

**AGENDA**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, November 1, 2021**  
**In-Person and Virtual Meeting**  
**5:30 p.m.**

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

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

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 Subdivision Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots. This project is located within the General Residential (GR) Zoning District. The preliminary plat on this property has expired; this plat is identical to the previously approved plat. **ACTION ITEM.**

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

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

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

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

**Public Hearing**

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

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

**Staff Reports and Discussion**

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

**SR 2** Discussion of the next Planning and Zoning meeting: **November 15, 2021.**

- PP River Street Townhomes
- DR River Street Townhomes

**Return to Agenda**

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On October 18, 2021, the Planning and Zoning Commission considered and approved a Preliminary Plat Subdivision Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots. This project is located within the General Residential (GR) Zoning District. The preliminary plat on this property has expired; this plat is identical to the previously approved plat.

The Planning and Zoning Commission enters these Findings of Fact, Conclusions of Law and Decision.

### FINDINGS OF FACT

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on September 29, 2021 and mailed to property owners on September 29, 2021.

**Background:** On January 21, 2020, Lena Cottages, LLC, submitted an Application for Preliminary Plat of approximately 0.97 acres to be subdivided and utilized for residential “cottage” development. The proposed subdivision consists of two (2) phases: Phase I contains seven (7) cottage sublots, and Phase II will contain two (2) townhouse sublots. The site is accessed via a parking lot connecting to a City Street. Adjacent use is residential, zoned General Residential (GR).

The Planning and Zoning Commission approved the Preliminary Plat Application on April 20, 2020 and the Hailey City Council approved the Preliminary Plat Application on June 8, 2020. The Preliminary Plat expired on June 8, 2021. A Preliminary Plat Application approval is valid for one (1) calendar year. Since the Preliminary Plat has expired, the project is subject to another hearing and approval:

Pursuant Section 16.03.020: Council Preliminary Plat Approval,

D. Records Maintained; Time Limit of Approval: One copy of the approved preliminary plat will be kept on file for public examination at the office of the city engineer and one copy at the office of the administrator. The approval of the preliminary plat shall be valid for a period of one calendar year unless an extension of time is applied for and granted by the council, or unless otherwise allowed for within a phasing agreement.

No changes have been made or are proposed from the Preliminary Plat Application approved on June 8, 2020. This application is identical to the previously approved plat.

**Procedural History:** The Application was submitted on January 21, 2020 and certified complete on January 29, 2020. The Planning and Zoning Commission approved the Preliminary Plat Application on April 20, 2020 and the Hailey City Council approved the Preliminary Plat Application on June 8, 2020. Notice for the October 18, 2021 public hearing was published in the Idaho Mountain Express on September 29, 2021. The notice was mailed to property owners within 300 feet on September 29, 2021. A public hearing before the Planning and Zoning Commission was held on October 18, 2021, in the Hailey City Council Chambers 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"/>	16.04.010 Development Standards	<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.
			<i>Staff Comments</i>	<i>The recorded Cutters Plat anticipates a cottage-style development on this lot. The Cutters plat is attached for reference. The Commission found that this standard has been met.</i>
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"/>	16.04.020	<b>Streets:</b> Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The project is on the corner of CD Olena Drive and Cutters Drive. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<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.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	<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.
			<i>Staff Comments</i>	<i>No dead-end streets are proposed. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<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.
			<i>Staff Comments</i>	<i>One point of access to the proposed townhouse subdivision is shown from Cutters Drive. This access location appears to be appropriate for project access. The curb cut is existing. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D.	<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.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.	Centerlines: Street centerlines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. No deflections in horizontal alignment are proposed. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F.	Width: Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	H.	Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I.	Runoff: The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm Water Discharge from Construction Activity" for all construction activity affecting more than one acre.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	J.	Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	K.	Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County.
			<i>Staff Comments</i>	<i>All public streets are in place and complete. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	L.	Private Streets:
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	M.	Driveways:

			<i>Staff Comments</i>	<i>No specific driveways are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	M. 1.	<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>No driveways are proposed at this time. The site is accessed via a common entrance and parking drive aisle. Residents would walk from the common garage building to the units. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N.	<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 project contains a parking access lane. It has been reviewed by the Fire Chief, and the project is compliant with the IFC. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	O.	<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>N/A; however, the city engineer has requested that a plat note be added to ensure that all future owners are aware that no on-street parking is permitted to ensure adequate access for emergency services. This has been made a Condition of Approval.</i>

#### 16.04.060: 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"/>	A.	<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>Sidewalks are in place and were installed during the construction of the Old Cutters Subdivision. A walkway between sublots is shown as common area. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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>
			<i>Staff Comments</i>	<i>Sidewalks are in place. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<b>New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.</b>
			<i>Staff Comments</i>	<i>Sidewalks are in place. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D.	<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>
			<i>Staff Comments</i>	<i>Sidewalks are in place. A walkway between sublots is shown as common area. This walkway also connects to Cutters Park, which is adjacent. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.	<b>The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.</b>
			<i>Staff Comments</i>	<i>N/A</i>

16.04.040: Alleys and Easements				
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"/>	A.	Alleys:
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 4.	All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.
			Staff Comments	Proposed water and sewer mains have been identified on the submitted plans. All utilities shall be installed underground. The Commission found that this standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 7.	Where alleys are not provided, easements of not less than ten (10) feet in width may be required on each side of all rear and/or side lot lines (total width = 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of utilities.
			Staff Comments	Easements are required for power and gas service, which are not currently included in the proposed plan. Water lines are currently proposed across private, non-shared property as well. Resolution of these issues have been added as Conditions of Approval.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	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: <ul style="list-style-type: none"> <li>Access for utilities, emergency services, public access, private access, recreation, deliveries or other such purpose.</li> <li>Protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under or over the land.</li> <li>Storage of snow, drainage areas, or the conduct of irrigation waters.</li> </ul>
			Staff Comments	See comments above. Additional easements are required for utilities beyond those included in the proposed plat. This has been added as a Condition of Approval.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.
			Staff Comments	N/A, as the property does not border the Big Wood River. The Commission found that this standard has been met.
<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 the property does not border the Big Wood River. 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 calculations are provided on the Design Review drawings and the plat, and meet this standard. 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>	
<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	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 blocks in the underlying Old Cutters plat are existing. 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	Lots: 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.
			<i>Staff Comments</i>	<i>The submitted Preliminary Plat shows that all proposed lots are less than ½ acre. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>No lots are more than double the minimum size. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>No double frontage lots proposed. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.
			Staff Comments	No unbuildable lots are shown. The Commission found that this standard has been met.
<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.
			Staff Comments	N/A, as no flag lots are proposed. The Commission found that this standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E.	All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Sections 4.1.11.1 and 4.5.4 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.
			Staff Comments	N/A, as all the lots are townhouse sublots and are exempt from this requirement. The Commission found that this standard has been met.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F.	In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.
			Staff Comments	N/A, as this parcel is not located within the Townsite Overlay (TO) District.

#### 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"/>	A.	Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	Agreement: Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.
			Staff Comments	A Phasing Agreement will be required, and will be reviewed by the City Council. The Commission found that this standard has been met.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	<p><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:</p> <ol style="list-style-type: none"> <li>1. Provision of on-site or off-site street or intersection improvements.</li> <li>2. Provision of other off-site improvements.</li> <li>3. Dedications and/or public improvements on property frontages.</li> <li>4. Dedication or provision of parks or green space.</li> <li>5. Provision of public service facilities.</li> <li>6. Construction of flood control canals or devices.</li> <li>7. Provisions for ongoing maintenance.</li> </ol>
			Staff Comments	<p><i>No impacts to off-site streets or intersections are anticipated. There are no on-site public streets or intersections.</i></p> <p><i>Park requirements have previously been met for this subdivision.</i></p> <p><i>The proposed development meets the density requirements for GR. The water distribution system, wastewater conveyance system, and treatment facility all have capacity for the proposed seven (7) units.</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"/>	D.	<p><b>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:</b></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><b>The commission and council may require that any or all contiguous parcels be included in the subdivision.</b></p>
			Staff Comments	<p><i>The contiguous parcel owned by the Applicant is proposed as Phase II. The Commission found that this standard has been met.</i></p>
<b>16.04.080: Perimeter Walls, Gates and Berms</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 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>No perimeter gates, walls or berms are proposed. 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"/>	A.	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.
			<i>Staff Comments</i>	<i>Directional grading has been identified on the plat. Site appears to be fairly flat with no hydrologic issues. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 1.	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.
			<i>Staff Comments</i>	<i>A geotechnical report has not been submitted. Staff does not anticipate the need for a geotechnical report. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 2.	A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information: <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>A directional grading and road grading plan have been submitted. It appears that adequate drainage can be accomplished. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	Design Standards: The proposed subdivision shall conform to the following design standards:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 1.	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.
			<i>Staff Comments</i>	<i>A directional grading plan submitted. Site appears to be fairly flat, and no terracing or padding has been identified on the Preliminary Plat. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 2.	Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.

			<b>Staff Comments</b>	<i>The site appears to be fairly flat and does not identify any questionable existing soil conditions, areas of steep slopes, geological or hydrological areas of concern. 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>
			<b>Staff Comments</b>	<i>Erosion control and re-vegetation shall be included in final design. The Developer shall re-vegetate disturbed areas per this standard. 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>
			<b>Staff Comments</b>	<i>A directional grading plan has been submitted. Site appears to be fairly flat with minimal site grading. 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>
			<b>Staff Comments</b>	<p><i>No drainage calculations have been provided for drywell capacities. Calculations shall be submitted at final design.</i></p> <p><i>A Storm Water Pollution Prevention Plan (SWPPP) will be necessary for any disturbances greater than 1 acre, and should be provided at final design.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<b>16.04.100: Overlay Districts</b>				
<b>Compliant</b>		<b>Standards and Staff Comments</b>		



Yes	No	N/A	City Code	City Standards and Staff Comments
			A.	Flood Hazard Overlay District:
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 1.	Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 2.	Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 3.	Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Hillside Overlay District:
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 1.	Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 4.14, of the Zoning Ordinance.
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 2.	Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 3.	All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.
			Staff Comments	The Developer shall meet this standard.

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

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"/>	A.	Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.
			Staff Comments	The Park Dedication was part of the Old Cutters Subdivision. No further park dedication is required; therefore, none of the Park Standards herein are applicable. The Commission found that this standard has been met.

#### 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	Minimum Improvements Required: 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.

