural and educational enrichment.
- 8.1 Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socioeconomic levels.

By rezoning Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR), the change is compatible with the Comprehensive Plan, as it would facilitate the development of housing. This large parcel serves as a transition between business uses to the west and residential development to the east. The Commission found that this zone change was appropriate and consistent with the Hailey Comprehensive Plan.

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;**

It is anticipated that public facilities and services are available to support the full range of uses permitted by the zone districts under consideration. The buildings proposed would be compliant with the 2018 IBC, IRC and IFC. Depending on the building heights, buildings may require a full sprinkler suppression system, include elevators and meet other code requirements. Streets, sidewalks, landscaping and other onsite improvements will be required as part of the Design Review process.

The change in zoning and the increase in residential uses from approximately 14 single-family homes permitted in LR to approximately 26 residential units is unlikely to have an impact on the Northridge Subdivision water pressure. To ensure there are no impacts, the Commission found that the Applicant should provide an analysis of water demand associated with the increased residential density. The City Engineer does not believe that the proposed commercial uses will impact water demand above what is already permitted on the Main Street/McKercher Boulevard parcels under current zoning. This has been made a condition of approval.

With regard to traffic and circulation, staff requests that the Applicant provide documentation satisfactory to the City Engineer regarding the difference in trip generation volume (if any) from the proposal as compared to existing zoning. It is unlikely that there will be traffic impacts, as the current proposal generates less traffic than the previous proposal. Traffic analysis for the previous proposal concluded that all streets would remain functioning at Level of Service A.

Further analysis of all streets involved in the proposed development is as follows:

**Main Street.** Main Street contains a 5-lane road configuration between Cobblestone Lane and the McKercher Boulevard traffic light, which is the entire frontage of the proposed project. Traffic is high in this area. Staff concurs that there should be no Main Street entrance, as any entrance should be spaced at least 350 feet from the Main/McKercher traffic light.

**McKercher Boulevard.** McKercher is an arterial street connecting Buttercup Road to Main Street and continuing west to River Street. A turn lane for southbound travel exists at the Main Street traffic light. The concurrent two-lot subdivision shows one (1) shared entrance for the business uses located approximately 180 feet from the McKercher intersection. Staff concurs with this configuration.

**1<sup>st</sup> Avenue.** 1<sup>st</sup> Avenue is a residential street with a reasonably high traffic volume due to proximity of commercial uses and the Wood River Middle School, which is one block to the east. A circulation plan for the residential uses that would be permitted under the GR zoning has not been developed at this time.

The Commission found that this standard has been met.

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

The zones and overlays under consideration would follow the same bulk requirements as adjacent blocks within the Business Zone District. Nonresidential or multifamily projects would be subject to Design Review, allowing for community input, and Commission discussion of compatibility. The area contains a variety of commercial, multifamily and single-family projects.

The Commission found that this standard has been met.

**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 type of amendment. These parcels have been vacant since their establishment as parcels. The proposed zone change would enable development of the site, and provide economic diversity with products, services, and full-time jobs that are not directly dependent upon tourism and seasonal business.

Additionally, the City and the Wood River Valley have a documented need for housing. The Comprehensive Plan calls for housing initiatives. The current changes under consideration would allow for single family and cottage housing development, in an area within walking distance to many town services. The GR zone district is commonly used throughout Hailey, including Cutters Subdivision, China Gardens, Woodside and other neighborhoods.

The Commission found that this standard has been met.

**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.**
- 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).**

### **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 Zone Change Application by Larry Green, L.L. Greens, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed changes include amending Lot 1, Block 2, Northridge X from Limited Business (LB) to Business (B), and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR), was approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.14, Amendment, additional applicable requirements of Title 17, Title 18, and City Standards, and subject to Conditions 1-3 below.

- 1) Any water pressure issues shall be addressed subject to the satisfaction of the city engineer.**
- 2) Building heights on GR zone parcel shall be limited to 30'.**
- 3) The applicant shall demonstrate to the satisfaction of the city engineer that level of service is not be impacted on adjacent streets.**

Signed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On May 17, 2021, the Hailey Planning and Zoning Commission considered and approved the Preliminary Plat Application by Larry Green of L.L. Greens, represented by Galena Engineering, wherein Lot 1, Block 2, Northridge X (21 East McKercher) is subdivided into two (2) lots, Lot 1A, comprising of 43,785 square feet, and Lot 1B, comprising of 31,855 square feet. This project is located within the Limited Business (LB) and Downtown Residential Overlay (DRO) Zoning Districts.

### FINDINGS OF FACT

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on April 28, 2021, and mailed to adjoining property owners on April 28, 2021.

**Background and Application:** Larry Green of L.L. Green’s Hardware, represented by Galena Engineering, is requesting approval to subdivide Lot 1, Block 2, Northridge X (21 East McKercher) into two (2) lots, Lot 1A, comprising of 43,785 square feet, and Lot 1B, comprising of 31,855 square feet. The proposed development will gain access via a 26’-wide Access Easement off of McKercher Boulevard.

In 2017, L.L. Green’s Hardware received approval for a rezone of the subject parcel, Lot 1, Block 2, Northridge X Subdivision, from Limited Residential (LR-1) to Limited Business (LB). The rezone was to allow for the construction of a new hardware store on a portion of the lot. The Applicant intended to develop the parcel once the building that the hardware store currently occupies (101 North Main Street) sold. No sales were ever finalized.

Then, in February 2021, the Applicant and Silver Creek Property Holdings joined forces and proposed to rezone the subject parcel from Limited Business (LB) and General Residential (GR) to Business (B), as well as rezone the residential parcel from Limited Residential (LR-1) to General Residential (GR) and Downtown Residential Overlay (DRO). This rezone would allow for the development of a new car dealership for the existing business, Silver Creek Ford, as well as a new hardware store for the existing business, L.L. Green’s Hardware.

Due to various reasons, Silver Creek Property Holdings withdrew all applications (Rezone, CUP and Design Review Preapplication). Larry Green of L.L. Green’s Hardware, represented by Galena Engineering, is now requesting approval to subdivide Lot 1, Block 2, Northridge X (21 East McKercher) into two (2) lots, to utilize proposed Lot 1A as the new home for L.L. Green’s Hardware.

**Procedural History:** The Application was submitted on April 16, 2021 and certified complete on April 21, 2021. A public hearing was held on May 17, 2021, in the Council Chambers of Hailey City Hall, and virtually via GoTo Meeting.

Standards of Evaluation for a Subdivision				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	<b>Engineering:</b> <i>All infrastructure will require detailed final construction drawings to be submitted to the City and approved by the City prior to</i>

				<i>construction. All construction must conform to City of Hailey standard drawings, specifications and procedures.</i>
<b>Life/Safety:</b> <i>No comments</i>				
<p><b>Water and Wastewater:</b> <i>The Water Division recommends that the following be resolved and/or completed prior to final design:</i></p> <ul style="list-style-type: none"> <li>- <i>The Applicant shall install a water service for proposed Lot 1A.</i></li> <li>- <i>Both water services will need to be hot tapped off of the water main.</i></li> </ul> <p><i>The Wastewater Division recommends that the following be resolved and/or completed prior to final design:</i></p> <ul style="list-style-type: none"> <li>- <i>The Applicant shall install a sewer service for proposed Lot 1B.</i></li> <li>- <i>Both sewer services will need to be hot tapped off of the sewer main.</i></li> </ul> <p><i>The recommendations above have been made Conditions of Approval.</i></p>				
<b>Building:</b> <i>No comments</i>				
<b>Streets:</b> <i>No comments</i>				
<b>City Arborist:</b> <i>No comments at this time. The project will be reviewed by the Hailey Tree Committee, tentatively scheduled for June 10, 2021.</i>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.010 Development Standards</b>	<b>Applicability:</b> <i>The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Title, the Zoning Title and any other applicable Ordinance or policy of the City of Hailey and shall be in accordance with general provisions of the Comprehensive Plan.</i>
			<b>Staff Comments</b>	<i>Please refer to the specific standards as noted herein.</i>
<b>16.04.020: Streets:</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.020</b>	<b>Streets:</b> <i>Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Development Standards:</b> <i>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.</i>
			<b>Staff Comments</b>	<i>The project will connect to McKercher Boulevard via a 26'-wide Access Easement, as well as have frontage and pedestrian access off of Main Street. McKercher Boulevard and Main Street are existing public streets. These streets are adequate to safely accommodate existing and anticipated vehicular/pedestrian traffic. For further comments or concerns noted by the Streets Division, please refer to Section 17.06.050: Streets.</i>
				<i>The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<b>Cul-De-Sacs; Dead-End Streets:</b> <i>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</i>

				ordinances. Street rights-of-way extended into un-platted areas shall not be considered dead end streets.
			<i>Staff Comments</i>	<i>N/A, as no cul-de-sac or dead-end street is proposed. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>Access to the parcels can be achieved from McKercher Boulevard via a 26'-wide Access Easement situated between proposed Lot 1A and Lot 1B. The Commission concurred that the proposed shared access easement to service Lot 1A and 1B is appropriate. This has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>D.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the public streets, McKercher Boulevard and Main Street, are existing. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>E.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the public streets, McKercher Boulevard and Main Street, are existing. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>F.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the public streets, McKercher Boulevard and Main Street, are existing. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>G.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the public streets, McKercher Boulevard and Main Street, are existing. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>H.</b>	<b>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.</b>

