AGENDA
Hailey Planning and Zoning Commission
Monday, October 2, 2023
5:30 p.m.

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

Join on your computer, mobile app, or room device.
Click here to join the meeting
Meeting ID: 249 576 139 181
Passcode: Ge6Z7Q
Download Teams | Join on the web

Or call in (audio only)
+1 469-206-8535,,602369677# United States, Dallas
Phone Conference ID: 602 369 677#

Call to Order

- Public Comment for items not on the Agenda.

Consent Agenda

- **CA 1** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Design Review Application submitted by ARCH Community Housing Trust, Inc., represented by Opal Engineering, for construction of an eight (8) unit cottage development, to be located in Sunbeam Subdivision Phase I (LOT 64, BLK 5, SUNBEAM SUBDIVISION PHASE 1). This project is located off of Gray's Starlight Drive in the Sunbeam Subdivision and is within the Limited Residential (LR-2) Zoning District. This project is to be known as Sunny Townhomes. **ACTION ITEM**

- **CA 2** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Design Review Application submitted by Morgan's Fine Finishes, represented by Teton West Construction, for the construction of a new, 7,966 square foot office/shop industrial space, to be located 4303 Glenbrook Drive (Lot 14, Block 42, Woodside) within the Light Industrial (LI) Zoning District. **ACTION ITEM**

- **CA 3** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Conditional Use Permit submitted by Blaine County Recreation District, represented by RLB Architectura PA, for the placement of a 707 square foot yurt, to be used as a recreational Nordic skier warming hut, and located along Huckleberry Lane (Quigley Large Block Plat, Block 10) within the Recreational Green Belt (RGB) Zoning District. **ACTION ITEM**

Public Hearing

- **PH 1** Consideration of a Design Review Pre-Application by CK Property Group, LLC, for a new multifamily development consisting of ten (10) townhomes, to be located at 317 North River Street (Lots 1-3, Block 54, Hailey Townsite), within the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning Districts. This project is to be known as MID RVR. **ACTION ITEM**

- **PH 2** Consideration of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapters 17.06 Design Review, Section17.06.070: Improvements Required, Item A.1.c., eliminating the requirement of sidewalk and drainage improvement in-lieu fee estimates, as well as the required, additional in-lieu contribution amount of one hundred ten percent (110%). The proposed edits are as follows:

  A.1.c. The city may approve and accept voluntary cash contributions in lieu of the above-described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be as per the currently adopted fee schedule. ~~ne hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements. provided by a qualified contractor, plus associated engineering costs, as approved by the city engineer.~~ Any approved in lieu contribution shall be paid before the city issues a certificate of occupancy. **ACTION ITEM**

Administrative Review (No Action)

- **AR 1** Tiny Home on Wheels (THOW) Application by Nicholas and Margaret Blatz for a new 204 square foot THOW to be located at 1565 Baldy View Dr.

- **AR 2** Design Review Exemption Application by Pamela Plowman for construction of a new covered porch addition and covered back entry patio area located at 111 East Myrtle Street.

- **AR 3** Tiny Home on Wheels (THOW) Application by City of Hailey for a new 255 square foot THOW to be located at 617 South 3rd Avenue.

- **AR 4** Modification to Accessory Dwelling Unit (ADU) Application by Dana and Liz Larsen to increase the ADU size from 588 square feet to 997 square feet.

- **AR 5** Lot Line Adjustment Application by Nicholas and Amy Cole, wherein the interior lot lines of Lots 1-4, Block 50, Hailey Townsite, are eliminated. Parcel located at 218 E Silver Street.

Staff Reports and Discussion

- **SR 1** Discussion of building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion: Next Planning and Zoning Meeting: **October 16, 2023 at 5:30 PM.**
  - DR PreApp: RVR North
  - TA: Townhouse and Cottage Housing Developments

115 South Main Street Hailey, Idaho 83333 (208) 788-9815

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 18, 2023, the Hailey Planning and Zoning Commission considered a Design Review Application by ARCH Community Housing Trust, Inc., for a cottage development of eight (8) single-family units on eight (8) sublots with a parking access lane located at SUNBEAM SUBDIVISION PHASE 1 LOT 64 BLK 5, — along the public street of Gray's Starlight Drive— within the Limited Residential (LR-1) Zoning District.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners on August 30, 2023. No public comments were received during the commenting period.

Application: The Final Plat for Phase I of the Sunbeam Subdivision was approved on April 12, 2021— wherein Tax Lot 6655, Section 9 & 10, T2N, R18E, Hailey, was subdivided into 85 units on 70 lots. Phase I includes three (3) cottage lots for a total of 18 cottage units, as outlined in the Planned Unit Development (PUD) Agreement (recorded on June 29, 2020; Instrument #670234).

On August 21, 2023, the ARCH Community Housing Trust Inc. proposed to subdivide one (1) Phase I cottage lot, Lot 64, into eight (8) cottage townhouse sublots to serve eight (8) cottage townhouse units under a Preliminary Plat Application. The Preliminary Plat Application was considered by the Hailey Planning and Zoning Commission and recommended for approval by the Hailey City Council at the August 21, 2023 Public Hearing. The Preliminary Plat Application received conditional approval from the Planning and Zoning Commission, contingent upon the Commission's approval of a Design Review Application associated with Sunny Townhomes Subdivision. This Condition of Approval was predicated on the review and approval process of the Panorama Point Subdivision and Design Review Applications, which included the development of the remaining ten (10) cottage lots/units outlined in the Sunbeam Subdivision PUD Agreement.