			<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>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.
			<i>Staff Comments</i>	<i>The Applicant shall meet this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.
			<i>Staff Comments</i>	<i>The Applicant shall meet this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	Term Of Guarantee of Improvements: The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the city engineer, except that park shall be guaranteed and maintained by the developer for a period of two years.
			<i>Staff Comments</i>	<i>The Applicant shall meet this standard.</i>
<b>16.05.020: Streets, Sidewalks, Lighting, Landscaping</b>				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.05.020	Streets, Sidewalks, Lighting, Landscaping: The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the city engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix, and shall chip-seal streets and alleys within one year of construction.
			<i>Staff Comments</i>	<i>All streets, alleys, sidewalks and street trees are in place as part of the Old Cutters Subdivision. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Street Cuts: Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as no street cuts will be needed. 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"/>	16.05.030	Sewer Connections: The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the city engineer for review and approval. At the city engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

			<b>Staff Comments</b>	<i>An engineered sewer plan was submitted to the city on April 10, 2020. The plan appears to be sufficient and the Commission found that this standard has been met.</i>
<b>16.05.040: Water Connections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<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.
			<b>Staff Comments</b>	<i>Easements for proposed water lines are insufficient in the current proposal. Staff requests that easements be added for shared water lines. It is encouraged that water lines have a minimum setback of ten feet (10') and that they are not near buildings. Adding easements has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	<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.
			<b>Staff Comments</b>	<i>N/A</i>
<b>16.05.050: Drainage</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.050	<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)
			<b>Staff Comments</b>	<i>No drainage calculations have been submitted. Review of drainage calculations will take place during final design. Design appears to be sufficient for anticipated runoff. 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"/>	16.05.060	<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 have been included on the plat and it appears that all utilities will be installed underground. The Commission found that this standard has been met.</i>
<b>16.05.070: Parks, Green Space</b>				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.05.070	<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>	See Section 16.04.110 for further details. All required Parks and Green Space is complete as part of the Old Cutters Subdivision. The Commission found that this standard has been met.
<b>16.05.080: Installation to Specifications; Inspections</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.080	Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the city engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.
			<b>Staff Comments</b>	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 City of Hailey code.  The city will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.
<b>16.05.090: Completion; Inspections; Acceptance</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Installation of all infrastructure improvements must be completed by the developer, and inspected and accepted by the city prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the city engineer, and appropriate City departments to determine a punch list of items for final acceptance.
			<b>Staff Comments</b>	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 City of Hailey code.  The city will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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>Staff Comments</b>	Completion of all major infrastructure by the Developer is preferred over bonding.
<b>16.05.100: As Built Plans and Specifications</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.100	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>Staff Comments</b>	As-built drawings will be required.
<b>16.08: Townhouses:</b>				

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"/>	16.08.010	<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>
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.020	<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>
			Staff Comments	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.030	<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>
			Staff Comments	<p><i>Per the Hailey Municipal Code, residential units of less than 1,000 square feet are required to have one (1) parking space per residential dwelling unit, and single-family dwellings greater than 1,000 square feet are required a minimum of two (2) parking spaces per unit.</i></p> <p><i>The project is comprised of seven (7) single-family dwellings, five (5) of which are less than 1,000 square feet in area, and two (2) of which are greater than 1,000 square feet, thus requiring nine (9) total onsite parking spaces. The site plan shows a total of eleven (11) onsite parking spaces, including seven (7) private garages, and four (4) guest parking spaces, of which one (1) is an accessible parking space. The Commission found that all parking requirements have been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.040	<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>
			Staff Comments	<i>This standard will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.050	<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>
			Staff Comments	<i>This standard will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.060	<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</p>

				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)
			<i>Staff Comments</i>	<i>This standard will be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.070	Conversion: The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.08.080	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)
			<i>Staff Comments</i>	<i>A total of nine (9) cottage units are planned in Phases I and II. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.11.010	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 those exceptions will allow more financially feasible or profitable subdivision. (Ord. 1191, 2015).
			<i>Staff Comments</i>	<i>N/A, as this standard is not needed.</i>

## CONCLUSIONS OF LAW

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

1. Adequate notice, pursuant to Title 16, Section 16.03.010, of the Hailey Municipal Code, was given for the public hearing.
2. Upon compliance with the conditions noted below, the Application substantially meets the standards of approval set forth in the Hailey Municipal Code.

## DECISION

The Preliminary Plat Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots, has been approved, and meets the standards of approval set forth in the Hailey Municipal Code, and is recommended for approval by the Hailey Planning and Zoning Commission, subject to the following conditions, (a) through (i), as noted below:

- a) All Fire Department and Building Department requirements shall be met.

- b) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department approval and shall meet City Standards where required.
  - i. The Applicant shall submit engineered plans for water delivery suitable to the City Engineer and Water Division Manager.
  - ii. The applicant shall abandon any unused water services at the water main.
- c) An encroachment permit should be applied for prior to any work in the public right of way.
- d) Best management practices shall be utilized, particularly adjacent to the canal easement, to prevent water pollution.
- e) The final plat shall include plat notes #1 through #9 as stated on the approved preliminary plat with the following amendments and additions:
  - i. The Applicant shall include an additional plat note #10 indicating that no guest on-street parking is permitted.
- f) The preliminary plat shall include easements for the following utilities:
  - i. Shared water lines – easement shall include a minimum setback of ten feet (10')
  - ii. Power/Cable/Television
  - iii. Gas
  - iv. Any other utilities where they extend beyond designated common space.
- g) All improvements and all improvements within the public right-of-way shall be completed and accepted, or surety provided pursuant to Sections 16.04 and 16.05 of the Hailey Municipal Code, prior to recordation of the final plat.
- h) The final plat must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.
- i) Any subdivision inspection fees due shall be paid prior to recording the final plat.

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

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

Attest:

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

**Return to Agenda**



**Meeting Minutes**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, October 18, 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

**Present**

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

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

**Absent:** Dan Smith

[5:30:01 PM](#) Chair Fugate called to order.

[5:30:26 PM](#) Public Comment for items not on the agenda. No Comment.

[5:30:48 PM](#) **Consent Agenda**

**CA 1** *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, four (4), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units. This project is located along Shenandoah Drive, in Section 15, T.2 N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, within the Limited Business (LB) Zoning District.*  
**ACTION ITEM.**

**CA 2** *Adoption Meeting Minutes dated August 16, 2021.* **ACTION ITEM.**

**CA 3** *Adoption of Meeting Minutes dated September 7, 2021.* **ACTION ITEM.**

**CA 4** *Adoption of Meeting Minutes dated September 20, 2021.* **ACTION ITEM.**

**CA 5** *Adoption of Meeting Minutes dated October 4, 2021.* **ACTION ITEM.**

Chair Fugate requested to take each item individually.

[5:31:26 PM](#) Scanlon motioned approve to CA 2. Pogue seconded. Stone abstained. Scanlon, Pogue and Fugate in Favor.

[5:31:51 PM](#) Stone motioned to approve CA 3. Chair Fugate seconded. Pogue and Scanlon abstained. Stone and Fugate in Favor.

[5:32:14 PM](#) Pogue motioned to approve CA 4. Scanlon seconded. Stone abstained. Pogue, Scanlon, and Fugate in Favor.

**5:32:41 PM** Scanlon motioned to approve CA 5. Pogue seconded. Stone and Fugate abstained. Scanlon and Pogue in Favor.

Davis explained no longer need to approve CA 1.

**5:33:32 PM** Pogue motioned to approve CA 1. Scanlon seconded. Fugate and stone abstained. Pogue and Scanlon in Favor.

#### **Public Hearing**

**PH 1** **5:34:22 PM** *Consideration of a Preliminary Plat Subdivision Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots. This project is located within the General Residential (GR) Zoning District. The preliminary plat on this property has expired; this plat is identical to the previously approved plat. **ACTION ITEM.***

**5:34:44 PM** Davis explained commissioner originally heard this item in 2020, and that this application has expired. **5:35:44 PM** Chair Fugate confirmed project is identical and no changes to circumstances that need to be reviewed. Davis confirmed no change; the construction is causing the delay. Horowitz noted that a text change will be coming in future to extend this time frame. **5:37:11 PM** Stone asked about possibility to allow these to be addressed administratively. Horowitz stated can discuss during the text change coming up.

**5:37:58 PM** Chair Fugate opened public comment.

**5:38:15 PM** Elizabeth Jeffery, 201 N 3<sup>rd</sup>, wonders if the builder would consider electrifying this for electric vehicles. Does not know if an option at this time or not.

**5:38:59 PM** Chair Fugate closed public comment.

**5:39:07 PM** Horowitz believes commission has more authority under design review than under subdivision and this project was not subject to a design review.

**5:39:35 PM** Stone does not have any concerns.

**5:39:47 PM** Stone motioned to approve the Preliminary Plat Application for Lena Cottages Subdivision (Lot 9, Block 3, Old Cutters Subdivision), finding that the application meets all City standards, and that Conditions (a) through (i) are met. Pogue seconded. All in favor.

**PH 2** **5:40:33 PM** *Consideration of a Design Review Preapplication by Leonard H. McIntosh Family Trust, for construction of four (4) residential units located in two (2) three-story duplex buildings. Each unit is 2,143 square feet with garage. The proposed project is located at 109 West Spruce Street (Lots 9 and 10, Block 66, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts.*

**5:40:56 PM** Davis turned floor over to applicant team.

[5:41:26 PM](#) Leonard McIntosh introduced himself, here for questions if needed and stated will have Errin Bliss do the main presentation.

[5:42:28 PM](#) Bliss introduced project, explaining location of project on Spruce and River St. Bliss explained idea is to do a lot line adjustment that creates two new lots divided in south/north direction. Bliss stated has four units proposed, all floor plans would be the same with a 6ft tall fence along the parameter of the site with a sliding gate. Bliss noted the units along River St would abut River St closely but the units to the west would be setback to allow open space. Bliss summarized landscape plan including fencing, and screening along north and west. Bliss noted plans show a fire pit but they are thinking of removing it due to liability issues. Bliss explained open space would include seating and tables. [5:47:05 PM](#) Bliss summarized floor plan starting with 2 car garage on ground level, 2<sup>nd</sup> floor including great room kitchen and dining and 3<sup>rd</sup> floor would include the three bedrooms. [5:48:22 PM](#) Bliss provided elevation drawings showing proposed colors, describing materials to be used.

[5:51:05 PM](#) Pogue stated he liked the building more on the right, believes the wood is a little darker and recommends uses the same wood for buildings. Pogue is concerned of snow removal from roofs. Bliss stated there would be stone clips where walkways below and snow/water would be shedding directly on landscaping otherwise. Bliss also stated there will also be downspouts. Pogue recommends installing electric charges for electric cars – at least in one space.

[5:53:13 PM](#) Stone asked the distance between the two buildings, where residents will have to drive in and park. Bliss stated it will be 26'. Bliss confirmed he is slightly concerned, would like it to be a little larger. Horowitz stated this is larger than a drive aisle. Stone stated would still have to back and turn at same time. Bliss would not mind increasing it to 30'. Bliss stated priority for applicant team is to create as large as possible outdoor space and a buffer between this development and the other developments. Stone stated would be nice to have a material sample. Stone asked if there are going to be two balconies facing each other that are 20' apart. Bliss confirmed.

[5:56:25 PM](#) Scanlon asked about the timber product –is it actually wood. Bliss confirmed it is a wood cedar. Scanlon asked if its engineered. Bliss stated no, it is real cedar. Scanlon asked what the roofing material is. Bliss stated black asphalt roof. Scanlon asked if would be a class a roof. Bliss confirmed. Scanlon asked if gutters and downspouts will be at all eaves or just sidewalk areas. Bliss confirmed all eaves and will also have snow clips at roofs along sidewalks. Scanlon stated looking at sidewalk on north side of building and water is going to run off that and make the sidewalk treacherous, recommends to make sure gutters work really well. Scanlon also shares Stones concern on width of driveway. Scanlon explained thinks it would be better to have the width a little bit wider than the additional few feet of open space. Scanlon asked the depth of the garage. Bliss stated it is 20'. Scanlon stated that is probably the minimum, stating a suburban is 18'. Scanlon stated people here tend to drive SUVs. Scanlon likes the colors, but wonders the difference on windows. Bliss stated at balconies will be sliders, he will need to look into more these are just conceptual at this time. Scanlon asked what the material is on the guard rails. Bliss stated intent is ½ to ¾ inch plate steel powdered coated. Scanlon suggested considering how hot the panels will be in summer with the sun shining on them. Scanlon stated may be code issue with extension over property line, aware code allows for that to extend into setback but unsure of property line. [6:04:11 PM](#) Scanlon noted two different square footages listed for property

size. Scanlon is not sure what a colander tree is. Commission explained it is a tall and narrow type tree.