			<b>Staff Comments</b>	<i>N/A, as the public streets, McKercher Boulevard and Main Street, are existing. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>I.</b>	<b>Runoff:</b> The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm water Discharge from Construction Activity" for all construction activity affecting more than one acre.
			<b>Staff Comments</b>	<i>To adequately accommodate runoff, drywell and other construction details shall be provided a final design. If deemed necessary, the Applicant shall also complete an EPA NPDES General Permit for Stormwater Discharge from Construction Activity prior to the commencement of construction.</i>  <i>The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>J.</b>	<b>Signage:</b> The developer shall provide and install all street and traffic control signs in accordance with City Standards.
			<b>Staff Comments</b>	<i>N/A, as no street signage is proposed and/or necessary. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>K.</b>	<b>Dedication; Names:</b> 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.
			<b>Staff Comments</b>	<i>N/A, as no new streets or private streets are proposed. McKercher Boulevard and Main Street are existing. The Commission found that this standard has been met.</i>
			<b>L.</b>	<b>Private Streets:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 1.</b>	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.
			<b>Staff Comments</b>	<i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 2.</b>	Private streets, wherever possible, shall provide interconnection with other public streets and private streets.
			<b>Staff Comments</b>	<i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 3.</b>	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.
			<b>Staff Comments</b>	<i>N/A, as no private street are proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 4.</b>	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.
			<b>Staff Comments</b>	<i>N/A, as no private street are proposed. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>L. 5.</b>	<p><b>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.</b></p>
			<i>Staff Comments</i>	<p><i>No private streets are proposed. A 26'-wide Access Easement is proposed between Lots 1A and 1B. A 16'-wide Utility, Drainage and Snow Storage Easement exists along the property frontage and Main Street. The Applicant proposed to vacate an existing 20'-wide Utility, Landscaping, Drainage and Snow Storage Easement along the property frontage of McKercher Boulevard, as well as a 16'-wide Utility, Drainage and Snow Storage Easement along the eastern property line of proposed Lot 1B, and along the southern/southwestern property line of both lots. Lastly, the Applicant also proposed to vacate the 25' Building Setback along the property frontage of McKercher Boulevard.</i></p> <p><i>The Commission discussed the proposed elimination of the easements noted above and concurred that further review would be needed by the City Engineer to determine the validity of the easements and whether a reduction in size or complete elimination would be viable. This review shall take place prior to Council review. This has been made a Condition of Approval.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>L. 6.</b>	<p><b>Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10'x20') if angle parking, or ten feet by twenty-four feet (10'x24') if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.</b></p>
			<i>Staff Comments</i>	<p><i>N/A, as no private streets are proposed. The Commission found that this standard has been met.</i></p>
			<b>M.</b>	<p><b>Driveways:</b></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 1.</b>	<p><b>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.</b></p>
			<i>Staff Comments</i>	<p><i>N/A, as commercial development is only proposed on the subject parcel at this time. The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 2.</b>	<p><b>Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:</b></p> <ul style="list-style-type: none"> <li>a) Accessing one residential unit: twelve feet (12')</li> <li>b) Accessing two residential units: sixteen feet (16')</li> </ul> <p><b>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.</b></p>
			<i>Staff Comments</i>	<p><i>N/A, as commercial development is only proposed on the subject parcel at this time. The Commission found that this standard has been met.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 3.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as commercial development is only proposed on the subject parcel at this time. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 4.</b>	<b>Driveways accessing more than one residential dwelling unit shall be maintained by an owner's association, or in accordance with a plat note.</b>
			<i>Staff Comments</i>	<i>N/A, as commercial development is only proposed on the subject parcel at this time. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 5.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A. Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>M. 6.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A. Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>N.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>The 26'-wide Access Easement is not considered a public or private street, but a Parking Access Lane. This Access Easement shall comply with all regulations set forth in the IFC, as well as other applicable codes and ordinances. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>O.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>It is unclear whether the proposed easement will serve as a Fire Lane at this time. If so, all regulations set forth in the IFC, as well as other applicable codes and ordinances, shall be met. Further review will be needed upon the submittal of building plans. This will be reviewed for compliance at final design. The Commission found that this standard has been met.</i>

**16.04.030: Sidewalks and Drainage Improvements**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable City standards, except as otherwise provided herein.</b>
			<i>Staff Comments</i>	<i>A 6'-wide sidewalk exists on the corner of Main Street only. No other sidewalk exists along the property frontage of Main Street and an aging 8'-wide asphalt multiuse path exists along the property frontage of McKercher Boulevard. The Commission recommended that the Applicant install a 10'-wide sidewalk and street trees along the property frontage of Main Street to match the Main Street section across the street and in front of Albertsons, which will be further discussed during the Design Review hearing.</i>

				<p>Additionally, the Commission concurred that the Applicant reconstruct the multiuse path along the property frontage of McKercher Boulevard. This path should be widened to 10' in width and the Applicant may consider the addition of drought tolerant vegetation between the path and the paved street (McKercher Boulevard). As such, a sidewalk would not be needed in addition to the reconstruction and widening of the asphalt path.</p> <p>Lastly, the sidewalks (along the property frontage of Main Street) and asphalt path (along the property frontage of McKercher Boulevard) shall be kept clear by the Applicant year-round.</p> <p>These have been made Conditions of Approval.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B.</b>	<p><b>The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<p><b>New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.</b></p> <p><i>Staff Comments</i> Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>D.</b>	<p><b>Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.</b></p> <p><i>Staff Comments</i> N/A. Please refer to Section 16.04.030(A) for further details and/or comments noted by City Staff. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>E.</b>	<p><b>The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.</b></p> <p><i>Staff Comments</i> N/A. The Commission found that this standard has been met.</p>
<b>16.04.040: Alleys and Easements</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
			<b>A.</b>	<b>Alleys:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 1.</b>	<p><b>Alleys shall be provided in all Business District and Limited Business District developments where feasible.</b></p> <p><i>Staff Comments</i> N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 2.</b>	<p><b>The minimum width of an alley shall be twenty-six (26') feet.</b></p> <p><i>Staff Comments</i> N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 3.</b>	<p><b>All alleys shall be dedicated to the public or provide for public access.</b></p> <p><i>Staff Comments</i> N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 4.</b>	<p><b>All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.</b></p> <p><i>Staff Comments</i> N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>A. 5.</b></p> <p>Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the City Engineer. The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>A. 6.</b></p> <p>Dead-end alleys shall not be allowed.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>A. 7.</b></p> <p>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.</p>
			<p><i>Staff Comments</i></p> <p><i>N/A, as no alleys are proposed nor is the site currently serviced by an alley. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>B.</b></p> <p>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:</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>B. 1.</b></p> <p>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.</p>
			<p><i>Staff Comments</i></p> <p><i>Though the proposed subdivision does not border the Big Wood River, the following easements are shown as additions and/or vacations on the proposed plat:</i></p> <ol style="list-style-type: none"> <li><i>1. A 26'-wide Access Easement is proposed between Lots 1A and 1B.</i></li> <li><i>2. A 16'-wide Utility, Drainage and Snow Storage Easement exists along the property frontage and Main Street.</i></li> <li><i>3. The Applicant is proposing to vacate an existing 20'-wide Utility, Landscaping, Drainage and Snow Storage Easement along the property frontage of McKercher Boulevard.</i></li> <li><i>4. The Applicant is proposing to vacate a 16'-wide Utility, Drainage and Snow Storage Easement along the eastern property line of proposed Lot 1B and along the southern/southwestern property line of both lots. Please refer to item B.3. below for further details.</i></li> <li><i>5. The Applicant is proposing to vacate the 25' Building Setback along the property frontage of McKercher Boulevard. City Staff does not concur with vacating this building setback. Due to the close proximity to residential zoning districts, City Staff feels a 10'-wide Building Setback could be appropriate.</i></li> </ol>