The Application, for the Sunny Townhomes Subdivision, proposed to subdivide the 0.93 acres of Lot 64 into eight (8) cottage townhouse sublots between 0.09 and 0.16 acres in size. Per the Sunny Townhomes Preliminary Plat Conditions of Approval, ARCH Community Housing Trust, Inc. submitted a Design Review Application for eight (8) single-family, cottage townhomes, each serviced by their own driveway and accessed via a single parking access lane located off of Gray's Starlight Drive. In proposed designs, the units range from 1,142 to 1,386 square feet in size, and each unit is also proposed to include a garage that ranges from 308 to 484 square feet in size. Six (6) of the cottage townhomes will be three (3) bedrooms, two and a half (2.5) bathroom units, and the remaining two (2) cottage townhomes will be two (2) bedrooms, one (1) bathroom units. A community pollinator pocket park and extensive landscaping were also proposed for the eight (8) sublots.

The Commission was overall in favor of the proposed design of the subdivision, both structurally and aesthetically. Comments were made about reorienting first-floor bathroom layouts for units that showed plumbing placed on exterior walls, instead of interior walls where risks of pipe freezing are lowered. While this adjustment was not made a Condition of Approval, the Commission strongly recommended this adjustment. Other recommendations from the Commission included:

- The addition of windows on garages and south/southwest-facing walls, in order to maximize natural light and minimize energy consumption needs within garages.
- Including human-entry doors for garages, in the case of power outages and the preservation of safe egress for the home.
- The addition of snow-clips and gutters above garages, to prevent ice build-up in front of garage doors.

Procedural History: The Applicant submitted a Preliminary Plat Application for the Sunny Townhomes Subdivision on June 20, 2023, and it was certified complete on June 21, 2023. A public hearing before the Planning and Zoning Commission occurred on August 21, 2023, at which time the proposed plat was recommended to the City Council for approval, contingent upon the approval of a subsequent Design Review Application approval. The Applicant submitted their Design Review Application on August 22, 2023, and it was certified complete on August 22, 2023. A Public Hearing with the Hailey Planning and Zoning Commission was held on September 18, 2023 in the Hailey City Hall Council Chambers and virtually via Microsoft Teams.

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

General Requirements for all Design Review Applications				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and** *Staff Comments*
☒	☐	☐	**17.06.050**	**Complete Application**
☒	☐	☐	**Department Comments**	**Engineering:** *Public Works Staff have reviewed the proposed application. Any issues, questions, or concerns will be thoroughly reviewed and discussed with the Applicant prior to final design.*
				Fire/Safety: *The site's interior, vehicular access aisle, which services each of the units and also acts as a fire lane, is proposed at the minimum allowable width by Hailey Municipal Code. The Hailey Fire Department is requesting that the Applicant ensure the fire lane is unobstructed and accessible at all times.* *According to Conditions of Approval associated with the corresponding Preliminary Plat Application for Sunny Townhomes, the Applicant shall paint all curbs of the lot's interior, vehicular access aisles with red paint, as well as install signage prohibiting parking along the sides of the access aisle, except in the three (3) designated guest parking spaces shown on site plans.* *<u>Finding:</u> Compliance. This Standard will be met.*
				Water and Sewer: *No comments.*
				Building: *No comments.*
				Streets: *No comments.*

☐	☐	☒	**17.08A Signs**	**17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.**
			Staff Comments	*N/A - No signage is proposed.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.**
			Staff Comments	*Per the current requirements, each cottage unit requires 1.5 parking spaces. The proposed design adheres to this standard, incorporating an attached garage ((one (1) to two (2) vehicle capacity, depending on vehicle size)) in each unit, as well as at least one (1) parking space per driveway.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.09.040.06: Excess of Permitted Parking**	**A. Approval Required: No use shall provide on-site parking for more than two hundred percent (200%) of the number of spaces required by this chapter unless permitted by specific action of the commission. Applications for parking in excess of that normally permitted will be heard by the commission as part of other applications, or, where no other application is pertinent, under the notice and hearing procedures set forth for design review.**
			Staff Comments	*N/A*
☒	☐	☐	**17.08C.040 Outdoor Lighting Standards**	**17.08C.040 General Standards** **1. All exterior lighting shall be designed, located and lamped in order to prevent:** **i. Overlighting;** **ii. Energy waste;** **iii. Glare;** **iv. Light Trespass;** **v. Skyglow.** **2. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.** **3. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.** **4. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.** **e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.**
			Staff Comments	*The Applicant proposes to install exterior wall-mounted light fixtures that are full cutoff, fully shielded, down-facing, and includes a lumen output that is Dark Sky compliant.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**Bulk Requirements**	**Limited Residential (LR-1) Zoning District and Sunbeam Subdivision Phase 1 PUD:**