[6:04:58 PM](#) Chair Fugate agrees with Scanlon, and thinks it is great planned for two car garages. Chair Fugate confirmed same type of wood on both buildings. Bliss confirmed. Chair Fugate stated it will be important for them to see the actual colors. Chair Fugate asked if applicant team is amenable to staff comments. Bliss confirmed open to all comments, did have a question in regards to recycling. Bliss does not recall seeing a recycling comment before and what it meant. [6:07:09 PM](#) Davis explained intent is to have recycling included and applicant can determine how that is included. [6:08:00 PM](#) Chair Fugate asked about the lot line adjustment. Horowitz explained staff worked with applicant team to have access on Spruce not River. Horowitz is unsure if applicant gave thought to street presence on westerly side. Chair Fugate clarified the exceptions. Staff will look it up. [6:09:21 PM](#) Horowitz thinks when looking at urban infill project in business zone, that tighter driveways on this kind of projects is ok. Horowitz stated going back to lot line adjustment, the applicant pointed out that there are some corner lots in the business zone in townsite that were allowed to be flipped the other way. Horowitz would be more comfortable with that if there was any kind of street frontage the way the lot is being flipped instead of just the sides.

[6:11:02 PM](#) Bliss confirmed that made sense. Bliss stated these are not townhomes or condos, there is no property line dividing each unit. Horowitz asked if the plat would have a restriction that there would be no further subdividing the lot. McIntosh confirmed no issue with having that plat note.

[6:12:39 PM](#) Chair Fugate can see driveway going both ways, but thinks a little more separation would be good though she is comfortable both ways.

[6:13:45 PM](#) Staff and Commission discussed access and street presence requirements.

[6:14:20 PM](#) **Chair Fugate opened public comment.**

[6:14:47 PM](#) Elizabeth Jeffery, noticed no view in elevation of what street view would be with 6ft fence. She really likes the trees in the back to buffer it. Really good to outdoor space, but thinks the landscaping gives the privacy looking floor. Jeffery agrees wider separation of buildings would be nicer. Jeffery wonders if landscaping between sidewalk and fence might be more of a desert than grass.

[6:17:04 PM](#) Ben Warner, 520 Calumet Way, roughly 1/3 of his property abuts this project. He wanted to come out and support this project, thinks the architect has done a great job on a very tight lot. He likes the layout and he does appreciate the Spruce entrance, fits the property best and angle is good. Thinks everything has been really thoughtful as far as the buffer. He would support anything to make a better buffer. He is really excited about this, thinks this is a neighborhood architect he can support and will be supporting this project all the way if it continues to look like this.

**Chair Fugate closed public comment.**

[6:19:08 PM](#) Bliss thanked Jeffery and Warner for their comments. Bliss explained the fence would tie into the side of the building, not go in front of it.

[6:19:44 PM](#) Chair Fugate stated there may be further adjustments to the landscape plan once the project is heard by the Hailey Tree Committee. Davis reminded commission that

[6:20:40 PM](#) Horowitz noted that after the bulb out was completed received feedback from design professionals that there was a lot of hardscapes. Horowitz stated they have worked with applicant team and staff is pleased with planter beds softening the corner.

[6:22:00 PM](#) Chair Fugate asked if applicant had any more questions or needed more feedback. Bliss stated no.

[6:22:16 PM](#) Stone has not seen gated access to buildings in Hailey yet. Stone suggested staggering the buildings, but would change gated zone. Stone suggested possibly removing balconies facing each other does not know the benefit of them. Stone complimented applicant team for reaching out to the neighbors. Stone supports Pogue's recommendation to have at least one electric car charger in each garage.

[6:24:42 PM](#) Pogue complimented applicant team on removing the fire pit.

[6:25:41 PM](#) Horowitz agrees with Stone regarding gated access. McIntosh explained thought would be nice to have area secured, was not thinking to keep people out it was more along idea of keeping dogs in. Chair Fugate asked if would be a deal breaker if did not have it. McIntosh confirmed it would not.

[6:27:06 PM](#) Scanlon asked the commission about their concern regarding having a gate. Stone explained in his opinion it is a look to give security and does not think it is appropriate. Stone stated with a 6' fence around it, there is plenty of space for people to store stuff. Stone expressed noise concern when the gate functions with multiple cars going in and out. [6:28:12 PM](#) Horowitz stated gated communities have not been allowed in Ketchum community. Scanlon is neutral. Commission and applicant team continued to discuss gate.

[6:31:28 PM](#) No further comments.

### **Staff Reports and Discussion**

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

**SR 2** Discussion of the next Planning and Zoning meeting: **November 1, 2021.**

- PP Amendment from 1 to 2 years
- Allred Annexation

[6:31:46 PM](#) Staff summarized upcoming projects to be heard at next hearing.

[6:34:58 PM](#) **Stone motion to adjourn. Pogue seconded. All in Favor.**

**Return to Agenda**

## DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE

### MEETING MINUTES

August 2, 2021

5:30 PM

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyP2>

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

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

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

[5:30:50 PM](#) Chair Fugate called to order.

#### Public Hearing

**PH 1** [5:31:01 PM](#) *Report from city staff on updates to D.P. Guthrie Report "2021 Development Impact Fees" to consider changes made by city staff and the Hailey City Council to capital improvement plan budget and the DIF Study since May 19, 2021, with land use assumptions, level of service and facility needs, capital improvements plan; review of cost allocation alternatives for each Development Impact Fee. DIF Advisory Committee and any member of the public affected by the capital improvements plan or amendments shall have the right to appear at the public hearing and present evidence regarding the proposed capital improvements plan or amendments.*

#### **ACTION ITEM**

[5:31:47 PM](#) Horowitz explained this is the final report for the Development Impact Fees including some minor changes. Horowitz asked if there were any questions.

[5:32:40 PM](#) Chair Fugate asked about pathway from 1<sup>st</sup> to Wertheimer. Yeager explained that pathway money is still allocated towards the pathway waiting for future involvement from the School District.

[5:34:18 PM](#) Smith asked about figure 12 on page 19 of the development impact fee report. Smith stated in reviewing the land use assumptions, when comes to number of trips, length and mileage, he is unable to come up with the numbers suggested except for residential trips. Smith suggested that may need to be reviewed as it may cause that segment to have a higher usage then what looks like should be applied.

[5:35:47 PM](#) Yeager explained Smith identified the concern prior to the meeting, he is researching the answer now but may not have an answer during the meeting. Yeager suggested if not able to determine the answer, that Committee make a recommendation to have Staff further review. Smith confirmed that is acceptable. Yeager confirmed will look into it.

[5:37:17 PM](#) Stone referred to page 8 of the report comparing the three cities, asking what the comparative years are for Bellevue and Ketchum. Horowitz stated only shown current information for Bellevue and Ketchum. Stone asked why stopped increments of square footage at 3001. Horowitz explained very few homes over that in Hailey.

[5:40:12 PM](#) No comments from Scanlon. Pogue agrees with comments made by Smith.

[5:41:22 PM](#) Chair Fugate opened public comment.

[5:41:42 PM](#) Chair Fugate closed public comment.

[5:40:47 PM](#) Smith moved to accept the 2021 Development Impact Fee Report as modified in the report attached to the August 2, 2021 DIF Advisory Committee packet, with follow up by staff concerning questions brought up in tonight's meeting. Pogue seconded. All in Favor.

[5:42:19 PM](#) Smith motioned to adjourn. Scanlon seconded. All in Favor.

Meeting Minutes  
HAILEY PLANNING & ZONING COMMISSION  
Monday, August 2, 2021  
In-Person and Virtual Meeting  
5:30 p.m.  
(Meeting will start after DIF Advisory Committee)

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

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

Staff: Lisa Horowitz, Robyn Davis, Jessica Parker

[5:42:44 PM](#) Chair Fugate called to order.

[5:42:55 PM](#) Public Comment for items not on the agenda. No Comment.

[5:43:20 PM](#) Consent Agenda

**CA 1** *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 3, Block 11, Old Cutters Subdivision (1120 E. Myrtle Street) is subdivided into two (2) sublots, Sublot 1 is 7,845 square feet in size, and Sublot 2 is 7,721 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Starlight Serenade Subdivision. **ACTION ITEM.***

**CA 2** *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Oscar Hildago, represented by Alpine Enterprises Inc., wherein Sonitalena Cottages Future Sublots is subdivided into two (2) sublots, Sublot 1 is 8,528 square feet in size, and Sublot 2 is 8,527 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Old Cutters Townhomes. **ACTION ITEM.***

**CA 3** *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 15, Block 6, Old Cutters Subdivision (611 Little Lena Dr.) is subdivided into two (2) sublots, Sublot 1 is 5,008 square feet in*



size, and Sublot 2 is 5,007 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Poco Lena Subdivision. **ACTION ITEM.**

**CA 4** Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Kevin and Stefanie McMinn, represented by Owen Scanlon, for a 5,457 square foot orthodontist office (1,512 square foot unfinished basement, 2,312 square foot main floor office and 1,633 square foot second floor residence), located at Lot 2, Block 1, Taylor Subdivision (801 N 1st Avenue) within the Business (B) Zoning District.

[5:43:29 PM](#) Smith requested to pull CA 4.

[5:43:46 PM](#) Scanlon motioned to approve CA 1,2 and 3. Pogue seconded. All in Favor.

[5:44:23 PM](#) Smith asked about elevation on North side of building, suggesting window.

[5:44:59 PM](#) Scanlon recused himself. Scanlon explained that behind the wall is a closet. Scanlon explained that he believes this is a nice counter point to all that is going on the other sides of the building. Scanlon explained coloring scheme. Smith expressed concern of large blank area on that end of the building. Smith asked if client would be amendable to make changes. Scanlon explained it seems to add additional cost.

[5:48:17 PM](#) Horowitz asked Scanlon to compare size to Champion Building. Scanlon confirmed a lot smaller, suggesting maybe a 10<sup>th</sup> but does not have the dimensions of the Champion Building.

Smith and Scanlon continued to discuss further ideas to break up the side.

[5:49:37 PM](#) Stone asked what the belly band would add additionally to cost. Scanlon explained concern of look. Stone suggested color changing of band to match front of building. Scanlon expressed concern of visual of building in adding a band to just that side. Scanlon and Stone continued to discuss.

[5:51:56 PM](#) Horowitz suggested continuing project two weeks and coming back with photos of building under construction. Stone trust the process but that maybe photos would make it seem like a moot point.

[5:52:45 PM](#) Pogue thinks that if it's a part of the building not going to see by itself, without viewing it from an angle, that a single band would be a wrong thing to do. Pogue thinks would need to see picture to confirm that. Stone recommends that the applicant break it up, doesn't have to be a band.

[5:54:04 PM](#) Chair Fugate agrees with Pogue, confirming Stones point is well taken but also agrees with Scanlon. Chair Fugate suggested continuing project and seeing photos at next hearing. Smith does not have an issue, that it would at least give them a different perspective. [5:55:10 PM](#) Commission and staff discussed options, all agreeing that the applicant will resubmit and work with Smith and staff to finalize changes.

[5:58:44 PM](#) Pogue motioned amend Condition M, arrange for no change or total elimination of Condition M. Stone seconded. Stone, Smith, Pogue, Fugate in Favor. Scanlon recused.