				<p><i>The Commission discussed the proposed elimination of the easements noted above and concurred that further review would be needed by the City Engineer to determine the validity of the easements and whether a reduction in size or complete elimination would be viable. This review shall take place prior to Council review. This has been made a Condition of Approval.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 2.</b>	<p><b>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.</b></p>
			<i>Staff Comments</i>	<p><i>N/A, as no natural resource, riparian area, hazardous area or other limitation requires an easement for the proposed subdivision. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 3.</b>	<p><b>To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.</b></p>
			<i>Staff Comments</i>	<p><i>Snow storage easements have been delineated on the Civil Plans. The plat shows an existing 16'-wide Public Utility, Drainage and Snow Storage Easement along the property frontage of Main Street. All other Snow Storage Easements are proposed to be vacated.</i></p> <p><i>City Staff did not concur that the 20'-wide Utility, Landscaping, Drainage and Snow Storage Easement, as well as the 25'-wide Building Setback, along McKercher Boulevard, and the 16'-wide Utility, Drainage, and Snow Storage Easement, along the south and southwestern property line, be vacated. City Staff suggested that the easements along McKercher Boulevard be modified as minimally as possible to accommodate for any future Design Review approval, and shall be shown on the Final Plat.</i></p> <p><i>The Commission discussed the proposed elimination of the easements noted above and concurred that further review would be needed by the City Engineer to determine the validity of the easements and whether a reduction in size or complete elimination would be viable. This review shall take place prior to Council review. This has been made a Condition of Approval.</i></p> <p><i>Additionally, the Commission inquired about whether the easement(s) along McKercher Boulevard continue (20'-wide Utility, Landscaping, Drainage and Snow Storage Easement) along McKercher Boulevard to Buttercup Road. Upon further research, it appears that a 16'-wide Utility, Drainage and Snow Storage Easement adjacent to all exterior boundary lines exists throughout the Northridge Subdivision; however, the 20'-Wide Utility, Landscaping,</i></p>

				<i>Drainage and Snow Storage Easement ends with Lot 1, Block 27, Northridge Subdivision IX.</i>
<b>16.04.050: Blocks</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.050	<p><b>Blocks:</b> 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.</p> <p><i>Staff Comments</i>  <i>The Applicant is proposing to replat Block 2 of Northridge X. The Commission found that this standard has been met.</i></p>
<b>16.04.060: Lots</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.060	<p><b>Lots:</b> All lots shown on the subdivision plat must conform to the minimum standards for lots in the District in which the subdivision is planned. The City will generally not approve single-family residential lots larger than one-half (1/2) acre (21,780 square feet). In the event a single-family residential lot greater than one-half (1/2) acre is platted, irrigation shall be restricted to not more than one-half (1/2) acre, pursuant to Idaho Code §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p>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.</p> <p><i>Staff Comments</i>  <i>The site is 1.74 acres in size. Two lots are proposed, Lot 1A, comprising of 43,785 square feet, and Lot 1B, comprising of 31,855 square feet. These lots are in excess of the minimum lot size of 6,000 square feet in the LB Zone. The development proposed is anticipated to be commercial in nature, although residential uses are permitted. That said, single-family uses are permitted in this zone district, but are unlikely to occur. The Commission agreed that no additional streets would be needed to serve the two lots.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	<p><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).</b></p> <p><i>Staff Comments</i>  <i>N/A, as no double frontage lots are proposed. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<p><b>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.</b></p> <p><i>Staff Comments</i>  <i>The Applicant is proposing the addition of a 26'-wide Access Easement. This easement is intended to provide access to proposed Lots 1A and 1B. No unbuildable lots are proposed to be platted. The Commission found that this standard has been met.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>D.</b>	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.
			<i>Staff Comments</i>	<i>N/A, as no flag lot is proposed at this time. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>E.</b>	All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Section 16.04.020 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.
			<i>Staff Comments</i>	<i>The proposed lots, Lot 1A and 1B, both have frontage on public streets (McKercher Boulevard and Main Street). The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>F.</b>	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.
			<i>Staff Comments</i>	<i>N/A, as this project is not located within the Townsite Overlay (TO) Zoning District. The Commission found that this standard has been met.</i>

**16.04.070: Orderly Development**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A.</b>	<b>Phasing Required:</b> Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.
			<i>Staff Comments</i>	<i>N/A, as no phasing plan is proposed or requested at this time. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<b>Agreement:</b> 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.
			<i>Staff Comments</i>	<i>N/A, as no phasing plan is proposed or requested at this time. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>C.</b>	<b>Mitigation of Negative Effects:</b> No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following: a) Provision of on-site or off-site street or intersection improvements. b) Provision of other off-site improvements. c) Dedications and/or public improvements on property frontages. d) Dedication or provision of parks or green space. e) Provision of public service facilities. f) Construction of flood control canals or devices. g) Provisions for ongoing maintenance.

			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D.	<p>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:</p> <ol style="list-style-type: none"> <li>1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.</li> <li>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.</li> <li>3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.</li> <li>4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.</li> <li>5. Park land shall be most appropriately located on the Contiguous Parcels.</li> <li>6. Grading and drainage shall be appropriate to the Contiguous Parcels.</li> <li>7. Development shall avoid easements and hazardous or sensitive natural resource areas.</li> </ol> <p>The commission and council may require that any or all contiguous parcels be included in the subdivision.</p>
			<i>Staff Comments</i>	<i>N/A. The Commission found that this standard has been met.</i>

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

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080	<p>The City of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The City shall also not allow any perimeter landscape berm more than 3' higher than the previously existing (original) grade.</p>
			<i>Staff Comments</i>	<i>N/A, as it appears no perimeter walls, gates or landscape berms are proposed. The Commission found that this standard has been met.</i>

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

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p>Plans Required: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.</p>
			<i>Staff Comments</i>	<i>No floodplain exists and the parcel is currently vacant. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 1.	<p>A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.</p>
			<i>Staff Comments</i>	<i>At this time, the City Engineer has not required that a Soils Report be prepared and/or submitted. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 2.	<p>A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information:</p>

				<ul style="list-style-type: none"> <li>a) Proposed contours at a maximum of two (2) foot contour intervals;</li> <li>b) Cut and fill banks in pad elevations;</li> <li>c) Drainage patterns;</li> <li>d) Areas where trees and/or natural vegetation will be preserved;</li> <li>e) Location of all street and utility improvements including driveways to building envelopes; and</li> <li>f) Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.</li> </ul>
			<i>Staff Comments</i>	<i>Preliminary grading, drainage, and street and utility improvements have been shown on the Civil Plans. City Staff has conducted an initial review and any comments and/or concerns are noted herein. The Commission found that this standard has been met.</i>
			<b>B.</b>	<b>Design Standards: The proposed subdivision shall conform to the following design standards:</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>The grading has been developed for the proposed streets within the subdivision. Grading for the commercial building(s) shall meet this standard. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 2.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as none exist within the proposed subdivision. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 3.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>Erosion control and re-vegetation shall be included in final design. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 4.</b>	<b>Where cuts, fills or other excavation are necessary, the following development standards shall apply:</b> <ul style="list-style-type: none"> <li>a) Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</li> <li>b) Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing &amp; Materials (ASTM).</li> <li>c) Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.</li> <li>d) Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.</li> <li>e) Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.</li> </ul>
			<i>Staff Comments</i>	<i>Grading and drainage review shall take place during final design. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>B. 5.</b>	<b>The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the City engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm-water Discharge from Construction Activity" for all construction activity affecting more than one acre.</b>
			<i>Staff Comments</i>	<i>A Storm Water Pollution Prevention Plan (SWPPP) will be necessary for any disturbances greater than one (1) acre and shall be provided at final design. Additionally, if deemed necessary, the Applicant will complete all applicable EPA permitting prior to construction.</i>