			Staff Comments	*While the cottage code is being developed, Staff recommends that the proposed cottage units be held to the standards of townhouse units.* *Building Height:* - *Permitted Building Height: 30'* - *Proposed building heights:* • *Units 1-4, 6, 7: 29'* • *Units 5, 8: 20'-2"* *Building Setbacks:* - *Permitted setbacks:* ○ *Front yards/abutting public street frontage: 25'* ○ *Side yards:* ▪ *Between cottage units: 10' per IFC 2018 Standards* ▪ *Abutting private property, exterior boundaries of the cottage development:* • *Unit 1: 10'* • *Units 2-4: N/A* • *Unit 5: N/A* • *Unit 7: 10'* *Unit 8: 10'* ○ *Rear yards (all other Units): 10'* • *Units 1-4: N/A* • *Units 6, 7: 14.5' (10' base, 4.5' addt'l for 9' building height above 20')* • *Units 5, 8: 10'* - *Proposed setbacks:* ○ *Front yards/abutting public street frontage:* ▪ *Units 1-5: 25'+* ▪ *Units 6-8: N/A* ○ *Side yards:* ▪ *Between cottage units: 10.4'+* ▪ *Abutting private property to the south and west; exterior boundaries of the cottage development:* • *Unit 1: 12.36'* • *Unit 2-4: N/A* • *Unit 7: 12.05'+* • *Unit 8: 10.08'+* ○ *Rear yards:* • *Units 1-4: N/A* • *Units 5-7: 20'* • *Unit8: 15.33'* *Lot Coverage: Maximum 40%* ○ *Unit 1: 19%* ○ *Unit 2: 28%* ○ *Unit 3: 28%* ○ *Unit 4: 18%* ○ *Unit 5: ~22%* ○ *Unit 6: 30%* ○ *Unit 7: 27%*

				○ *Unit 8: 16%* *All bulk requirements have been met.* *Finding: Compliance. These Standards have been met.*
☒	☐	☐	**17.06.070(A)1** **Street Improvements Required**	**Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.**
			Staff Comments	*The sidewalk and drainage improvements were constructed in Phase I of the Sunbeam Subdivision. The existing pedestrian facilities and proposed drainage are adequate for the site; however, any additional drainage requirements or sidewalk repairs will be reviewed by City Staff prior to final design. This has been made a Condition of Approval.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.070(B) Required Water System Improvements**	**In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.**
			Staff Comments	*N/A, as this project is not proposed for the Townsite Overlay District.*

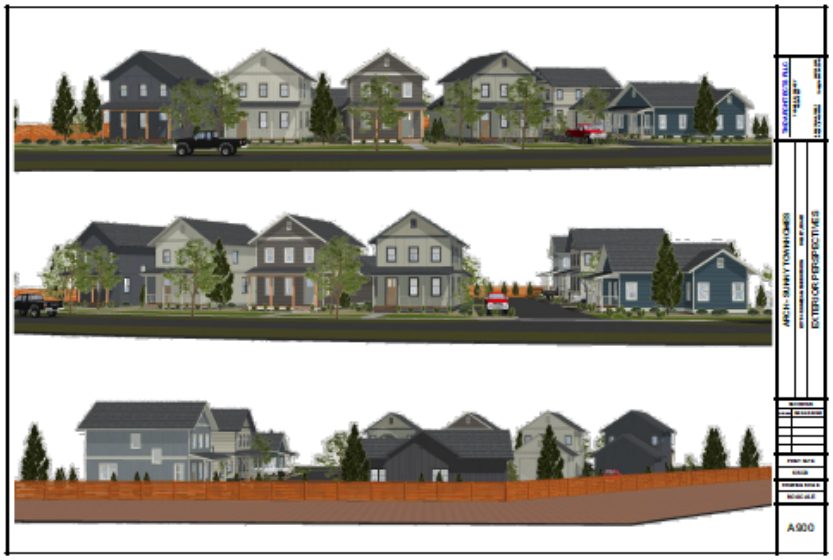
Design Review Requirements for Non-Residential, Multifamily, and/or Mixed-Use Buildings within the City of Hailey

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)1a**	**a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings.**
			Staff Comments	*Proposed cottage units 1-4 contain front entrances that are oriented towards the public street frontages, with 110 square foot covered porches and large front yards. Entrances for units 5-8 are oriented towards the interior of the lot and also offer the same or similarly sized covered porches. Each of these units (5-8) offer large side and back yards that will provide sun exposure and usable exterior spaces, as well as safe access to buildings. A shared pollinator pocket park near the western edge of the parcel is also proposed, providing a communal outdoor space that can be enjoyed by all residents of Sunny Townhomes. The existing perimeter sidewalk will provide safe pedestrian access to the cottage units.* *Finding: Compliance. This Standard has been met.*