## Public Hearing

**PH 1** [5:59:28 PM](#) *Consideration of a Design Review Application by Larry Green, represented by Errin Bliss of Bliss Architecture, for a new 16,535 square foot commercial building, to be located at 21 East McKercher Boulevard (Lot 1, Block 2, Northridge X Subdivision). The project will include retail and warehouse space, an outdoor space and storage space. The proposed project is located within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.***

[6:00:01 PM](#) Scanlon recused himself from this project. Horowitz stated staff has updates on City Arborist report after applicant presentation. Horowitz turned floor to applicant team.

[6:01:20 PM](#) Stone asked if it mattered that the setbacks would be wrong if the rezone on PH 2 is not approved. All agreed, PH 1 put on hold and will hear PH 2 first.

[6:40:49 PM](#) Chair Fugate confirmed already read and staff turned floor to applicant team.

[6:41:26 PM](#) Errin Bliss, Bliss Architecture, representing Larry Green, LL Greens Hardware Store. Bliss provided site plan showing location of project and surrounding parcels. Bliss discussed access point from McKercher, outdoor storage, loading area, parking and snow storage. Bliss pointed the three entrances to the building and location of sidewalk along Main Street that will also have street. Bliss noted easement along McKercher and setbacks from the east property line are to be abandoned. Bliss noted error of ADA parking spaces, confirming only 1 ADA parking space is required. Bliss stated the main floor will be the retail space and the 2<sup>nd</sup> floor will contain a conference room and private office space. Bliss described the exterior elevations and that will be using rustic materials for a rusted barn look. Chair Fugate asked about signage on west. Bliss stated no signage off the West at this point. Bliss continued to provide photos of exterior elevations and colored elevation of views from Main Street and McKercher. Bliss noted materials to be used, providing material board for reference. Bliss stated applicant wanted to minimize maintenance and water use. Bliss explained due to this all landscaping is low water use.

[6:56:56 PM](#) Chair Fugate asked if the staff concerns have been addressed by landscaping. Horowitz confirmed City Arborist has reviewed latest plan and is comfortable with the proposed plan.

[6:57:56 PM](#) Horowitz stated Yeager and Schwarz believe street trees should be at back of sidewalk instead of curb line. Horowitz confirmed Cook is pleased with the maple proposed, noting 4" caliper may not be appropriate for that tree species. Bliss reached out to landscape planner regarding caliper and has not heard back. Horowitz stated ADA crossing should be dual, not the single. Horowitz asked if any door swings swing open into City Right of Way. Bliss confirmed none of the doors swing into the right of way.

[7:00:41 PM](#) Bliss and Horowitz discussed ADA crossing access. Bliss noted at that location there are no improvements proposed at that corner. Stahlnecker explained there are improvements proposed and would like to further discuss with the City Engineer.

[7:04:04 PM](#) Bliss has no other concerns with proposed requests.

[7:04:21 PM](#) Stone asked if there is any plan to put a snow slide plan. Bliss noted location of proposed snow clips. Stone suggested sign for West View. Stone suggested that additional walkway along McKercher seems redundant. Bliss explained area in front of store is an actual bike path.

[7:08:05 PM](#) Smith agrees with Stone regarding signage on the West side. Smith asked if have bike stands proposed. Bliss confirmed, 4 total spaces. Smith suggested a tapered curve on bump out for semi backing up into loading bay. Smith suggested talking to consultant and have them examining just parking lot for photometric plan and if does that believes would come into compliance. Smith likes the old west style.

[7:12:21 PM](#) Pogue agrees with Smith comments, thinks this is a great design and especially likes the western style. Pogue's only issue is the northern entrance, thinks some people are going to want to drop off passengers and have to cross into the bike path. Bliss and Stahlnecker explained buffer that is existing to prevent this from happening.

[7:14:19 PM](#) Chair Fugate agrees with comments made by commissioners and thinks will fit in nicely. Chair Fugate suggested green for signage.

[7:15:26 PM](#) **Chair Fugate opened public comment.**

[7:15:50 PM](#) Elizabeth Jeffery, thinks it is a nice design and looks like it is good looking , previous ones were good looking. Her biggest concern is light trespass, hopes when redo lighting, regardless of numbers take into consideration of borrowed light. That ultimately our night skies are precious. She really hopes it is thoughtful and the look at night is not infringing.

[7:17:29 PM](#) **Chair Fugate closed public comment.**

[7:17:41 PM](#) Horowitz agrees lighting needs to be in compliance, asked why would remove building from photometric plan. Smith explained our ordinance refers to parking lots. Smith explained why believes parking lot will be in compliance, explaining lighting next to building tapers off quickly.

[7:20:21 PM](#) Horowitz asked applicant if there will be lights on during the night that will shine up through the upper section of the building. Larry Green explained location of lighting that would be left on during the night and does not see infiltrating outside. Horowitz asked if could reserve right to discuss if complaints receive. Green confirmed. Horowitz stated another concern is signage. Green does not plan to have signage in back.

[7:22:45 PM](#) Stone asked about light on southeast corner. Bliss stated this a slightly outdated plan, noting light fixture that is no longer proposed. Bliss confirmed can work with consultant to reduce wattage. Horowitz made note of standard of lighting for walkways.

[7:26:09 PM](#) Commission and staff discussed lighting requirements and all agreed that lighting does need to be compliant. Horowitz has slight modification to condition H.

[7:28:34 PM](#) Chair Fugate asked about greenhouse and if not doing it at all. Larry Green stated does not think will be doing the green houses, but will have some limited live plants for sell.

[7:29:55 PM](#) Pogue confirmed all issues addressed and appreciate Jeffery's comment about the night sky.

[7:30:47 PM](#) Smith suggested flower and plants along the north side under the covered area. Smith complimented the vented air solution and likes the design and layout. Smith complimented applicant team.

[7:31:44 PM](#) Stone stated in looking at page 144 of the packet, with concern of elevated windows and lighting. Green explained lighting would be on the lower part of the ceiling. Stone suggested removal of tree where truck driver would back into the loading bay. Horowitz suggested applicant to relocate the tree onsite. All agreed.

[7:35:39 PM](#) Horowitz suggested on condition h) adding sentence that photometric plan shall be modified to comply. Condition i) 3) removed and shall read the tree closest to the landing site shall be relocated elsewhere onsite and i)1) add minimum of 4" or as approved by staff. New condition m) if rezone of adjacent property to the south is not approved, the building would be made to comply with setbacks. All agree with amended conditions.

[7:39:43 PM](#) **Smith motioned to approve the Design Review Application submitted by L.L. Green's Hardware for a new 16,535 square foot commercial building, to be located at 21 East McKercher (Lot 1, Block 2, Northridge Subdivision X), within the Business (B) 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 Hailey Municipal Code, Title 18, and City Standards, provided conditions (a) through (m), as modified, are met. All in Favor.**

**[PH 2](#)** [6:02:52 PM](#) *Consideration of a of a Zone Change Application by Joan A. Williams revocable Trust, represented by Galena Engineering for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending 910 North Main Street (Hailey FR SESW TL 7589 SEC 4 2N 18E) from General Residential (GR) to Business (B). **ACTION ITEM.***

[6:03:04 PM](#) Davis introduced project, providing brief overview of requests of this parcel, noting approval of recent rezones for nearby parcels. Davis turned floor to applicant team. [6:05:34 PM](#) Samantha Stahlnecker, Galena Engineering, went through a presentation confirming project location at the northern entrance of Hailey, existing zoning of areas nearby, and along Main Street, how the project meets the Comprehensive Plan, traffic along Cobblestone and the water pressure if added two units. [6:10:15 PM](#) Stahlnecker requested if a subdivision is required to dedicate parcel to City, that it be put off until this parcel is developed. [6:12:50 PM](#) Stahlnecker went on to discuss how the proposal meets the criteria for review. Stahlnecker stated this is just a rezone application, does not have a site plan at this time. Stahlnecker noted that because this would be in the business zone, would see it comeback through under design review.

[6:14:17 PM](#) Stone stated on page 159 of the packet, asked about 1 and 2 under B on rezones, if they were addressed. Davis stated they were not addressed. Stone believes 1 and 2 should be addressed. Horowitz agreed those would need to be addressed by the applicant.

[6:16:43 PM](#) Stahlnecker does not have any rates on the vacancy, offered to provide something at City Council if approved. Horowitz thinks that could be acceptable if the commission agrees. Stone explains how he see the vacancy.

[6:18:07 PM](#) Smith agrees, thinks in this case his overreading consideration would be that it's a GR zone in the B. Smith thinks the council could consider it, does not think it would impact his decision. Smith cannot think of anything in that area that is vacant. Smith understands reason for it and why Stone brought it up, but does not think that information would change his opinion on how to proceed.

[6:19:55 PM](#) Pogue believes this property should be rezoned to commercial and the applicant needs to answer the two questions. Pogue does not believe those answers would change his opinion. Pogue asked staff if could request a setback. Commission and Staff discussed potential setbacks. Stahlnecker noted that Albertsons is also built quite close to the property line, explaining if increased the setback could be undesired by tenant. Pogue explained idea is because of turn lane right in front of building and would not have any street parking. [6:23:33 PM](#) Pogue expressed concern of access, and need to make it safe as possible. Pogue does agree with change of zoning with all of that said.

[6:24:43 PM](#) Chair Fugate agrees, parcel needs to be rezoned but items mentioned by Commission need to be addressed. Chair Fugate is comfortable with that going forward to City Council. Chair Fugate thinks the 24' easement is critical, is there a way to do it without a subdivision. Horowitz explained why would prefer the dedication for the street now. Chair Fugate asked staff to discuss sidewalk issue. Horowitz and Davis explained sidewalks would be addressed during design review.

[6:27:41 PM](#) Chair Fugate opened public comment.

[6:28:42 PM](#) Chair Fugate closed public comment.

[6:29:08 PM](#) Horowitz provided aerial showing area in question, explaining state highway narrows and thinks it may be worth discussion on a setback. [6:30:21 PM](#) Horowitz asked how much the state highway narrows at this location. Stahlnecker stated the right of way along this parcel is 80' and the parcel is 30?' abutting Main Street. Chair Fugate asked Stahlnecker if applicant team would be acceptable to a 10' setback. Stahlnecker asked about options requiring setbacks. Horowitz noted 5' sidewalk will be required in along Main St. Smith asked if could address onsite parking at design review level. Staff confirmed.

[6:35:46 PM](#) Stone is fine with it being added to the verbiage for council to review for the 1 and 2 questions. Stone agrees dedication needs to happen and agrees with Smith and Pogue about determine what happens along the highway at design review level.

[6:37:08 PM](#) Chair Fugate agrees with commissioners. [6:37:43 PM](#) Davis suggested condition 2, applicant shall provide information pertaining to section 17.14.040.B Rezone items 1 and 2 to be considered at City Council at a subsequent hearing. Applicant is good with conditions.

[6:38:56 PM](#) Stone motioned to approve the Rezone Application by Joan A. Williams Revocable Trust, represented by Galena Engineering, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending 910 North Main Street (Hailey FR SESW TL 7589 SEC 4 2N 18E) from General Residential (GR) to Business (B), finding that the changes are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public

cost for the public facilities and services, the proposed uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare, subject to Conditions 1 and 2. Smith seconded. All in favor.

**PH 3** [7:41:29 PM](#) *Consideration of a P&Z Consideration of an Amendment to the Hailey Comprehensive Plan to:*

- *Update Part 5, Capital Improvement Plan to reflect the 2021 D.P. Guthrie report, "2021 Development Impact Fees"*
- *Repeal Appendix E, 2016 Capital/DIF Impact Study Update, and adopt the 2021/2022 Capital Improvement Plan Budget as Appendix E to the Comprehensive Plan. **ACTION ITEM.***

[7:42:52 PM](#) Horowitz explained this is to adopt the documents already reviewed as amendments for our comprehensive plan.