**16.04.100: Overlay Districts**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
			<b>A.</b>	<b>Flood Hazard Overlay District:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 1.</b>	<b>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.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Flood Hazard Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 2.</b>	<b>Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Flood Hazard Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A. 3.</b>	<b>Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located adjacent to the Big Wood River or its tributaries. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<b>Hillside Overlay District:</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 1.</b>	<b>Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 17.04N, of the Hailey Municipal Code.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 2.</b>	<b>Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B. 3.</b>	<b>All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.</b>
			<i>Staff Comments</i>	<i>N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found that this standard has been met.</i>

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

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A.</b>	<b>Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</b>
			<i>Staff Comments</i>	<i>N/A, as no private green space or park space are proposed nor is it required. Pursuant Section 16.04.110 A.1. Parks, any subdivision consisting of three (3)</i>

				<p><i>or more residential lots, including residential sublots and residential condominium units, shall set aside or acquire land area within or adjacent to the subdivision for park space. The subdivision is proposing two (2) lots, Lot 1A and Lot 1B. Though commercial in nature, residential uses are permitted. At this time, this standard is not applicable; however, any future subdivision will trigger Park Dedication requirements. This has been made a Condition of Approval.</i></p> <p><i>All other standards pertaining to Section 16.04.110: Parks, Pathways and Other Green Spaces, which are not listed below, have been met and/or are not applicable.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
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**16.05: Improvements Required:**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.010	<p><b>Minimum Improvements Required:</b> It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.</p> <p><i>Staff Comments</i>  <i>The Applicant intends to construct all necessary infrastructure, if the project is approved. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p><b>Plans Filed, maintained:</b> Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.</p> <p><i>Staff Comments</i>  <i>This standard will be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	<p><b>Preconstruction Meeting:</b> Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.</p> <p><i>Staff Comments</i>  <i>This standard will be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<p><b>Term of Guarantee of Improvements:</b> The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City engineer, except that parks shall be guaranteed and maintained by the developer for a period of two years.</p> <p><i>Staff Comments</i>  <i>This standard will be met.</i></p>

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.020</b>	<b>Streets, Sidewalks, Lighting, Landscaping:</b> The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix and shall chip-seal streets and alleys within one year of construction.
			<i>Staff Comments</i>	<i>All public infrastructure shall meet City specifications. Street lights will be required; location to be determined. Landscaping will also be required and will be reviewed for compliance at final design. See earlier comments regarding the addition of street trees.</i>  <i>The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>Street Cuts:</b> 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)
			<i>Staff Comments</i>	<i>Any and all proposed street cuts shall be per this standard and shall be approved by the Streets Division prior to construction.</i>  <i>All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<b>Signage:</b> 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.
			<i>Staff Comments</i>	<i>N/A, as street name signs and traffic controls signs are existing and will remain. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>C.</b>	<b>Streetlights:</b> 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 VIII B of the Hailey Zoning Ordinance.
			<i>Staff Comments</i>	<i>Streetlights will be required; location to be determined. The Commission found that this standard has been met.</i>
<b>16.05.030: Sewer Connections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.030</b>	<b>Sewer Connections:</b> 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.
			<i>Staff Comments</i>	<i>Sewer services are shown from connecting into a sewer main. Connection details to the existing sewer system shall be approved by the Wastewater Division prior to construction. All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City</i>

				<p>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>Other recommendations and/or comments made by the Wastewater Division include:</p> <ul style="list-style-type: none"> <li>- The Applicant shall install a sewer service for proposed Lot 1B.</li> <li>- Both sewer services will need to be hot tapped off of the sewer main.</li> </ul> <p>The items above have been made Conditions of Approval.</p>
<b>16.05.040: Water Connections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<p><b>Requirements:</b> 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.</p>
			<i>Staff Comments</i>	<p>Water services are shown from each lot and connecting into an eight (8") inch water main. Connection details to the existing water system shall be approved by the Water Division prior to construction. All infrastructure will require detailed final construction drawings, to be submitted to the City and approved by the City prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.</p> <p>Other recommendations and/or comments made by the Water Division include:</p> <ul style="list-style-type: none"> <li>- The Applicant shall install a water service for proposed Lot 1A.</li> <li>- The water services for proposed Lot 1A and Lot 1B shall be hot tapped off of the existing water main.</li> </ul> <p>This has been made a Condition of Approval.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<p><b>Townsite Overlay:</b> 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.</p>
			<i>Staff Comments</i>	<p>N/A, as this project is not within the Townsite Overlay (TO) District. The Commission found that this standard has been met.</p>
<b>16.05.050: Drainage</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.050</b>	<p><b>Drainage:</b> 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)</p>

			<b>Staff Comments</b>	<i>Review of drainage calculations will take place during final design. Design concepts must conform to City of Hailey standard drawings, specifications and procedures. The Commission found that this standard has been met.</i>
<b>16.05.060: Utilities</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.060</b>	<b>Utilities:</b> 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.
			<b>Staff Comments</b>	<i>Utilities will be constructed and installed underground. Additional utility company comment and engineering details will be required at final design. The Commission found that this standard has been met.</i>
<b>16.05.070: Parks, Green Space</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.070</b>	<b>Parks, Green Space:</b> The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council.
			<b>Staff Comments</b>	<i>Please refer to Section 16.04.110 for further detail. The Commission found that this standard has been met.</i>
<b>16.05.080: Installation to Specifications; Inspections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.080</b>	<b>Installation to Specifications; Inspections:</b> 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.
			<b>Staff Comments</b>	<i>An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey specifications and will be further evaluated in greater detail at final design. The inspection process of the proposed public improvements shall include materials testing to ensure the compliance with the Hailey Municipal Code.</i>  <i>The City will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.</i>  <i>The Commission found that this standard has been met.</i>
<b>16.05.090: Completion; Inspections; Acceptance</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>A.</b>	<b>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.</b>
			<b>Staff Comments</b>	<i>This standard shall be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>B.</b>	<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)</b>
			<b>Staff Comments</b>	<i>N/A, as completion of all major infrastructure by the Developer is preferred over bonding. The Commission found that this standard has been met.</i>
<b>16.05.100: As Built Plans and Specifications</b>				

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.05.100</b>	<b>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)</b>
			<i>Staff Comments</i>	<i>As built drawings will be required. This standard will be met.</i>

## CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

- 1) Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
- 2) The project is in general conformance with the Hailey Comprehensive Plan.
- 3) The project does not jeopardize the health, safety, or welfare of the public.
- 4) Upon compliance with the conditions set forth, the project conforms to the applicable standards of the Hailey Municipal Code and City Standards.

## DECISION

The Preliminary Plat Application by Larry Green of L.L. Greens, represented by Galena Engineering, wherein Lot 1, Block 2, Northridge X (21 East McKercher) is subdivided into two (2) lots, Lot 1A, comprising of 43,785 square feet, and Lot 1B, comprising of 31,855 square feet, as approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Chapter 17.11, applicable requirements of the Hailey Municipal Code, Title 18, and City Standards, provided conditions (1) through (10) are met.

### General Conditions:

- 1) All Fire Department and Building Department requirements shall be met and shall meet City Standards where required.
- 2) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 16.02.080 of the Hailey Municipal Code.
- 3) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the Final Plat.
- 4) All provisions of the Hailey Municipal Code, including but not limited to use regulations and parking requirements shall continue to be met. Additional parking may also be required upon subsequent change in use, in conformance with Hailey’s Municipal Code at the time of the new use.
- 5) The Final Plat must be submitted within one (1) calendar year from the date of approval of the Preliminary Plat.
- 6) Any Subdivision Inspection Fees due shall be paid prior to recordation of Final Plat.
- 7) Any Application Development Fees shall be paid prior to recordation Final Plat.
- 8) Any future subdivision of the parcel will trigger Park Dedication requirements.

### Streets and Right-of-Ways:

- 9) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to:
- i. Drywell and other construction details shall be provided at final design.
  - ii. The 26'-wide Access Easement shall service proposed Lots 1A and 1B.
  - iii. The Applicant shall install a 10'-wide sidewalk and street trees along the property frontage of Main Street to match the Main Street section across the street and in front of Albertsons.
  - iv. The Applicant shall reconstruct and widen the existing asphalt multiuse path along the property frontage of McKercher Boulevard. This path should be widened to 10' in width.
  - v. Sidewalks (along the property frontage of Main Street) and asphalt path (along the property frontage of McKercher Boulevard) shall be kept clear by the Applicant year-round.
  - vi. All easements shall be analyzed and the viability of reducing and/or eliminating easements shall be further reviewed by the City Engineer prior to City Council review.