☒	☐	☐	**17.06.080(A)1b**	**b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6-inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4-inch caliper.**
			Staff Comments	*The site for the proposed development is flat and somewhat barren; there is no significant vegetation.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1c**	**c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.**
			Staff Comments	*Pedestrian circulation with direct connection to public street frontages (Gray's Starlight Drive) is planned along the eastern edge of the parcel, adjacent to units 1-4. Interior site circulation will occur within the parking access lane; due to the sufficient exterior lighting proposed for each garage (facing the parking access lane), absence of through-traffic, and relatively small number of units proposed for this development, Staff do not share any concerns about safe access to and through the project site and associated residences.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1d**	**d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.**
			Staff Comments	*Roll-out trash bins will be provided for each unit. Utility boxes will be screened via extensive landscaping, and fencing will surround the entire subdivision, excluding the public street parcel edge (east).* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)1e**	**e. Where alleys exist, or are planned, they shall be utilized for building services.**
			Staff Comments	*N/A, as no alleys are planned for the site. The subdivision's interior parking access lane will be utilized for any building services.*
☐	☐	☒	**17.06.080(A)1f**	**f. Vending machines located on the exterior of a building shall not be visible from any street.**
			Staff Comments	*N/A, as no vending machines are proposed.*
☒	☐	☐	**17.06.080(A)1g**	**g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. *(NOTE: If project is located in Airport West Subdivision, certain standards may apply that are not listed here. See code for details.)*** **i. Parking areas located within the SCI zoning district may be located at the side or rear of the building.** **ii. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.**
			Staff Comments	*Parking and driveways are largely screened from view of the public streets.*

				Finding: Compliance. This Standard has been met.
☒	☐	☐	**17.06.080(A)1h**	**h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.**
			Staff Comments	*One (1) parking access lane provides vehicular access to the garages, there is only one (1) curb cut involved in this development.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1i**	**i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.**
			Staff Comments	*Snow storage is proposed on-site, and it is sited in a manner that is highly accessible and convenient for removal. It will be located in between each driveway and at the end of each segment of the parking access lane (excluding the end connection to Gray's Starlight Drive).* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1j**	**j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.**
			Staff Comments	*9,312 square feet of snow removal area exists on site. Required snow storage is 2,328 square feet, and 2,584 square feet is provided.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1k**	**k. A designated snow storage area shall not have any dimension less than 10 feet.**
			Staff Comments	*No snow storage areas have a dimension less than 10 feet.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)1l**	**l. Hauling of snow from downtown areas is permissible where other options are not practical.**
			Staff Comments	*N/A, as snow will be stored on site.*
☒	☐	☐	**17.06.080(A)1m**	**m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.**
			Staff Comments	*Where they are currently planned, snow storage areas do not impede circulation, loading areas, trash storage/pickup, etc. However, line of sight between the driveways of units 1-7 could become obstructed from snow storage build-up during winters with heavy snow. Staff requested that the Applicant provide an explanation for what measures they will take to ensure that snow storage volume between driveways does not increase to levels that could put children, pets, or personal property at risk of vehicular movement through the site.* *At the Public Hearing, the Applicant explained that both budgetary and contractual arrangements had already been made for hauling snow off-site, should snow storage become so great so as to obstruct views and impact site safety. Staff and the Commission were amenable to this arrangement and explanation.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1n**	**n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.**
			Staff Comments	*Snow storage is proposed for areas that are landscaped with either decorative rock, low maintenance grass, or salt-tolerant shrub massings.*

				Finding: Compliance. This Standard has been met.
2. Building Design: 17.06.080(A)2, items (a) thru (m)				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)2a**	**a. The proportion, size, shape and rooflines of new buildings shall be compatible with surrounding buildings.**
			Staff Comments	*The surrounding neighborhood includes buildings with shed roofs, resembling the mountain modern design. The proposed building height is compliant with the maximum building height and common in the neighborhood. Additionally, the Sunbeam Subdivision HOA conducts their own internal design review process for all new construction. The Sunny Townhomes design proposals have been approved by the Sunbeam HOA, further ensuring that the new buildings are compatible with surrounding buildings and intended future development of the Subdivision.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2b**	**b. Standardized corporate building designs are prohibited.**
			Staff Comments	*N/A*
☒	☐	☐	**17.06.080(A)2c**	**c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.**
			Staff Comments	*The covered porches, fenestration, walkways (Units 1-4), and extensive landscaping are pedestrian-oriented and encourage human activity.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2d**	**d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.**
			Staff Comments	