[7:43:26 PM](#) Stone made note that he not attends the previous meetings and was not sure if appropriate to vote on. All agreed if he is comfortable, he can proceed. Stone asked about the campground. Horowitz stated no decision has been made on the campground. Horowitz explained as she understood the last discussion, the feeling was would like to have a municipal campground even if not at the proposed site.

[7:45:41 PM](#) No further comments from Smith or Pogue as long as concerns brought up under the DIF meeting are addressed.

[7:46:13 PM](#) Chair Fugate suggested adding after the 2<sup>nd</sup> comprehensive plan add in subject to figure 12 being reviewed.

[7:46:36 PM](#) Chair Fugate opened public comment.

[7:46:56 PM](#) Chair Fugate closed public comment.

[7:47:09 PM](#) Smith motioned to Repeal the Comprehensive Plan Appendix E, 2016 Capital Development Impact 2016 Update, and adopt the 2021/2022 Capital Expense Budget and 2021 Capital Improvement Plan as Appendix E to the Comprehensive Plan when the questions regarding figure 12 have been reviewed and clarified to staff satisfaction, finding that the project is in conformance with the Comprehensive Plan; the project does not jeopardize the health, safety, or welfare of the general public. Stone seconded. All in Favor.

### Staff Reports and Discussion

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

**SR 2** Discussion of the next Planning and Zoning meeting: **August 16, 2021**

- DR: Sweetwater Block 5
- DR: Sweetwater Block 2
- PP: Emerald City

Horowitz provided summary of upcoming projects.

Chair Fugate put on record that contact had been made to her by a Mr. Baldwin asking questions and had a conversation regarding apartments within Hailey and she responded explaining that it was in appropriate for her to have a conversation about that outside of the commission and referred him to City Staff. [7:50:15 PM](#)

[7:50:45 PM](#) Stone motioned to adjourn. Smith seconded. All in Favor.

**Return to Agenda**



**Meeting Minutes**  
**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

**Present**

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

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

**Absent:** Dustin Stone

[5:30:22 PM](#) Chair Fugate called to order.

[5:30:35 PM](#) Public Comment for items not on the agenda. No Comment.

[5:30:57 PM](#) **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.**

[5:31:04 PM](#) Scanlon recused himself from CA 1 and 2.

[5:31:27 PM](#) Pogue motioned to approve CA 1 and CA 4. Scanlon seconded. All in Favor.

[5:31:53 PM](#) Smith motioned to approve CA 2 and CA 3. Pogue seconded. Pogue-yes, Smith-yes, Scanlon abstained.

**Public Hearing**

**PH 1** [5:32:25 PM](#) 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.*

[5:33:54 PM](#) Horowitz introduced project, stating this will be the 3<sup>rd</sup> hearing on this item and summarized recommendations from last hearing. Horowitz explained staff went back and reviewed what was working and recommendations from commission. Horowitz explained the setback requirements within Townsite, using Hailey Sheep Shed that are separated by 12'. Horowitz explained suggestion of 8' setbacks instead of 10'. Horowitz provided another example of smaller setbacks is Sunburst, which is 6' from the property line.

[5:37:19 PM](#) Chair Fugate stated the issues with Sunburst were not the setbacks. Scanlon does not recall anyone arguing about the setbacks.

[5:37:25 PM](#) Smith stated it seemed him to that the neighbors had issues the density. Horowitz clarified only looking at changing the side yard setbacks.

[5:38:25 PM](#) Smith stated there are several 4500 square foot lots. Smith thinks the 8' is an improvement, that limited to 14 now. Horowitz noted that townsite overlay setbacks are different. Smith suggested pursuing some type of front to back setback for the smaller lots, wondering if locking themselves into something in the future that not really wanting. Smith suggested looking at some sort of offset requirements. [5:40:36 PM](#) Smith is still a bit concerned about the adjacency going to see between some of the smaller odd shape lots outside of the TO and not built out. Horowitz asked for an example. Smith stated those were pointed out last time off North River Street, near Galena Engineering and believes there is also some north of this area. Staff and commission reviewed the areas in question. Horowitz provided aerial view of lots off North River and also in China Garden.

[5:45:55 PM](#) Chair Fugate stated 16' between houses seems decent to her and stack going up makes a big difference. Chair Fugate confirmed would still need to follow the height requirement from the property, that is it possible these homes have less than required setbacks. Horowitz confirmed likely. Horowitz explained at 20' would have to meet the 2-1 setback requirements, falling away from the property.

[5:48:24 PM](#) Smith likes idea that coming in a little closer, so folks with smaller lots can do something in the future. Smith noted believes China Gardens works well, because the houses primarily run east to west so receive decent sunlight.

[5:49:58 PM](#) Pogue is comfortable with the 8', he tried to explore why go to 8' instead of 6' but thinks having 12' between houses is too narrow. Pogue could not find a way where that 2' difference would give the developer the opportunity to make more housing. Pogue is comfortable with the 8' and the 2.5 height.

[5:51:10 PM](#) Scanlon agrees with the 8' setback, gives the developers more flexibility. Scanlon is intrigued by the idea of a building envelope. Horowitz cannot think of any lots outside of TO in GR. Scanlon wonders if would help to have a clause where with a PUD if the lot is a smaller could have setback of 6'. Horowitz does not believe need to build something in the code for this, as will have that control in the design review process.

[5:54:05 PM](#) Chair Fugate believes the 8' is appropriate and allows for more leeway without causing problems. Agrees that the 6' is too narrow. Chair Fugate confirmed ADU setbacks remain the same. Horowitz confirmed, ADUs follow the setbacks of the zone district. Chair Fugate is glad staff and commission took the time to review this.

[5:56:19 PM](#) Chair Fugate opened public comment.

No Comment.

[5:56:42 PM](#) Chair Fugate closed public comment.

Chair Fugate confirmed all in agreement with decision and asked if any further concerns or issues. No further questions or concerns from Commissioners.

[5:57:58 PM](#) I, Scanlon, moved 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 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. Pogue seconded. All in favor.

#### Staff Reports and Discussion

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

**SR 2** Discussion of the next Planning and Zoning meeting: **June 21, 2021**

- DR: The Sage School

Horowitz confirmed next meeting is June 21<sup>st</sup> for the new campus for Sage School out in Quigley. Chair Fugate asked if anyone knows the estimated amount of students. Staff does not know, but will provide in the staff report.

**SR** Discussion of county wide housing issues

[6:01:02 PM](#) Horowitz discussed concern of housing issues throughout the valley. Horowitz stated Ketchum is having a special meeting tonight to discuss options. Horowitz went through the list of ideas that Ketchum is discussing. Horowitz noted that Hailey is also looking at allowing RVs as an option for housing for 6 months. Commission and staff discussed potential options, primarily option involving temporary RV living. Staff thinking would do RVs as a temporary C of O. Scanlon as concern about water. Horowitz noted all cities combined are about 5% of the county water usage. [6:14:56 PM](#) Pogue mentioned to past conversations with contractors but allowing construction workers living onsite during the job. Horowitz stated code does not currently permit, but believes we should allow. Commission and staff agreed. Chair Fugate thinks should peruse temp c of o for short term occupancies in RVs. [6:20:51 PM](#) Commission continued to discuss location ideas for RV parking. Commission discussed idea of hearing this again at June 21<sup>st</sup> meeting. All agreed to hear it time permitting at the next meeting.

[6:31:25 PM](#) Smith motioned to adjourn. Scanlon seconded. All in Favor.

**Return to Agenda**

# City of Hailey

COMMUNITY DEVELOPMENT DEPARTMENT

115 MAIN STREET SOUTH  
HAILEY, IDAHO 83333

Zoning, Subdivision, Building and Business Permitting and Community Planning Services

(208) 788-9815  
Fax: (208) 788-2924

## DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE

### AGENDA

Thursday, May 13, 2020

Hailey City Hall

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#](tel:+15713173122,506287589#)

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

### Present:

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

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

**Absent:** Dustin Stone

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

### Public Hearing

**PH 1** *5:32 Continuation of the 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.***

Horowitz turned floor to Dwayne Guthrie. Guthrie went through a presentation summarizing what was heard at last hearing, changes made, revised capital improvement plans, time line for draft of impact fees, comparison of fees to adjacent communities.

5:37 Smith asked about trip generations for elementary vs. high school, if using these numbers to determine improvements stating high school has more traffic. Smith asked if there is a way to account for students and employees. Guthrie confirmed, explained how the vehicles are counted.

5:59 Guthrie stated the weighted average for parks and paths is now 36%, previously it was 31%. Guthrie explained process of multiplying cost per person. Chair Fugate asked if the build out point impacts this in any way. Guthrie stated per state law can only go out 20 years. Guthrie explained options if feel cost is too high. Guthrie explained this the chance where can go back and forth before proceeds to council.

6:05 Chair Fugate asked, no park fee charged for nonresidential, should something like that change would they need to wait to adjust these fees. For example, if ordinance changed, requiring commercial to add green space, would they need to wait to add these fees. Guthrie explained would need to justify the amount, may not necessary change the amount collected.

6:07 Guthrie moved on to discuss the fire rate changes and how the basic cost allocation takes place.

Scanlon asked how Guthrie arrived at the 67% that does not work in Hailey. Chair Fugate asked if this includes children. Guthrie explained it includes everyone, including children. Guthrie explained it is determined by the census number and quarterly workforce information.

6:13 Guthrie moved on to discuss CIP for Streets explaining it will be a 20-year program. Guthrie explained allocate cost based off number of vehicles travelled, based on trip generations. Scanlon asked if that will be the fee for the next 20 years. Guthrie stated have to update every 5 years.

6:17 Guthrie discussed various projects in the CIP for Streets. Chair Fugate stated need to discuss if want to look at this again sooner than 5 years. Guthrie confirmed that is an option. Horowitz suggested a report each year. Horowitz added over 20-year period will have some periods of high and low growth. Smith thinks that would be good as have seen a surge of construction in the valley. Smith thinks it's one of those things where do not want to get behind. Smith thinks a shorter term of review would be beneficial. 6:20 Guthrie added that he thinks that is what the State Law anticipates, that it is more like an annual opportunity. Chair Fugate agreed that seems the way to go. Dawson added that there is a history of that. Commission and staff continued to discuss growth.

**Chair Fugate opened public comment.**

**Chair Fugate closed public comment.**

Smith asked Yeager about the intersection improvements. Yeager explained those intersections are the ones identified with the transportation plan. Smith asked how much the State is involved in the maintenance of Highway 75. Yeager clarified areas identified by the transportation plan and the allocation of the funding. Smith asked if some of those may be funded by the state. Yeager confirmed there is a possibility.

No further questions or comments. Horowitz clarified with Guthrie about motion to recommend this to the City Council.

Chair Fugate confirmed needs motion to recommend this and asked if should include fact will review growth rate updates in the annual meeting.

Pogue asked if need additional information on fire truck and fire station impact. Commission and Staff discussed motion.