**Water and Wastewater:**

- 10) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to:
- i. The Applicant shall install a water service for proposed Lot 1A.
  - ii. The water services for proposed Lot 1A and Lot 1B shall be hot tapped off of the existing water main.
  - iii. The Applicant shall install a sewer service for proposed Lot 1B.
  - iv. The sewer services for proposed Lot 1A and Lot 1B shall be hot tapped off of the existing sewer main.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**

DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE  
Meeting Minutes  
Monday, April 19, 2021  
Hailey City Hall 4:30 p.m. (before P & Z regular meeting)

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

**Present**

**Commission:** Janet Fugate, Dan Smith, Richard Pogue, Owen Scanlon

**Staff:** Lisa Horowitz, Robyn Davis, Jessica Parker, Brian Yeager, Heather Dawson

**Other:** Dwayne Guthrie

**Absent:** Dustin Stone

[4:31:53 PM](#) Chair Fugate called to order.

**Public Hearing**

**PH 1** [4:32:17 PM](#) *Five-year update to the Development Impact Fee Ordinance to consider land use assumptions, level of service and facility needs, capital improvements plan; review of cost allocation alternatives for each Development Impact Fee; review of above with consultant.*  
***ACTION ITEM.***

[4:32:30 PM](#) Horowitz turned floor to Dwayne Guthrie. Guthrie introduced himself and provided a summarized history of himself and the work he has done with the City of Hailey. Guthrie explained this meeting is mandatory in Idaho, and has provided a power point to provide an overview. Guthrie explained DIF is about how to pay for growth-things to be funded by impact fees. Guthrie noted impact fees in Hailey are Streets, CIP, Parks and Fire. Guthrie summarized decisions options for growth costs. Horowitz asked Guthrie to explain why the police were removed from the impact fees at his convenience. Guthrie summarized generally the whole valley pays similar impact fees. Guthrie summarized what DIF fees are and methods used to determine the fees. Guthrie explained the impact fee formula used. Guthrie explained impact fees are not a tax. Guthrie summarized the Idaho Impact Fee Process- the Advisory Committee does not approve the fees but provides input. Guthrie stated today will be looking at the land use development and when meet again will further discuss fees. Guthrie explained fee requirements in Idaho. Last slide of power point listed Capital Improvements Plan.

Pogue asked about assumed 2% annual growth rate for population and in that is 2.74 persons in a housing unit. Is the housing unit single family or if includes apartments? Guthrie stated it includes all housing units. Pogue asked if the 2% growth rate would average out over 5 years. Guthrie summarized this is a basically an average of the next 5 years, but can review more if committee would prefer and not opposed to changing the 2%.

Smith asked Guthrie to define service units. Guthrie explained for each type of fee that's going to be residential fee based on people per housing unit and on nonresidential, it's going to be

jobs per 1000 sq ft of floor area or trip generation rates. Guthrie went on to discuss various trip generations. Smith agrees with Pogue, the 76 units seems low for this year particularly – listing current projects Blaine Manor, Silver River, Sunbeam, Tanner Investments (Block 86), etc. Smith anticipates given the number of available lots, lumber pricing and contractor availability is limiting some construction to take place in near future. Smith stated that perhaps based off what seeing currently, if revisitation of this sooner than 5 years would be appropriate. Guthrie confirmed will discuss further with staff.

Scanlon agrees with both Smith and Pogue regarding the 2% growth. Scanlon asked if there are considerations of number of bedrooms in units. Guthrie explained has better information on the side of the units, and will get to that in the end. Guthrie explained tables listed under Figure A6 and they are applying this to Hailey.

Chair Fugate stated it seems the vehicles listed seems low, that a one bedroom would at least have 1 car per person. Guthrie explained numbers seem lower due to the number of seasonal homes in area.

Scanlon asked to go back to slide 8 – Legal Requirements. Scanlon asked Guthrie explained the chart, discussing the number of workers who live and work in Hailey. Guthrie noted has more people leaving Hailey for work.

Guthrie requested the committee to focus on page 7, Figure A7. Guthrie explained the changes proposed that the categories increased. Horowitz suggested could start the range at 600 or less. Horowitz noted she also mentioned to Guthrie seeing multiple bedrooms in smaller units. Chair Fugate requested starting at lowest point the best. Chair Fugate thinks having more categories will be helpful. Guthrie confirmed can review further. Horowitz confirmed staff will research more. All commissioners are in agreement.

Guthrie moved on to page 12 of the packet, discussing changes proposed to CIP for Parks. Yeager explained these sheets have been built off the FY21 Capital Project List, Hailey Greenway Master Plan and the Updated Transportation Plan. Guthrie went on to discuss the Fire stations and apparatus of the CIP, that only project active at this time is the fire apparatus. Chair Fugate asked if there is any likelihood of fire consolidation between the fire departments. Heather Dawson, stated there is still enough interest the meetings have continued but the meetings have been scaled back to twice a year. Dawson stated regardless the equipment replacement is necessary. Guthrie provided a spreadsheet of potential street improvement projects on page 14 of the packet. Yeager explained still working on this list, so there will be some minor changes. Chair Fugate asked if Cedar/Broadford/Hwy 75, is that including the improvements needed for the new housing units going in. Yeager stated it does not, it was one of the capital improvements plans from the Transportation Master Plan update. Yeager stated one that currently have that would reflect her question is on Maple Street. Chair Fugate understands this is part of that and will be looking at this again. Chair Fugate suggested moving on to deciding date of next meeting. Yeager provided a summary, stating this is part of the Transportation Master Plan, and will be prepared to answer questions at next meeting.

Staff and committee discussed date for next hearing. All in agreement on May 13, 2021 at 5:30 PM.

Smith asked if see water, sewer, or stormwater projects that would be applicable. Guthrie explained those are not part of the current impact fees, just updating the existing fees. Chair Fugate will have this list and the Capital Improvements List available. Yeager confirmed.

**5:26:49 PM Smith motioned to continue the Development Impact Advisory Meeting to May 13, 2021 at 5:30 PM. Pogue seconded. All in Favor.**

Chair Fugate called for 5 Minute Break.

**Meeting Minutes**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, April 19, 2021**  
**Virtual Meeting**  
**5:30 p.m.**

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyPZ>

Via One-touch dial in by phone: <tel:+15713173122,,506287589#>

Dial in by phone: United States: +1 (571) 317-3122 Access Code: 506-287-589

**Present**

**Commission:** Janet Fugate, Dan Smith, Richard Pogue, Owen Scanlon, Dustin Stone

**Staff:** Lisa Horowitz, Robyn Davis, Jessica Parker

[5:36:44 PM](#) Chair Fugate called to order.

[5:36:44 PM](#) Public Comment for items not on the agenda. No Comment.

[5:36:59 PM](#) Consent Agenda

**CA 1** Adoption of Meeting Minutes dated March 15, 2021. **ACTION ITEM.**

[5:37:05 PM](#) Smith motioned to approve CA 1 with typo corrections sent to staff. Pogue seconded. All in Favor. Scanlon recused himself.

**Public Hearing**

**PH 1** [5:37:51 PM](#) *Consideration of a Design Review Application by Antony and Sarah Gray for a new 2,609 square foot single-story residence. This project is located at 121 North 3<sup>rd</sup> Avenue (Lots 1-4, Block 38, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.*  
**ACTION ITEM.**

[5:38:58 PM](#) Davis summarized concern from last hearing- location of garage not off alley. Davis confirmed change to design and turned to applicant. [5:40:02 PM](#) Sarah Gray introduced herself and explained changes to design – kept footprint very similar and placed the garage doors on the back facing the alley. Gray explained with changes to garage, lowered amount of fill will need for the project.

[5:42:31 PM](#) Pogue and Smith have no comments at this time.

[5:42:40 PM](#) Stone asked what trees would have been removed with previous design. Gray explained tree types and locations to be removed. Stone confirmed no trees to be removed from the front.

[5:44:42 PM](#) Scanlon asked what the percentage of the slope is out to Carbonate Street. Gray stated it would be from center of street to driveway, over 50'. Scanlon's only concern is steepness of Carbonate Street and angle of their driveway, will need to be very careful during certain times of the year.