				N/A, as townhouse sublots are excluded from this provision. That said, I main entry and front façade of units 1-4 face the public street frontage, while units 5-8 have front entrances that face the parking access lane and lot's interior. In an effort to minimize the number of curb cuts associated with each project, as well as the communally oriented cottage intent of the Subdivision, Staff are amenable to the proposed unit orientation. *Large building surfaces and volumes are broken up by covered porches, accented window trims and bellybands, and the overall color palette variety in siding materials across the proposed development.* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2e**	**e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.**
			Staff Comments	*N/A, as only new buildings are proposed.*
☒	☐	☐	**17.06.080(A)2f**	**f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.**
			Staff Comments	*As stated above, exterior walls of the proposed units share a variety of material assemblies and colors. Belly bands, window trims, and wooden support beams (natural finish and painted) for covered porches all add variety and visual interest to the exterior finishes of the project. Siding styles vary across the project as well, with horizontal, vertical, and shingled assemblies proposed.*
☒	☐	☐	**17.06.080(A)2g**	**g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.**
			Staff Comments	*Please refer to Section 17.06.080(A)2f for further detail.* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2h**	**h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.**
			Staff Comments	*N/A, as no flat-roofed buildings are proposed.*
☒	☐	☐	**17.06.080(A)2j**	**j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.**
			Staff Comments	*Gabled coverings, appropriate roof pitch, and gutters are provided over all walkways and residential entries. However, the Commission noted that no gutters or snow-clips are proposed for the roof area directly over the garage entrance. The Commission strongly suggested to the Applicant that they consider including snow-clips and/or gutters over the garage entrance, so as to prevent ice build-up and ensure safe egress (vehicle or other) through the garage entrance.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)2k**	**k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.**
			Staff Comments	*Downspouts for all units are located within landscaped areas. Two (2) landscape drywells are proposed for the site, in addition to one (1) catch basin/drywell feature on the edge of the "hammerhead" intersection of the parking access lane. It has been located in a non-essential pedestrian traffic area, where residents of all units can*

				easily and conveniently avoid the feature and still access their residences, should any freezing occur. *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2l**	**l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).**
			Staff Comments	*N/A, as no vehicle canopies are proposed.*
☐	☐	☒	**17.06.080(A)2m**	**m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.**
			Staff Comments	*N/A, as no signs are proposed.*
3. Accessory Structures, Fences and Equipment/Utilities: 17.06.080(A)3, items (a) thru (i)				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**17.06.080(A)3a**	**a. Accessory structures shall be designed to be compatible with the principal building(s).**
			Staff Comments	*N/A, as no accessory structures are proposed.*
☐	☐	☒	**17.06.080(A)3b**	**b. Accessory structures shall be located at the rear of the property.**
			Staff Comments	*N/A, as no accessory structures are proposed.*
☒	☐	☐	**17.06.080(A)3c**	**c. Walls and fences shall be constructed of materials compatible with other materials used on the site.**
			Staff Comments	*Proposed fencing for the site appears to be natural-finished wood, which is compatible with support beam materials and appearance for multiple units, as well as the covered porch decking materials. Exterior walls of each of the units incorporate similar materials, further reinforcing compatibility across the site.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)3d**	**d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.**
			Staff Comments	*The proposed landscape plan softens the open space between the cottage units and enlivens the public street frontages and adjoining property lines with natural features and colors.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)3e**	**e. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.**
			Staff Comments	*N/A, as no roof projections are proposed.*
☐	☐	☒	**17.06.080(A)3f**	**f. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.**

			Staff Comments	*N/A, as alternative energy sources are proposed.*
☒	☐	☐	**17.06.080(A)3g**	**g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.**
			Staff Comments	*This has been made a Condition of Approval.* *<u>Finding:</u> Compliance. This Standard will be met.*
☒	☐	☐	**17.06.080(A)3h**	**h. All service lines into the subject property shall be installed underground.**
			Staff Comments	*All service lines are proposed to be installed underground.* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)3i**	**i. Additional appurtenances shall not be located on existing utility poles.**
			Staff Comments	*N/A, as no additional appurtenances are proposed.*
4. Landscaping: 17.06.080(A)4, items (a) thru (n)				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)4a**	**a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.**
			Staff Comments	*Drought-tolerant plant species and a high degree of decorative rock as ground cover are proposed for the site. Additionally, no lot under 8,000 square feet incorporates greater than 40% turf as land area, per Plat Note 21(a.) of the Final Plat for Sunbeam Subdivision, Phase 1 (all Sunny Townhomes lots are under 8,000 square feet).* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4b**	**b. All plant species shall be hardy to the Zone 4 environment.**
			Staff Comments	*The Applicant shall confirm that all proposed plant materials are hardy for Zone 4.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4c**	**c. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.**
			Staff Comments	*The Applicant proposes to irrigate with an automatic underground system, using drip irrigation, low water use heads, a smart controller, and a rain/freeze sensor.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4d**	**d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees, shrubs, vines, ground covers, and ornamental grasses shall be used. Newly landscaped areas shall include trees with a caliper of no less than two and one-half inches (2 ½"). A maximum of twenty percent (20%) of any single tree species shall not be exceeded in any landscape plan, which includes street trees. New planting areas shall be designed to accommodate typical**