**6:34 Smith motioned to approve and forward the 5 year update to the developmental impact fee ordinance, consideration of the land use assumptions, level of service and facility needs, capital improvement plan and cost allocation alternatives that have been developed by the consultant and that we meet in a year to review the accuracy of the growth rate at our next DIF Meeting and that the actual DIF numbers that are forwarded to City Council will include changes to show increase for modifications and additions to the fire station. Pogue seconded. All in Favor.**

**6:37 Pogue motioned to adjourn. Scanlon seconded. All in Favor.**

**Return to Agenda**



**STAFF REPORT**  
**Hailey Planning and Zoning Commission**  
**Regular Meeting of November 1, 2021**

**To:** Hailey Planning & Zoning Commission

**From:** Lisa Horowitz, Community Development Director

**Overview:** Consideration of a recommendation by the Hailey Planning and Zoning Commission for Annexation Application from Jeff and Cindy Allred, to annex 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits. Recommended zoning of the property is General Residential (GR).

**Hearing:** November 1, 2021

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**Applicant:** Jeff and Cindy Allred

**Request:** Annexation of 702 North 3<sup>rd</sup> Avenue

**Location:** 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E)

**Size & Zoning:** 0.50 acres (21,780 square feet); located within Blaine County.

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on October 13, 2021 and mailed to property owners on October 13, 2021. The onsite notice was posted on October 25, 2021.

**Background:** Jeff and Cindy Allred have submitted an Annexation Application requesting to annex 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits.

The Applicants are requesting an approval to annex their property, as their well went dry on August 17, 2021. The well was installed in 1963 when the home was built. Per the Applicants, the well produced 20 gallons of water per minute, and was utilized for potable and irrigable water.

Due to several factors (i.e., an increase in construction, unavailability of contractors, drought, etc.), the Allred's have been unable to schedule a contractor to drill for a well prior to the ground freezing. The Allred's have no intention to further develop their parcel at 702 North 3<sup>rd</sup> Avenue; they are only looking to have reliable water to their home and yard. The Allred's have expressed interest in retaining the well for irrigable water and utilizing municipal services for potable water.

The parcel is located within the Hailey Area of City Impact (ACI). The City and County have an adopted Area of City Impact Agreement and Map (adopted by the city on 2021-24 and a previous adoption on November 14, 1994 as Ordinance 649). The ACI Agreement was enacted to:

**“Ensure that development of land surrounding Hailey does not directly or indirectly negatively impact Hailey City services, infrastructure, or quality of life; all in accordance with the Hailey Comprehensive Plan for the desirable future development of the City of Hailey”.**



It is anticipated that the properties within the Area of City Impact are generally appropriate for annexation into the City.

Pursuant to Idaho Code Section 50-222, (3) (a), the subject application represents a Category A Annexation because it is voluntary, and involves “residential enclaved lands of less than one hundred (100) privately-owned parcels... which are bounded on all sides by lands within a city and by the boundary of the City's Area of City Impact.” As noted, the subject property is within the Area of City Impact, and is bounded by lands within a city.

The proposed annexation, if approved, would leave the subject parcel surrounded on two (2) sides by land incorporated into the city. The Commission will consider whether the requested annexation of this property is appropriate.

**Procedural History:** The Application was submitted on September 24, 2021 and certified complete on October 5, 2021. A public hearing before the Planning and Zoning Commission will held on November 1, 2021, in the Council Chambers of Hailey City Hall, and virtually via GoTo Meeting.

Chapter 14.01: Annexation Procedures				
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"/>	14.01.050	Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Except as otherwise provided, the application shall include or attach at least the following: <b>A. Application fees established by ordinance.</b>
			<i>Staff Comments</i>	<i>General Annexation Application fees have been paid. If approved, additional fees will be paid Pursuant Section 14.01.090(B): Fiscal Impact, of the Hailey Municipal Code.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>B. A statement of the size of the property in square feet and in acres.</b>
			<i>Staff Comments</i>	<i>The application shows 0.50 acres (21,780 square feet) of land area for annexation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>C. A description of the proposed project, including the approximate: 1) number and size of proposed lots; 2) length and location of the proposed water and sewer mains; 3) length and location of proposed streets and alleys; and 4) length and location of the proposed sidewalks.</b>
			<i>Staff Comments</i>	<i>The single-family residence is existing. The subject parcel is 0.50 acres in size and if annexation is approved, municipal services will be installed. The length and location of the proposed water and sewer lines will be further reviewed by the City Engineer. The Applicant shall provide a utility plan y, conducted by a certified engineer, providing details and locations of water and wastewater infrastructure, property lines, easements, public right-of-ways, etc. This has been made a Condition of Approval.</i>  <i>Water can be served either from the alley or from North Third Avenue. Sewer service will be from the alley.</i>

				<p><i>The Applicant will need an easement from the Blaine County School District prior to installation of such infrastructure. This will be further verified with a survey of the parcel.</i></p> <p><i>Additionally, the public street is existing (3<sup>rd</sup> Avenue), and no sidewalks are existing in the area or proposed at this time. Third Avenue is a substandard public street from this parcel moving north to the Wood River Middle School, and passing through a vacant parcel owned by Blaine County School District. The properties to the north (706 North 3<sup>rd</sup> Avenue, and 750 and 760 North 2<sup>nd</sup> Avenue) encroach within what would be the public right-of-way of 3<sup>rd</sup> Avenue. Third Avenue ends at 900 North 2<sup>nd</sup> Avenue (Wood River Middle School), as it runs directly into the school parcel, and access through North 3<sup>rd</sup> Avenue cannot be achieved. If redevelopment or substantial improvement of the subject parcel occurs, the Applicants shall dedicate 30 feet for the public right-of-way toward 3<sup>rd</sup> Avenue, and in addition, create a 10' snow storage easement. This has been made a Condition of Approval.</i></p> <p><i>Future development of the vacant parcels north of the subject parcel are expected to be developed, and could be annexed, either by the Blaine County School District or another organization, as housing. At this time, no applications have been submitted or plans are underway for such development; however, the city would also request dedication of land toward the public right-of-way.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p><b>D. A schematic design of the entire project showing the proposed uses, density, streets, alleys, easements, and proposed size and location of open spaces and parks.</b></p>
			<i>Staff Comments</i>	<p><i>The single-family use, and streets are existing. Under the proposed General Residential (GR) zoning, a total of five (5) residential units could be created. However, this is not feasible with the existing home in its current location, and would require full redevelopment of the property No easements are existing. No open spaces and parks are proposed, nor does Staff feel these are required for the size and scope of the annexation.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p><b>E. A statement describing how the proposed project complies with specific goals and policies of the Hailey comprehensive plan.</b></p>
			<i>Staff Comments</i>	<p><i>The proposed project complies with the following goals and policies of the Hailey Comprehensive Plan:</i></p> <p><i>Section 5: Land Use, Population and Growth Management:</i></p> <ul style="list-style-type: none"> <li>- <b><i>5.1 Retain a compact City comprised of a central downtown with surrounding diverse neighborhoods, areas and characteristics as depicted in the Land Use Map.</i></b> <i>This parcel is identified as residential within Blaine County. If annexed, this parcel would retain its residential characteristics and zoning, and contribute to municipal services.</i></li> <li>- <b><i>5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.</i></b> <i>Annexation of the subject parcel is not only a perfect example of infill development, and</i></li> </ul>

				<i>support future infill development, but has minimal impact on current city services and residents.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>F. A statement describing how the proposed project is compatible with adjacent neighborhood(s).</b>
			<i>Staff Comments</i>	<i>The subject parcel is residential and contains a single-family residence on the property. With the exception of the Wood River Middle School to the north, the surrounding neighborhood is residential in nature: single-family residential exists to the south and east of the subject parcel, and multifamily residential exists to the west. The existing residence is compatible with the surrounding parcels. Future residential uses as permitted under GR zoning would also be compatible.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<b>G. A statement describing how the applicable natural resources (e.g., watercourses, springs, streams, wildlife and access to public lands) and natural hazards (e.g., avalanche, floodplains and floodways) are incorporated into proposed project and/or mitigated.</b>
			<i>Staff Comments</i>	<i>While there are several mature trees on the subject property, no other natural resources exist on the site.</i>
<input type="checkbox"/> ?	<input type="checkbox"/>	<input type="checkbox"/>		<b>H. A statement describing what contributions and/or dedications the applicant is willing to make as part of the proposed annexation.</b>
			<i>Staff Comments</i>	<b>As noted, 3rd Avenue is substandard in size. It appears that the property line of the subject parcel is located within the public right-of-way, but a survey will confirm property line locations. It is desirous of the city to have an acceptable public right-of-way from the subject parcel north to the middle school.</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>I. A description of how the proposed annexation will protect Hailey's established or proposed wellhead protection zones.</b>
			<i>Staff Comments</i>	<i>This parcel is located within Hailey's Wellhead Protection Zone. Currently, sewage is disposed of via a septic tank. If approved, the Applicant shall connect to municipal services. Municipal infrastructure shall meet the City of Hailey standards and specifications. This has been made a Condition of Approval.</i>  <i>While no measurable impact to the water quality is anticipated as a result of this project, the switch to municipal wastewater versus the on-site drain field will be a water quality improvement over time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>J. A detailed description of how the annexation will impact the existing municipal infrastructure and services (e.g., water, sewer, streets, library, police, fire and parks).</b>
			<i>Staff Comments</i>	<i>Given the size and scope of the project, it is not anticipated that the proposed annexation will impact the existing municipal infrastructure and services.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>K. A statement of who will maintain the streets, alleys, parks and utilities (privately and publicly owned utilities) and how the maintenance of the streets, alleys, parks and utilities (privately and publicly owned utilities) will be funded.</b>
			<i>Staff Comments</i>	<i>Sewer and water infrastructure will be maintained by the City of Hailey. Third Avenue is existing and is minimally maintained by the City of Hailey due to the substandard right of way width. The City cannot provide better road</i>

				<i>maintenance until such time as additional right of way is dedicated on 3<sup>rd</sup> Avenue. The access driveway and utilities are privately owned and maintained. No parks are existing and none are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<b>L. A phasing plan showing the proposed dates of construction and completion of phased construction for infrastructure, streets, alleys, utilities and all other development. In the case of a phased project, subsections C and D of this section may be omitted for future phases; however, provisions shall be made within an annexation agreement for submittal of plans and payment of fees for future phases.</b>
			<i>Staff Comments</i>	<i>N/A, as the residence is existing and no further development of the subject parcel is anticipated at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<b>M. Unless the administrator determines, in the administrator's sole and absolute discretion, one or more of the following studies are not warranted based on the size, scope and impact of a proposed annexation, the following studies shall be submitted:</b> <ol style="list-style-type: none"> <li>1. Traffic study showing impact on adjacent streets and streets that would serve the proposed project.</li> <li>2. Floodplain study (if applicable).</li> <li>3. Avalanche study (if applicable).</li> <li>4. Wetland study (if applicable).</li> <li>5. Wildlife study.</li> <li>6. A level I environmental study showing the presence of any hazardous waste.</li> <li>7. Contour map depicting fifteen percent (15%) and twenty five percent (25%) slope lines measured at two-foot (2') intervals.</li> </ol>
			<i>Staff Comments</i>	<i>N/A, as the administrator has determined that the following studies are not warranted based on size, scope and impact of the proposed annexation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>N. A list of names and mailing addresses of all property owners within three hundred feet (300') of the external boundaries of the proposed annexation and the names and mailing addresses of all easement holders within the proposed annexation.</b>
			<i>Staff Comments</i>	<i>This has been provided.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<b>O. A description of all water rights, including all surface and ground water rights, appurtenant to the real property subject of the annexation. The description of all water rights shall include a description of all the elements of the water rights, including, but not limited to, the source, quantity, priority date, point of diversion, purpose and period of use, place of use, and any provisions or conditions attached to the water right. The applicant shall attach all decrees, licenses and permits describing the water rights to the application for annexation. (Ord. 1205, 2016; Ord. 1104, 2012; Ord. 889 § 1, 2004)</b>
			<i>Staff Comments</i>	<i>N/A</i>
<b>Standards of Review</b>				

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"/>		The Commission shall review the particular facts and circumstances of a proposed annexation for the purpose of determining:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Whether the proposed annexation will be harmonious and in accordance with the goals and policies of applicable components of the Hailey Comprehensive Plan: and
			Staff Comments	The proposed annexation will be harmonious and in accordance with the Hailey Comprehensive Plan. Please refer to Section 14.01.050 (E) for further details.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	Whether the proposed annexation would be in the best interest of the citizens of Hailey.
			Staff Comments	The residence is existing and located within Blaine County. No further development is anticipated at this time. The annexation of the subject parcel would have little to no impact on municipal services. Another possible benefit of annexations includes the logical squaring of municipal boundaries, which would further support future development and annexation of surrounding parcels.