[5:46:27 PM](#) Chair Fugate opened Public Comment.

No comment.

[5:47:09 PM](#) Chair Fugate closed Public Comment.

[5:47:21 PM](#) Chair Fugate asked if commission believes this is unique enough to allow without setting a precedent. Horowitz stated biggest precedent concern was the garage facing the street and another unique factor is that applicant is retaining historic buildings along the alley. [5:49:30 PM](#) Chair Fugate requested it be added to recorded that this is being approved due to its uniqueness.

[5:49:48 PM](#) Pogue complimented staff and applicant, believes this is a good compromise. Pogue does share Scanlon's concern about the steepness of Carbonate, encourages applicant to be careful on those winter days.

[5:50:38 PM](#) Smith agrees with Pogue, this is a good compromise. Smith appreciates saving the historic buildings and legacy trees. Smith stated thinks this does improve the safety aspect at the intersection off Carbonate.

[5:52:17 PM](#) Stone thinks they are doing a good job by upholding the precedent, he is not concerned too much that did what they could to help retain the look and feel. Stone thinks the grays are going to enjoy having the garage in a more scenic view.

[5:53:42 PM](#) Scanlon agrees with other commissioners' comments and has expressed his concerns prior. Scanlon stated as far as precedents are concerned, guidelines should allow staff to review each project individually. Scanlon thinks this is a great compromise.

[5:54:50 PM](#) Chair Fugate agrees with all that has been said and applauds applicant and city staff for their work.

[5:56:01 PM](#) **Scanlon motioned to approve the Design Review Application by Antony and Sarah Gray for a new 2,742 square foot single-story residence. This project is located at 121 North 3<sup>rd</sup> Avenue (Lots 1-4, Block 38, Hailey Townsite), 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, and City Standards, provided conditions (a) through (n) are met. Smith seconded. All in Favor.**

**PH 2** [5:57:36 PM](#) *Consideration of a Design Review application by Hailey Airport Inn, LLC, represented by Owen Scanlon, for the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. This project is located at Lot 1A, Block 137, Hailey Townsite (804 South 4<sup>th</sup> Avenue) within the Limited Business (LB) Zoning District. **ACTION ITEM.***

Scanlon recused himself.

Scanlon summarized project and location of site, parking, drainage, etc. Scanlon referred to Kurt Eggers if there are any questions regarding landscaping. [6:01:33 PM](#) Scanlon confirmed all colors match the existing colors of Airport Inn. Scanlon summarized floor plans for both buildings. Scanlon explained was not able to break the buildings up but has offset the buildings to provide some relief from the solid wall. Scanlon went on to discuss exterior coloring and designs to help provide deviations from plan wall. [6:08:47 PM](#) Scanlon discussed exterior lighting, that the one pole unit is 20'. Horowitz stated code permits up to 17'. Scanlon confirmed that is what it will be then, going on to discuss the remaining exterior lighting and the photometric drawing. Scanlon noted will be removing the wall light and placing a bollard on the back facing the cemetery. Scanlon discussed the location and materials to be used for that.

[6:14:48 PM](#) Pogue no questions at this time, complimented the applicant team. Pogue stated due to number of bedrooms, may have renters with children but do not have a play area. Pogue confirmed that he understands they are across the street from the park.

[6:16:15 PM](#) Smith asked Scanlon to speak to the drought tolerant greases and weed burn in the staff report. Scanlon stated weed burn is only partially on the property. Scanlon turned floor to Kurt Eggers to discuss the drought tolerant landscape. Kurt explained the proposed drought tolerant landscaping planned. Smith asked if safe to assume will be using double glazing and low e glass for the energy requirements. Scanlon confirmed. Smith stated with dropping light pole down to 17', will need to have the photometric plan revised and have staff review to ensure it still complies. Smith complimented the layout and design.

[6:20:49 PM](#) Horowitz asked how long each building are. Building A is 101 ft and Building B is 91 ft long.

[6:21:18 PM](#) Stone agrees with Pogue that a park is unnecessary with the access to the city park. Stone asked about an electric charging station onsite. Scanlon confirmed will have one or two, onsite. Horowitz confirmed can add as a condition of approval.

[6:22:43 PM](#) Chair Fugate asked if could place a shade tree with a few tables in place of the shrub in the grass area. Chair Fugate likes the idea of bollards and the offset positions of the building. Scanlon noted existing shade tree and BBQ area with tables for tenants.

[6:25:29 PM](#) Horowitz stated due to existing outdoor area, that standard has been met. Horowitz liked suggestion to change light facing bike path. Horowitz confirmed applicant team understands the need for recycling in the trash enclosure onsite and it will need to be addressed in letter from Clear Creek.

[6:28:42 PM](#) Chair Fugate asked about the outdoor area being on separate property, currently owned by same person. Scanlon does not image this property ever being divided, and could not do it as need entire space to justify additional units. Horowitz asked if the temporary shipping container can be removed as part of the remodel. Applicant team confirmed it will be moved. Horowitz confirmed applicant noted all utilities will be made underground.

[6:31:11 PM](#) **Chair Fugate opened public comment.**

No comments.

[6:31:45 PM](#) **Chair Fugate closed public comment.**

[6:32:02 PM](#) Davis confirmed with applicant they understand will need to complete a Lot Line adjustment. Horowitz confirmed one new condition for the electric charging stations- minimum of two.

[6:34:01 PM](#) **Smith motioned to approve the Design Review application submitted by Hailey Airport Inn, LLC, for the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. This project is located at Lot 1A, Block 137, Hailey Townsite (804 South 4<sup>th</sup> Avenue) within the Limited Business (LB) Zoning District, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications**

outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (m) are met. Pogue seconded. All in Favor.

**PH 3** [6:35:39 PM](#) *Consideration of a Design Review Pre-Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums to be located at Block 2, Sweetwater PUD Subdivision. This project was approved by the Planning and Zoning Commission on December 2, 2019; however, the Applicant has reconfigured the parcel, to consist of thirteen (13), ten-plex, three-story condominiums, each unit comprising of approximately 1,380 square feet. A total of 137 units (130 residential units and seven live-work units) are proposed. **ACTION ITEM.***

[6:36:12 PM](#) Davis summarized history of this application and that the applicant would like the commission feedback on a proposed reconfiguration. Davis turned floor over to applicant team. [6:37:06 PM](#) Kameron Spencer explained how the proposed reconfiguration of the project is a result after working with the existing homeowners. Spencer, using a power point presentation discussed the benefits for owners and HOA with the proposed reconfiguration and noted the condo units would be more affordable than the townhomes. Spencer provided a comparison of the old and proposed layouts, noting the proposed changes does increase the density by 4 units – Approved design has 316 Units and Proposed has 320 Units. Spencer went on to discuss the proposed layout with the front of the buildings facing the streets and the increase in parking and common open space. Spencer confirmed the condominium units would not change, providing a summary of the condo unit design. Spencer went on to discuss the revised color schemes. Spencer summarized main reason for change is – HOA gets simplified, allows for more affordable units and aligns the fronts of the buildings with the street, has two less street connections and increase to parking.

[6:47:02 PM](#) Pogue thinks some additional articulation could help, maybe in the roofline. Pogue thinks would look like a solid wall as come into the city.

[6:48:20 PM](#) Smith asked if looking at the back of the buildings in current elevation drawing. Spencer confirms, a new elevation drawing has been requested. Smith agrees with Pogue regarding the roofline. Smith is a little disappointed to see the full area go to condos, liked the previous proposal, and the break ups' it provided. Smith stated with this being south of Balmoral, this is going to provide a monolithic look to the entrance to the city. Smith asked what the material is to be used adjacent to the garages, the driving surface direct adjacent to the garage access. Spencer explained the road will be paved with asphalt and from the road space to the garage a concrete apron will be used. Smith thinks more differentiation is needed. Smith also has some concern with the parking – providing 1 car garages with exterior parking. Smith is also concerned about snow removal and snow storage.