				trees at maturity. Buildings within the LI and SCI-I Zoning Districts are excluded from this standard.
			Staff Comments	*Proposed landscape plans show thirty-seven (37) small evergreen trees (three (3) different species) of 1.5" caliper proposed for the site. This caliper size does not meet the minimum size requirement, as outlined by the Standard above. The Applicant shall ensure that all planted trees are of at least 2.5" caliper, and that no more than twelve (12) units of any one species are planted across the site. This has been made a Condition of Approval.* *Finding: Compliance. This Standard will be met.*
☐	☐	☒	**17.06.080(A)4e**	**e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.**
			Staff Comments	*N/A, as this project is not located in the LI or SCI-I zoning district.*
☐	☐	☒	**17.06.080(A)4f**	**f. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.**
			Staff Comments	*N/A, as this project is not located in the B, LB, TN, or SCI-O zoning districts.*
☒	☐	☐	**17.06.080(A)4g**	**g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.**
			Staff Comments	*This has been made a Condition of Approval.* *Finding: Compliance. This Standard will be met.*
☒	☐	☐	**17.06.080(A)4h**	**h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).**
			Staff Comments	*The Applicant will be responsible for maintaining plant material in healthy condition.* *Finding: Compliance. This Standard will be met.*
☐	☐	☒	**17.06.080(A)4i**	**i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.**
			Staff Comments	*N/A, as no retaining walls are proposed for the site.*
☐	☐	☒	**17.06.080(A)4j**	**j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.**
			Staff Comments	*N/A, see Standard 17.06.080(A)4i.*
☐	☐	☒	**17.06.080(A)4k**	**k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three-foot horizontal separation of walls.**
			Staff Comments	*N/A, see Standard 17.06.080(A)4i.*
☐	☐	☒	**17.06.080(A)4l**	**l. Landscaping should be provided within or in front of extensive retaining walls.**
			Staff Comments	*N/A, see Standard 17.06.080(A)4i.*
☐	☐	☒	**17.06.080(A)4m**	**m. Retaining walls over 24" high may require railings or planting buffers for safety.**
			Staff Comments	*N/A, see Standard 17.06.080(A)4i.*

☐	☐	☒	**17.06.080(A)4n**	**n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.**
			Staff Comments	*N/A, see Standard 17.06.080(A)4i.*

Additional Design Review Requirements for Multi-Family within the City of Hailey

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff* Comments**
☒	☐	☐	**17.06.080(D)1a**	**1. Site Planning**
				a. The location of the buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.
			Staff Comments	*The Applicant has already engaged in a thorough Preliminary Plat Application process with City Staff and the Commission, ensuring that overall site design is appropriate to specific site conditions and in conformance with the original intent of the designated cottage townhouse lot. The communal parking access lane and open common space resembles the intent behind the requirement for cottages in the Planned Unit Development Agreement for Sunbeam Subdivision Phase 1.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(D)1b**	**b. Site plans shall include convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.**
			Staff Comments	*The proposed development utilizes but does not extend the existing perimeter sidewalk. The interior of the cottage development comprises of a parking access lane for vehicular circulation.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(D)1c**	**c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering spaces.**
			Staff Comments	*The proposed cottage units encourage pedestrian circulation in the front yards and along the public street frontages.* *Finding: Compliance. This Standard has been met.*

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

Compliant			Standards and Staff Comments	
☒	☐	☐	**17.06.080(D)2a**	**a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures and colors to break up the bulk and mass of large multifamily buildings. Front doors should be individual and visible from the street. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.**

			Staff Comments	*Please refer to Section 17.06.080(A)2, items (a) thru (m) for further details.* *The Commission also offered a strong recommendation to the Applicant to consider including windows on garage overhead doors and south/southwest-facing walls for each of the units, in order to maximum solar gain and visibility inside of garages.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(D)2b**	**b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction.**
			Staff Comments	*Please refer to Section 17.06.080(A)2, items (a) thru (m) for further details.* *<u>Finding:</u> Compliance. This Standard has been met.*

17.06.060 Criteria.

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

1. **The project does not jeopardize the health, safety, or welfare of the public.**
2. **The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**

B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:

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

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

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

apply the security to the completion of the improvements and complete construction of the improvements.

CONCLUSIONS OF LAW

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

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, and other Sections of the Hailey Municipal Code and City Standards.

DECISION

The Design Review Application by ARCH Community Housing Trust, Inc., for a cottage development of eight (8) single-family units on eight (8) sublots with a parking access lane, three (3) visitor parking spaces, and a shared common space, to be located at Sunbeam Subdivision Phase 1, Lot 64 Block 5 — along the public street of Gray's Starlight Drive — within the Limited Residential (LR-1) Zoning District, is hereby approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (j) are met:

a) The proposed design is subject to the stipulations of the Planned Unit Development Agreement for Phase 1 of the Sunbeam Subdivision.
b) All applicable Fire Department and Building Department requirements shall be met.
c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required.
d) The project shall be constructed in accordance with the Application or as modified by these Findings of Fact, Conclusions of Law, and Decision.
e) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
f) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
g) Any additional drainage requirements or sidewalk repairs, other than those constructed during the initial Sunbeam Subdivision Phase 1 build-out, will be reviewed by City Staff prior to final design.

h) All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.
i) The Applicant shall ensure that all planted trees are of at least 2.5" caliper, and that no more than twelve (12) trees of any one species are planted across the site.
j) Storm water runoff shall be retained on the site wherever possible and used to irrigate plant materials.

Signed this _____ day of _____, 2023.

_____
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_____
Jessie Parker, Community Development Assistant

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 18, 2023, the Hailey Planning and Zoning Commission considered and approved a Design Review Application submitted by Morgan's Fine Finishes, represented by Teton West Construction, for the construction of a new 7,966 square foot office/industrial space. This project is known as Morgan's Fine Finishes and will be located at 4303 Glenbrook Drive (Lot 14, Block 42, Woodside Subdivision #10) within the Light Industrial Zoning District.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on August 30, 2023, and mailed to property owners within 300 feet on August 30, 2023. No additional notices were sent, or publications made. No public comments were received as well.