**Summary and Suggested Conditions of Approval:** The Commission shall make a recommendation that the property sought to be annexed should be zoned as one or more particular zoning districts, as more fully described in the Hailey Municipal Code. The Commission shall also make Findings of Fact and Conclusions of Law relating to the Application's general compliance with the Hailey Comprehensive Plan and to the Commission's recommendation for zoning. The Commission shall forward those Findings of Fact and Conclusions of Law in writing to the Council and the Applicant.

The following are suggested Conditions of Approval for the Allred Annexation Application:

**General Conditions:**

- 1) The Applicant shall submit a Water and Wastewater Application, and pay to utilize municipal services once connected. Inspections by City Staff shall take place and be approved prior to the utilization of services. All infrastructure costs shall be borne by the applicant.
- 2) The residence shall be served by municipal water. The use of the well shall be restricted to irrigable water only, and shall be capped within five (5) years of the effective date of the annexation. The wellsite shall be abandoned and/or removed once municipal infrastructure is in place for irrigation.
- 3) If the wastewater connection cannot occur this year due to weather-related conditions, an extension may be granted until August 1, 2022.
- 4) All annexation fees and associated costs shall be paid prior to the effective date of the annexation.
- 5) A survey shall be conducted by a certified engineer to determine water and wastewater infrastructure, property lines and other points of interest of the parcel.
- 6) Address numbers shall be placed on the existing fence off of 3<sup>rd</sup> Avenue to better assist Emergency Responders in locating the residence.
- 7) If redevelopment or substantial improvements of the subject parcel (702 North 3<sup>rd</sup> Avenue) occurs, the Applicants shall dedicate 30 feet for the public right-of-way of 3<sup>rd</sup> Avenue and dedicate a ten (10) foot snow storage easement on the east side of the dedicated 3<sup>rd</sup> Avenue right of way.

**Motion Language:**

**Motion #1 - Annexation:**

**Approval:** Motion to recommend approval to the Hailey City Council an Application for Annexation from Jeff and Cindy Allred, to annex 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits, finding that if the recommended conditions of approval, conditions 1-7 are met, the proposed annexation will be harmonious and in accordance with specific goals and policies of applicable components of the Hailey Comprehensive Plan, and the proposed annexation generally complies with the Hailey Comprehensive Plan; the annexation will be in the best interests of the citizens of Hailey.

**Denial:** Motion to deny an Application for Annexation from Jeff and Cindy Allred, to annex 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits, finding that \_\_\_\_\_ [Commission should cite which standards are not met and provide the reason why each identified standard is not met].

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

**Motion #2 - Zoning:**

**Approval:** Motion to recommend zoning for the annexed parcel at 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, as General Residential (GR), the proposed zoning is in accordance with the Comprehensive Plan; essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services; the proposed uses are compatible with the surrounding area; and the proposed amendment will promote the public health, safety and general welfare.

**Denial:** Motion to deny an Application for Annexation from Jeff and Cindy Allred, to annex 702 North 3<sup>rd</sup> Avenue (Fr NWNE TI 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits, finding that \_\_\_\_\_ [Commission should cite which standards are not met and provide the reason why each identified standard is not met].

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



September 22, 2021

Hailey City Hall  
115 S. Main Street  
Hailey, ID 83333

**Subject: Under Direst Annexation Request for Hailey City**

Dear Hailey City Council- Kaz Thea, Heidi Husbands, Sam Linnet and Juan Martinez,

Thank you for hearing our request today. Our well went dry on August 17, 2021, it was established in 1963 when the home was built and produced 20 gal. a minute which was used for domestic potable water and irrigation. With the drought and influx of people moving into Idaho we have found it difficult to find a driller able to drill a well for us before freezing. I have called over 50 well drilling contractors all over Idaho. None of which are available before it freezes here in Hailey.

After meeting with Brian Yeager and Lisa Horiwitz on September 15, 2021, we were shocked at the annexation fee (more than the online application states) and the fee to hook to Hailey City water and sewer. We are not opposed to paying a connection or an annexation fee but what we were told at the meeting were exceedingly inflated. We have checked other cities connection fees for city water and sewer. The findings are Ketchum \$430.00; Twin Falls Main Line Connection Fee for 1" connection size is \$150.00 so we are struggling with Hailey City's connection fee for water of \$ 4,622.08 (as per revised printing from website application 07.09.21). However, Brian stated the rates go up on October 1<sup>st</sup> of 2021 to around \$9,000.00 and I am guessing that is both water and sewer. So, I do not have a set cost for connection to water for Hailey City yet.

We are not developing our land; we are only trying to have water to supply our home and yard. If annexed into Hailey City we would like to keep our well for irrigation with the option to drill deeper or the hope that the water returns once we get out of a drought.

Sincerely,

Cindy and Jeff Allred

# Utility Plan with Hailey City

10-26-2021

Subject: Annexation into Hailey City for the purpose of having potable water.

Jeff and Cindy Allred request to be annexed into Hailey City due to our domestic (inception 1963) well running dry. Our well went dry on August 17, 2021, which shows why we are wanting to hook to City water now before hard freeze.

As far as Sewer hookup, we would like to look at that later due to finances and no feasible hookup presently.

Questions from Robyn Davis. - How the proposed annexation will:

- 1) Protect Hailey's established or proposed wellhead protection zones.

We would like a few years to see if the well will reestablish itself. We would use it only for irrigating our property if it were to reestablish a water level. After 5 or so years we would be willing to cap the wellhead.

- 2) Will impact existing municipal infrastructure.

N/A We will gain easement either from BCSD or Mike Lloyd. We will hire Galena Engineering to survey and easement work. We are paying for all pipe from City's line at the end of alley between 3<sup>rd</sup> and 4<sup>th</sup> streets to our home. No new construction, existing home needing water.

- 3) Incorporates or mitigates natural resources and natural hazards.

N/A Our natural resource of water from our well of 1963 has been diminished due to drought.

- 4) Incorporates continuations and /or dedications to the public.

N/A President has been set when BCSD was annexed into Hailey City. We will be paying for the water usage.

- 5) Maintain streets, alleys, parks, and utilities and how maintenance will be funded.

N/A President has been set when BCSD was annexed into Hailey City. No easements were granted to the city by BCSD for alley or street (3<sup>rd</sup> or 4<sup>th</sup>) when they were annexed into Hailey City. Therefore, there will be no easements or setbacks at this time.

We will be plowing our own property as always. We will be paying property tax to fund the above services just as other citizens within the city.





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Brian Yeager, P.E. / P.L.S.

City of Hailey Public Works Director/City Engineer/Land Surveyor

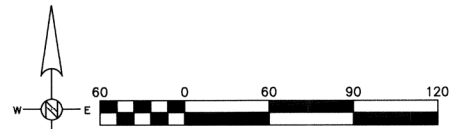
115 S. Main Street, Hailey, ID 83333

(208) 788-9815 Ext. 4224



# RECORD OF SURVEY OF TAX LOTS 4916 & 4932

LOCATED WITHIN  
SEC. 9, T.2N., R.18E., B.M. CITY OF HAILEY, BLAINE COUNTY, IDAHO  
JANUARY, 2015



SCALE 1"=60'

BRASS CAP BY O.T.H.  
CPF #234885  
S 89°18'34" E 2136.83'  
(2138.61)

LOT 1 BLK. 1  
WOOD RIVER MIDDLE SCHOOL CAMPUS

BLAINE COUNTY G.I.S. POINT  
"2N18E9N1/4" 1994 BRASS  
CAP BY LS 3621 CPF #466887

BLAINE COUNTY G.I.S. POINT  
"2N18E9N1" BRASS CAP  
CPF #466888

## LEGEND

- ( ) Property Boundaries
- ( ) Record data
- ⊕ Found Aluminum Cap
- Found 5/8" rebar—no cap unless noted
- Found 1/2" rebar—no cap unless noted
- Set Nail and Stamped Washer in Bike Path over rebar.
- Set 5/8" Rebar w/ Cap
- X- Existing Fence Line

## NOTES:

1. REFERENCE SURVEYS: INSTRUMENT #s 466899, 399289, 373376, 252383, 187197 AND PLATS AS SHOWN.
2. TITLE INFORMATION PROVIDED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, ORDER #1527961, DATED JANUARY 2, 2015. REFER TO SAID TITLE COMMITMENT FOR EXCEPTIONS WHICH MAY AFFECT THE PROPERTY HEREON.
3. NORTH 2ND AND NORTH 3RD AVENUES AS SHOWN HEREON WERE QUIT CLAIMED TO THE CITY OF HAILEY PER INSTRUMENT #160182. IT IS RECOMMENDED THAT A TITLE COMPANY AND/OR AN ATTORNEY BE CONSULTED REGARDING THE FORCE AND EFFECT OF SAID QUIT CLAIM DUE TO CHRONOLOGICAL ORDER OF DEEDS AND ACCEPTANCE OF SAID QUIT CLAIM DEED BY THE CITY OF HAILEY.
4. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY APPLICABLE TO THE SUBJECT OF REAL ESTATE: EASEMENTS, OTHER THAN THOSE SHOWN OR LISTED HEREON, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR ANY OTHER LAND-USE REGULATIONS.

## SURVEYOR'S CERTIFICATE

I, STEVEN W. SCHWARZ, a duly Registered Land Surveyor in the State of Idaho, do hereby certify that the foregoing Survey is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with Idaho State Code relating to plats and surveys.