[6:53:39 PM](#) Stone asked about the original intent between the blended condo and townhomes, was it aesthetically. Horowitz explained the previous approved plan on the left was approved in 2019 and was not the original plan approved. Spencer explained the intent was to provide a variety of homes, that it was pretty varied and a little haphazard. Spencer summarized the original plan. Spencer explained goal with the plan approved in 2019 was to be able to offer a little of everything. Spencer explained the duplex units are much higher than anticipated and would like to fast track the condo units as fast as they can to bring much needed affordable housing. Horowitz confirmed all these units will have access to all the common amenities. Spencer confirmed and that would also like to bring in additional amenities to this space. Horowitz noted as part of the PUD Approved in 2006, it is very important that all units have access to the amenities. Spencer explained intent is to have a tiered amenities level, so as not to over tax the existing amenities. Spencer went on to explain plan

to offer similar amenities to closer to each section, but that amenity building has not been designed less. Stone confirmed overall parking increased. Spencer confirmed.

[7:01:33 PM](#) Scanlon agrees with Pogue and Smith regarding the giant wall of the building, noting relocation of buildings closer to highway does not help. Scanlon asked if looking at a pergola over the windows, and what it is made of. Spencer confirmed and stating it is timer with a metal roof. Scanlon thinks it would be helpful if could show shadow on one elevation. Scanlon asked if on side, if that is just a change of color. Spencer stated it is a change in foundation by 2'. Scanlon suggested a shadow lining on side as well would help. Scanlon asked for clarification on parking. Spencer explained most of the impervious surface area that goes away is the removal of the two street connections. Spencer went on to explain shift of parking location with change of plan. Horowitz stated this project is well over the parking requirements per code. Staff and commission discussed the number of parking spaces over code. Scanlon agrees with Smith on the parking concern. Scanlon asked if any of the parking is covered, Spencer stated no. Scanlon suggested may be beneficial to add.

[7:08:39 PM](#) Chair Fugate asked if could see the buildings elevation proposed as they are going to be facing out with the colors. Spencer confirmed these drawings are actually under process.

[7:11:19 PM](#) Davis stated she reviewed other buildings length through Hailey. Davis stated the length of proposed buildings-136 ft. And provided examples of recent projects building lengths for Blaine Manor Family and Senior, Senior Apartments. Horowitz suggested it may be important to fully understand the space between the buildings.

[7:13:06 PM](#) Scanlon noted the buildings on the Blaine Manor site, the space between the two buildings is larger than projected during their design review and he was pleasantly surprised.

[7:13:58 PM](#) **Chair Fugate opened Public Comment.**

No comment.

[7:14:36 PM](#) **Chair Fugate closed Public Comment.**

[7:14:59 PM](#) Horowitz confirmed no decision tonight as this is a pre-app.

[7:15:30 PM](#) Pogue asked Spencer what the plans for the remaining properties. Spencer stated the north parcel, north of the club house will be duplex units identical to the ones under construction now. Spencer stated on the south side of countryside, those will be townhomes, a mixture of 3-plex, 4-plex and 5-plex buildings.

[7:17:07 PM](#) Smith asked for clarification on the amenities access – option to optout or add amenities and provide separate access? Spencer explained amenities provided to each space. Spencer stated in addition to that will have access to the club house, but the existing HOA would like to provide a tiered option so that some people could opt out of using the pool in the main area and use the amenities near their building. Spencer explained as the project is built out, it would allow the HOA to flexibly package those amenities as needed. Horowitz stated that appears the nicer the unit the more ability to pay for the amenities, and that is contrary to the PUD Agreement. Spencer confirmed it is contrary, that getting a lot of pressure from the existing owners on how the amenities are structured and how they are accessed. Spencer stated does not want to provide a package that restrict the amenities but accepting that do not want to over tax the amenities. Spencer explained wanting to structure it in a way that is fair to the existing home owners and

future homeowners. Horowitz asked what the existing homeowners do not recall regarding the sharing of existing amenities. Spencer agrees, that the existing amenities are sized for the built out, but they feel like the club house gets overwhelmed by users in the summer time. The existing homeowners don't feel like they could add the number of users that residents using that one facility and keep everyone in a happy state and not over crowded. Horowitz stated will need to see national standards that shows how many amenities are needed of a condo unit of that size. Horowitz stated it would need to be proven it was designed inappropriately in the first place and the amenities are undersized. Horowitz said the president of the HOA can contact her for further clarification. Chair Fugate added that the reason so many units are allowed to be built here, is because of the PUD and she is not comfortable with tiered amenities. Spencer does not disagree but that would like to point that the tiered amenities is going to be a reality no matter what. Spencer explained the original owners are townhome ownerships – own the ground underneath and when build the condominiums those will require a different level of management to maintain the building. Spencer went on explain that he is working with the HOA president regarding these needs.

[7:25:24 PM](#) Smith suggested may want to look at providing a condominium only amenity for that open space since have the condominiums all stacked together now. Smith stated there is concern from City side that this was proposed as one thing at the beginning, and that commitment needs to be carried through as the project proceeds.

[7:26:17 PM](#) Stone requested he would like to hear directly from the HOA. Stone is not concerned that the buildings are closer to the highway and that maybe they could look at spots to increase space. Stone thinks additional amenities are needed at this site.

[7:30:16 PM](#) Scanlon agrees with what has been said, thinks we need more information regarding amenity tiers.

[7:31:14 PM](#) Chair Fugate agrees with what has been said, and that does like the front facing the streets.

No motion, applicant team and staff will discuss next hearing date when applicant submits Design Review packet.

#### **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: **May 3, 2021**

- CUP: PA Spirits
- PP: Winterhaven Estates
- TA: GR Setbacks

Horowitz summarized upcoming projects for next hearing.

[7:37:13 PM](#) **Stone motioned to adjourn. Scanlon seconded. All in Favor.**

**Return to Agenda**



**STAFF REPORT**  
**Hailey Planning and Zoning Commission**  
**Regular Meeting of June 7, 2021**

**To:** Hailey Planning and Zoning Commission

**From:** Lisa, Community Development Director

**Overview:** Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 17: Zoning Regulations, Chapter 17.05, Official Zoning Map and District Use Matrix, Section 17.05.040, District Use Matrix, to amend General Residential Zone District setbacks by adding a new note, Note #23, to the Minimum Side and Rear Setbacks, which establishes new light and air setbacks from property lines abutting private property based on building height, and amending the base side yard setbacks abutting private property from ten (10) feet to eight (8) feet.

**Hearing:** June 7, 2021

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**Applicant:** City of Hailey

**Location:** General Residential (GR) Zoning District

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on May 19, 2021 and mailed to public agencies on May 19, 2021.

**Background:** City Planning Staff has listed minor code amendments as a priority for 2021. As such, Staff is proposing to amend the General Residential (GR) Zoning District setbacks to ensure that new development allows for light and air on adjacent properties.

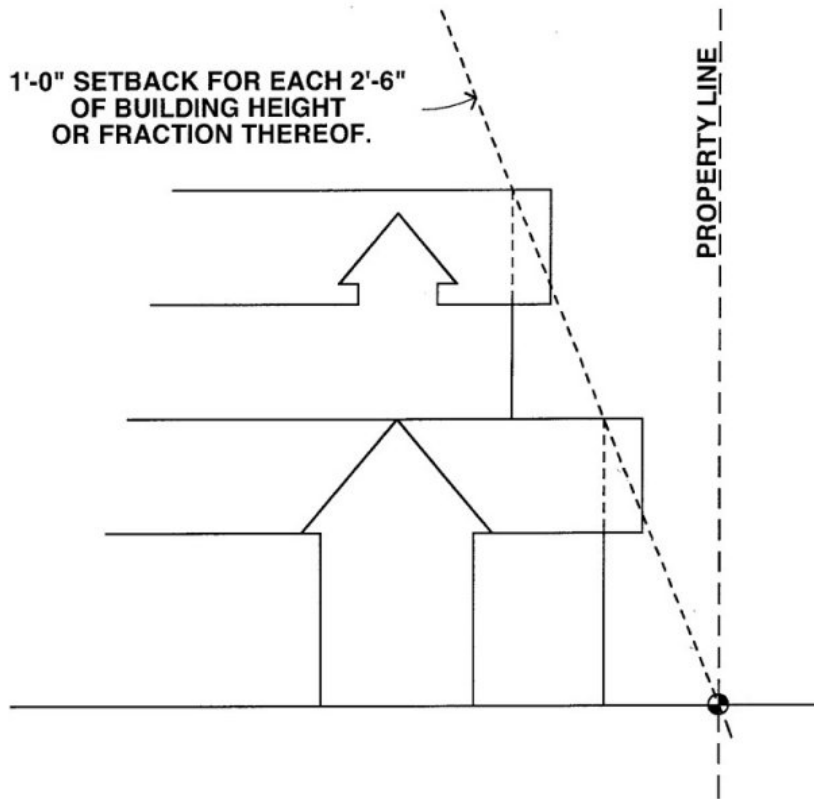
The Commission considered this matter at their February 16, 2021 and May 3, 2021 public hearing and suggested that the staff rework the proposal to ensure that the setbacks worked for narrow lots and did not have unintended consequences.