Background and Project Overview: The Applicant is proposing to construct one (1) new two-story, office/industrial building, consisting of 4,028 square feet of first-floor industrial shop space and a second-floor office space of 3,937 square feet. Five (5) offices, two (2) bathrooms, one (1) records room and one (1) conference room will occupy the second floor. The shop space is designed with three (3) distinct bays, with two (2) human doors (exterior access) and one (1) bathroom provided within each bay. The central bay will also house the mechanical room and stairwell to the second level. The shop space will also offer vehicular/materials access through one (1) of six (6) 10' x 12' garage bay doors, as well as provide nine (9) parking spaces. It is Staff's understanding that the shop space will be used to store vehicles and home finishing materials, as well as perform light assembly/pre-fabrication of company product.

Overall, the Commission was favorable to the proposed design, although they did present a series of requests and one (1) new Condition of Approval. They are as follows:

The Applicant was asked to confer with the City of Hailey Fire Marshall and discuss the specific details of the proposed use and activities of the building, and how these relate to fire code. This may or may not result in additional stairwells being constructed, and/or sprinklers being installed. The Applicant was fully amenable to this request and will ensure any building plan updates are documented and reviewed by City Staff, prior to issuance of a Building Permit.

The Applicant was originally asked by Staff to consider changing the roof color of the proposed building, so as to break up large building volumes and surfaces and create more aesthetic appeal. Upon further review and discussion by the Commission, it was agreed that the roof color should remain as originally proposed (light gray), so as to minimize solar absorption and subsequent energy use from excessive cooling needs. The Applicant also reiterated this point as a consideration they made when selecting the building's colors. The roof color will remain as originally proposed. The Applicant also noted that the front façade of the building will likely receive a wood-paneling treatment in future years, meant to reflect a barn-like design. This addition will add great visual appeal to the building and site and diminish any concerns about breaking up large building surfaces and volumes.

The Commission requested that Conditions of Approval g) through j) be grouped and amended, so as to eliminate redundancies and reduce the overall quantity of Conditions placed on the Applicant's Findings of Fact. This change is reflected in the Conditions of Approval listed herein.

The Commission requested a new Condition of Approval, "Condition m)", which requires that the Applicant revise all design and building plans to reflect any changes in facades, addition of stairwells and/or fenestrations, etc., and resubmit these plans to City Staff for review and approval, prior to issuance of a Certificate of Occupancy.

Procedural History: The Application was submitted on August 23, 2023 and certified complete on August 28, 2023. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on September 18, 2023, in the Hailey City Council Chambers and virtually via Microsoft Teams.

General Requirements for all Design Review Applications				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and** *Staff Comments*
☒	☐	☐	**17.06.050**	**Complete Application**
☒	☐	☐	**Department Comments**	**Streets, Engineering**: *All infrastructure will require detailed final construction drawings to be submitted to the city and approved by the city prior to construction. All construction must conform to City of Hailey standard drawings, specifications, and procedures. This has been made a Condition of Approval.*
				Life/Safety: *The City of Hailey Fire Marshall has requested a meeting with the Applicant to discuss planned industrial activities and any necessary risk mitigation facilities that may be required (spray tent, dust abatement, air filtration, etc.). The Applicant will include any required industrial risk mitigation measures, as stated by the City of Hailey Fire Marshall, prior to final building inspection. This has been made a Condition of Approval.*
				Water & Wastewater: *If plumbing code requires a grease trap for the associated site activities, the Applicant shall ensure that it is planned for and installed.* *Water Division is unsure if the lot already includes a water stub or meter vault. If the Applicant can locate one that fits their needs, they may connect to it; however, if a water stub or meter vault cannot be located, the Applicant shall install a water stub and/or meter vault and their own expense.* *All infrastructure will require detailed final construction drawings to be submitted to the city and approved by the city prior to construction. All construction must conform to City of Hailey standard drawings, specifications, and procedures.*

				These recommendations have been made Conditions of Approval. *Finding: Compliance. These Standards have been met.*
				Building*: No Comments.*
				Green Space: *No Comments.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.**
			Staff Comments	*The Applicant is proposing 7,966 square feet of new industrial space. Per Code, one (1) parking space per 1,000 square feet of industrial space is required. The Applicant has submitted site plans that show nine (9) parking stalls, located within the proposed building.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.09.040.06: Excess of Permitted Parking**	**A. Approval Required: No use shall provide on-site parking for more than two hundred percent (200%) of the number of spaces required by this chapter unless permitted by specific action of the commission. Applications for parking in excess of that normally permitted will be heard by the commission as part of other applications, or, where no other application is pertinent, under the notice and hearing procedures set forth for design review.**
			Staff Comments	*Parking proposed is not in excess of 200% of the number of spaces required by the Hailey Municipal Code.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.08C.040 Outdoor Lighting Standards**	**17.08C.040 General Standards** **a. All exterior lighting shall be designed, located and lamped in order to prevent:** **1. Overlighting;** **2. Energy waste;** **3. Glare;** **4. Light Trespass;** **5. Skyglow.** **b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.** **c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.** **d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.** **e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.**
			Staff Comments	*The Applicant is proposing Dark Sky compliant, downcast, energy efficient LED, low wattage fixtures.* *Finding: Compliance. This Standard has been met.*