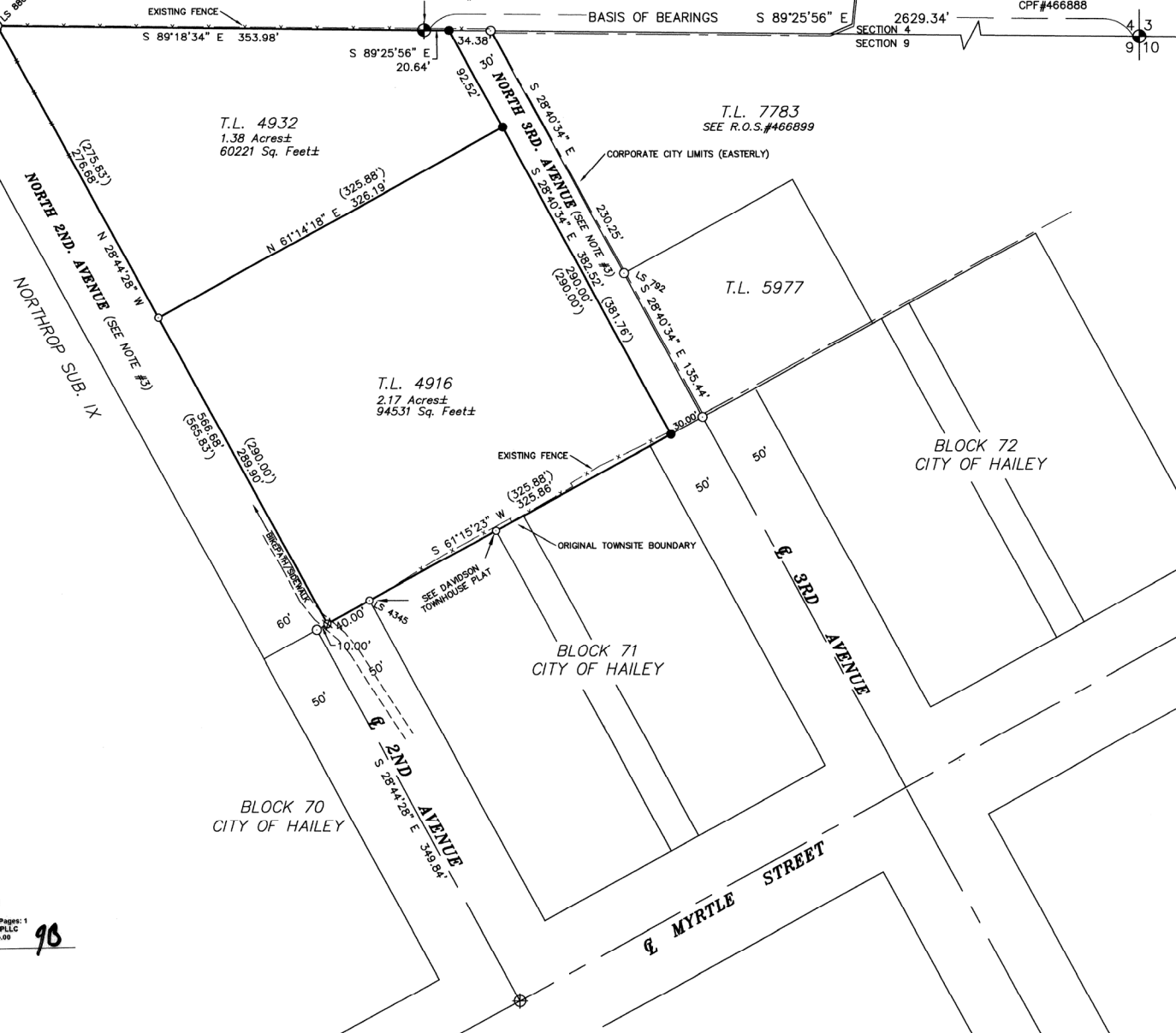
Instrument # 623968  
HAILEY, BLAINE, IDAHO  
1-20-2015 10:21:59 PM No. of Pages: 1  
Recorded for: ORION SURVEYING PLLC  
JOLYNN DRAGE Fee: 5.00  
Ex-Officio Recorder Deputy  
Index to: SURVEYS

98



PREPARED BY:  
ORION SURVEYING PLLC  
SURVEYING AND MAPPING  
P.O. BOX 695  
BELLEVUE, IDAHO 83313  
(208) 721-3849

JOB NO. 15001  
SHEET 1 OF 1  
DATE OF SURVEY: JANUARY 13, 2015

























**Return to Agenda**





## STAFF REPORT

### Hailey Planning and Zoning Commission

### Regular Meeting of November 1, 2021

**To:** Hailey Planning and Zoning Commission

**From:** Robyn Davis, Community Development City Planner

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

**Hearing:** November 1, 2021

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**Applicant:** City of Hailey

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on October 13, 2021 and mailed to public agencies on October 13, 2021.

**Background:** City Planning Staff has listed minor code amendments as a priority for 2021. As such, Staff is proposing to amend the time limitations for submittal of Final Plat from one (1) calendar year to two (2) calendar years, to ensure ample time to install the required infrastructure before expiration of the Preliminary Plat.

Many platting regulations are put forth in Idaho Code; however, each jurisdiction has the ability to fine-tune and slightly augment the regulations to meet their specific needs. The City of Hailey has augmented Idaho Code to best meet the needs of the jurisdiction. The basic platting procedure within Hailey's Municipal Code includes review and approval of the Preliminary Plat, installation of improvements, and review and approval of the Final Plat. The Applicant has one (1) calendar year after approval of a Preliminary Plat to submit for Final Plat; however, Staff is finding the timeline to be too restrictive and infeasible for Developers to meet. Many Developers, rather than completing the infrastructure, are choosing to bond or provide security for incomplete improvements, and/or request an extension to the one-year timeline.

To ensure that Developers have ample time to install the infrastructure, Staff suggests that the time limitation for submittal of Final Plat be extended from one (1) calendar year to two (2) calendar years. Both Blaine County and the City of Ketchum implement two (2) calendar years for a time limitation for submittal of Final Plat.

The following text amendments for Sections 16.03.020(D) and 16.03.030(A) could read as follows:

Section 16.03.020: Council Preliminary Plat Approval,

- D. Records Maintained; Time Limit of Approval: One copy of the approved preliminary plat will be kept on file for public examination at the office of the city engineer and one copy at the office of the administrator. The approval of the preliminary plat shall be valid for a period of ~~one~~ two (2) calendar year unless an extension of time is applied for and granted by the council, or unless otherwise allowed for within a phasing agreement.

Section 16.03.030: Final Plat Approval,

- A. Time Limitations for Submittal: The final plat, prepared by a professional land surveyor, must be submitted within ~~one~~ two (2) calendar years from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement or as otherwise provided herein. Plats not submitted for final approval within ~~one~~ two (2) years or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The council may extend the deadline for submitting the final plat upon holding a public hearing.
- G. Conditions Imposed; Recording Time Limitation: The administrator shall ensure that any conditions imposed by the council, or required by this title, shall be met by the developer prior to signature of the plat sheets for the purpose of recordation. Any final plat must be recorded within ~~one~~ two (2) calendar years of the date of final plat approval, unless otherwise allowed for within a phasing agreement. Plats not recorded within ~~one~~ two (2) years from the date of approval by the council, or according to the phasing agreement, shall be considered expired and such approval shall become null and void. The council may extend the deadline for recording the plat upon holding a public hearing.
- K. Security Required: In cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the developer, the developer may, in lieu of actual construction, provide to the city such security as may be acceptable to the city, in a form and in an amount equal to the cost of the engineering and the improvements not previously installed by the developer, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of ~~one~~ two (2) years from the date the security is provided. If any extension of the ~~one-year~~ two-year period is granted by the city, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided. In the event that cost of installing required improvements exceeds the amount of the security, the developer shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the security shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or developer. (Ord. 1256, 2020; Ord. 1193, 2016; Ord. 1191, 2015)

**Standards of Review:**

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

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

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

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

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

*9.1 Plan for long-term utilities, service and facility needs of the city while minimizing impacts to the greatest extent possible.*

Among others, utilities and service needs are required development standards for subdivisions. These requirements take time to install. By extending the time limitation from one (1) calendar year to two (2) calendar years, the city provides additional time for Developers to complete all required infrastructure.

**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 modify the timing for submittal of Final Plat. This timeline would be extended from one (1) calendar year to two (2) calendar years.

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

The proposed text amendments will not impact compatibility.

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

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

**Motion Language:**

**Approval:** Motion to conduct a first reading of Ordinance No. \_\_\_\_\_, an Ordinance amending the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.03, Procedure, Section 16.03.020(D): Council Preliminary Plat Approval, and Section 16.03.030(A), Time Limitations for Submittal of Final Plat, which extends the time limitation for submittal of Final Plat from one (1) calendar year to two (2) calendar years, finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare, and read by title only.

**Denial:** Motion to deny an Ordinance amending the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.03, Procedure, Section 16.03.020(D): Council Preliminary Plat Approval, and Section 16.03.030(A), Time Limitations for Submittal of Final Plat, which extends the time limitation for submittal of Final Plat from one (1) calendar year to two (2) calendar years, finding that \_\_\_\_\_ [the Council 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 16: SUBDIVISION REGULATIONS, CHAPTER 16.03, PROCEDURE, SECTION 16.03.020(D): COUNCIL PRELIMINARY PLAT APPROVAL; SECTION 16.03.030(A): TIME LIMITATIONS FOR SUBMITTAL OF FINAL PLAT, WHICH EXTENDS THE TIME LIMITATION OF FINAL PLAT SUBMITTAL FROM ONE (1) CALENDAR YEAR TO TWO (2) CALENDAR YEARS; SECTION 16.03.030(G): CONDITIONS IMPOSED, RECORDING TIME LIMITATION, WHICH EXTENDS RECORDATION OF FINAL PLAT FROM ONE (1) CALENDAR YEAR TO TWO (2) CALENDAR YEARS; AND SECTION 16.03.030(K): SECURITY REQUIRED, WHICH EXTENDS THE TIMELINE FOR REQUIRED IMPROVEMENTS FROM ONE (1) YEAR TO TWO (2) YEARS; 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 16, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the proposed amendments would allow for a period of two (2) calendar years to install the required improvements, which shall substantially be in place prior to the Council hearing on the Final Plat Application, and

WHEREAS, the Hailey City Council has determined that the above-mentioned amendments are appropriate amendments; 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 16, Section 16.03: Procedure, Section 16.03.020(D): Council Preliminary Plat Approval, is hereby amended by the addition of the underlined language, as follows:

Section 16.03.020: Council Preliminary Plat Approval,

- D. Records Maintained; Time Limit of Approval: One copy of the approved preliminary plat will be kept on file for public examination at the office of the city engineer and one copy at the office of the administrator. The approval of the preliminary plat shall be valid for a period of one two (2) calendar year unless an extension of time is applied for and granted by the council, or unless otherwise allowed for within a phasing agreement.

Section 2. Title 16, Section 16.03: Procedure, Section 16.03.030(A): Time Limitation of Submittal for Final Plat, is hereby amended by the addition of the underlined language, as follows:

Section 16.03.030: Final Plat Approval,

- A. Time Limitations for Submittal: The final plat, prepared by a professional land surveyor, must be submitted within ~~one~~ two (2) calendar years from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement or as otherwise provided herein. Plats not submitted for final approval within one year or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The council may extend the deadline for submitting the final plat upon holding a public hearing.
- G. Conditions Imposed; Recording Time Limitation: The administrator shall ensure that any conditions imposed by the council, or required by this title, shall be met by the developer prior to signature of the plat sheets for the purpose of recordation. Any final plat must be recorded within ~~one~~ two (2) calendar years of the date of final plat approval, unless otherwise allowed for within a phasing agreement. Plats not recorded within ~~one~~ two (2) years from the date of approval by the council, or according to the phasing agreement, shall be considered expired and such approval shall become null and void. The council may extend the deadline for recording the plat upon holding a public hearing.
- K. Security Required: In cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the developer, the developer may, in lieu of actual construction, provide to the city such security as may be acceptable to the city, in a form and in an amount equal to the cost of the engineering and the improvements not previously installed by the developer, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of ~~one~~ two (2) years from the date the security is provided. If any extension of the ~~one-year~~ two-year period is granted by the city, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided. In the event that cost of installing required improvements exceeds the amount of the security, the developer shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the security shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or developer. (Ord. 1256, 2020; Ord. 1193, 2016; Ord. 1191, 2015)

Section 3. 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 4. Repealer Clause. All City of Hailey Ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 5. 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**