Upon discussing the matter and considering different lots sizes in the GR Zone District, staff recommends that a setback regulation similar to the Townsite Overlay (TO) District be applied throughout the GR District. The setback requirement could read as follows:

**23. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (2<sup>1</sup>/<sub>2</sub>') of wall height (see section 17.04M.090, diagram 1 and table 2 of the Hailey Municipal Code), but not less than the base setback for the GR Zone District. This shall apply to walls on the perimeter of properties, but shall not apply to subplot setbacks within a development.**

However, the above may have unintended consequences, as the base side yard setback in the GR Zone District is 10', and in most cases in TO, the base side yard setback is 6'. Staff suggests that the Commission discuss amending the side yard setback in GR to something less restrictive than 10', such as 8'. That change, coupled with the above restriction related to building height, could allow for light and air, while not unduly restricting infill development.

The diagram below illustrates how building walls are required to “fall away” from property lines:



If adopted, staff suggests the text be added as a new note to the District Use Matrix. The suggested amendments would be applied as follows (changes shown in underline):

Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix:

Category	Description	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SC O	SCI-I
Setbacks	Minimum Front Yard Setback (feet)	20	25	25	20	10	20	20	0 <sup>7</sup>	10	20	See note 12	10	10
	Minimum Side Yard Setback (feet)	10	10 <sup>3</sup> , 19, 20	10 <sup>3</sup> , 19, 20	<u>8</u> <sup>23,7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	0 <sup>7</sup> , 19, 20	10 <sup>11</sup> , 19, 20	10 <sup>11</sup> , 19, 20	See note 12	10	10
	Minimum Rear Yard	10	10 <sup>3</sup> , 19, 20	10 <sup>3</sup> , 19, 20	<u>8</u> <sup>23,7</sup> , 7, 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	0 <sup>7</sup> , 19, 20	10 <sup>11</sup> , 19, 20	10 <sup>11</sup> , 19, 20	See note 12	10	10

	Setback (feet)												
Notes	<p style="text-align: center;"><u>23. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (2<sup>1</sup>/<sub>2</sub>') of wall height (see section 17.04M.090, diagram 1 and table 2 of the Hailey Municipal Code), but not less than the base setback for the GR Zone District. This shall apply to walls on the perimeter of properties, but shall not apply to sublots within a development.</u></p>												

For those parcels where sublots can be created and utilized for townhome and cottage developments, Staff finds that by excluding the interior setbacks of the development from this standard, more flexibility is given to those parcels that allow for cottage-style developments and the likes. Additionally, this note shall apply to perimeter setbacks from adjacent properties within this same development.

**Standards of Review:**

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

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

**1. The proposed amendment is in accordance with the comprehensive plan;**

The Comprehensive Plan does not go in to the specificity that this code section contemplates. That said, the Comprehensive Plan articulates the merits of diverse housing and population growth management through a balanced combination of infill and redevelopment. With such growth, the Comprehensive Plan also aims to retain the small-town character of Hailey:

**“Land Use Implications of Population Growth Scenarios: Impacts resulting from growth pressure, such as environmental degradation, inadequate social and infrastructure services, and loss of small-town character are concerns associated with unrestricted growth of the community; therefore, it is the responsibility of the city to plan for potential future population growth”.**

The City is seeing robust growth and building construction. When the Council adopted the new Accessory Dwelling Unit regulations, they requested that staff examine setbacks in the GR Zone District to address sunshine and light and air.

Staff finds that, while the proposed amendments allow for smart growth and infill and redevelopment, while retaining the small-town charm of Hailey, they may have unintended consequences if side yard setbacks are not modified. The Commission should discuss if side yard setbacks should be reduced in combination with the above modification.

**2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;**

The proposed amendments will not result in a change in allowed uses nor will they create excessive additional requirements at public cost for services. The amendments are intended to clarify regulations, to simplify administration of the requirements, and to implement best practices.

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

The proposed text amendments will no result in a change in allowed uses.

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

The amendments recommended could be consistent with the Hailey Comprehensive Plan, but may have unintended consequences. The proposed code revisions will not result in a change in allowed uses.

**Motion Language:**

**Approval:** I move to recommend approval to the Hailey City Council an Ordinance amending Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to amend the General Residential (GR) Zoning District setbacks by adding Note #23 to the Minimum Side and Rear Setbacks, which establishes new light and air setbacks from property lines abutting private property based on building height, and amending the base side yard setbacks abutting private property from ten (10) feet to eight (8) feet, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare.

**Denial:** Motion to deny recommendation of the attached revisions to Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix), 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 17.05: SECTION 17.05.050: DISTRICT USE MATRIX, OF THE HAILEY MUNICIPAL CODE, BY REVISING SETBACKS AND ADDING A NEW NOTE TO THE GENERAL RESIDENTIAL (GR) ZONING DISTRICT SETBACKS, AND BY AMENDING BULK REQUIREMENTS BY ADDING THE FIGURE FOUND IN SECTION 17.04M.090; 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 General Residential (GR) Zoning District within Title 17, Chapter 17.05, Section 17.05.040: District Use Matrix, does not reference or contain footnotes for side and rear yard setbacks once all portions of a building exceed twenty (20) feet in height, and such reference would improve access to light and air, when combined with an eight (8) foot setback; and

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

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

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

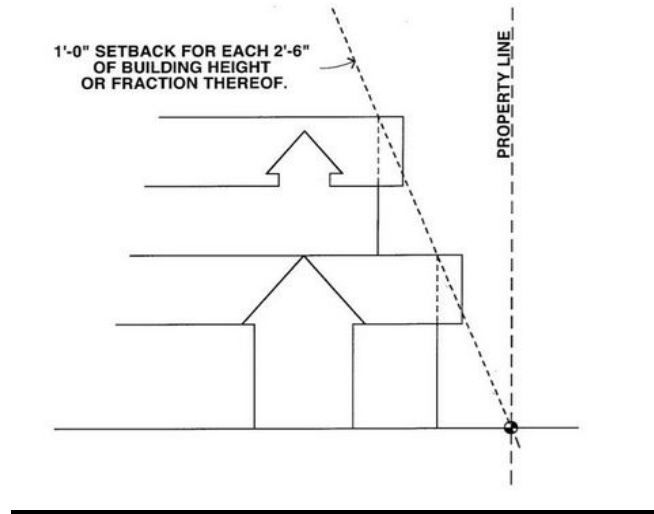
Section 1. Title 17, Section 17.05 of the Hailey Municipal Code, is hereby amended by the addition of the underlined language, as follows:

**BULK REQUIREMENTS**

Category	Description	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SCO	SCI-I
Setbacks	Minimum Front Yard Setback (feet)	20	25	25	20	10	20	20	0 <sup>7</sup>	10	20	See note 12	10	10
	Minimum Side Yard Setback (feet)	10	10 <sup>3</sup> , 19, 20	10 <sup>3</sup> , 19, 20	8 <sup>23</sup> , 7, 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	0 <sup>7</sup> , 19, 20	10 <sup>11</sup> , 19, 20	10 <sup>11</sup> , 19, 20	See note 12	10	10
	Minimum Rear Yard Setback (feet)	10	10 <sup>3</sup> , 19, 20	10 <sup>3</sup> , 19, 20	8 <sup>23</sup> , 7, 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	10 <sup>7</sup> , 19, 20	0 <sup>7</sup> , 19, 20	10 <sup>11</sup> , 19, 20	10 <sup>11</sup> , 19, 20	See note 12	10	10

23. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (2<sup>1</sup>/<sub>2</sub>') of wall height (see section 17.04M.090, Diagram 1 of the Hailey Municipal Code), but not less than the base setback for the GR Zone District. This shall apply to walls on the perimeter of properties, but shall not apply to sublots within a development.

DIAGRAM 1



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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Martha Burke, Mayor, City of Hailey

Attest:

\_\_\_\_\_  
Mary Cone, City Clerk

**Return to Agenda**