☒	☐	☐	**Bulk Requirements**	**Light Industrial Zoning District:**
			Staff Comments	- *Building Height:* ○ ***Permitted Building Height:*** *35'* ○ ***Proposed Building Height:*** *26' 9"* ○ ***Required Setbacks:*** ▪ *Front Yard (Glenbrook Drive): 10'* ▪ *Side Yard (west): 10'* ▪ *Side Yard (east/parking lot): 10'* ▪ *Rear Yard: 25' (for building portions directly abutting Recreational Green Belt (RGB) district)* ○ ***Proposed Setbacks:*** ▪ *Front Yard: 10'+* ▪ *Side Yard (south): 15.14'+* ▪ *Side Yard (north): 10.04'+* ▪ *Rear Yard: 25.08' at northeast building corner; 25' at rear center of building; 24.8' at rear shared lot line of City of Hailey Sewer Plant Parcel (4297 Glenbrook Drive) and RGB Parcel (FR SE TL 7573, SEC 23 2N 18E)* *Maximum lot coverage permitted in the Light Industrial Zoning District is 75%. The proposed lot coverage is approximately 39%.* *Finding: Compliance. These Standards have been met.*
☒	☐	☐	**17.06.070(A)1 Street Improvements Required**	**Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.**
			Staff Comments	*One (1) drywell exists on-site, in the southeast corner of the parcel; this feature will be retained. Three (3) new drywells are proposed, located in the rear-center of the parcel, the north-west corner of the parcel, and the south-center of the parcel. A new 3' wide concrete gutter drainage improvement is proposed along the public street frontage of the lot, with a new catch basin proposed to service the gutter. Site grading will be conducive to appropriate function of the drainage improvements.* *No sidewalk improvements are proposed for the project, nor does any sidewalk infrastructure exist in the vicinity of the project. As has been the Commission's decision on previous projects in the LI zoning district (Kavanagh Condominiums, Juan Espinosa Light Industrial Building) the Applicant shall pay a sidewalk-in-lieu fee for the property frontage along Glenbrook Drive, prior to issuance of a Certificate of Occupancy. This has been made a Condition of Approval.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.070(B) Required Water System Improvements**	**In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and**

				main line between and including the subject property and the nearest public street, as recommended by the City Engineer.
			Staff Comments	*N/A, as the proposed project is not located within the TO Zoning District.*

Design Review Requirements for Non-Residential, Multifamily, and/or Mixed-Use Buildings within the City of Hailey

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)1a**	**a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the occupants and allow for safe access to buildings.**
			Staff Comments	*Due to setback requirements for the site, there is little flexibility on where and in what orientation the proposed building may be constructed. That being said, vehicular access to the rear of the site has been maximized along the southern elevation of the proposed building, with a 15'+ corridor from building edge to property line (this is the narrowest point on the south side of the building, but 5' wider than the northern elevation rear access corridor). Providing vehicle access on the south side of the proposed building will promote site safety for all, as snow build-up will be discouraged from maximum solar exposure. Vehicle and pedestrian access will be available on both the north and the south sides of the building during non-winter months.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1b**	**b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated, or removed. Removal of trees larger than 6-inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4-inch caliper.**
			Staff Comments	*No plant material presently exists on site.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1c**	**c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.**
			Staff Comments	*Exterior pedestrian movement will be limited at the site, as most activity and operations will be happening within the proposed building and the proposed occupants of the site do not include customers or clients, just employees. That said, the six (6) human doors, with clear separation from garage doors, will ensure that pedestrians will have sufficient entry/exit points for the building and can move from the front to the rear of the site without traveling on the outside of the building or within any vehicle corridors. Five (5) exterior lights on both the front and rear side of the building will illuminate entry/exit points and further support safe access and site movement.*

				Finding: Compliance. This Standard has been met.
☒	☐	☐	**17.06.080(A)1d**	**d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.**
			Staff Comments	*Loading access is proposed at both the front and the rear of the building, with shop bays and garage doors designed to allow for pull-through vehicle/equipment operations in the building. A utility box is shown adjacent to the southwest corner of the lot on submitted engineering plans, although it is not located within the Applicant's lot lines.* *Trash storage is proposed at the rear of the parcel, in the southeast corner. Screening will be provided, as shown on site plans.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)1e**	**e. Where alleys exist, or are planned, they shall be utilized for building services.**
			Staff Comments	*N/A, as no alleys exist and/or are proposed.*
☐	☐	☒	**17.06.080(A)1f**	**f. Vending machines located on the exterior of a building shall not be visible from any street.**
			Staff Comments	*N/A, as no vending machines are proposed.*
☒	☐	☐	**17.06.080(A)1g**	**g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. *(NOTE: If project is located in Airport West Subdivision, certain standards may apply that are not listed here. See code for details.)*** **i. Parking areas located within the SCI zoning district may be located at the side or rear of the building.** **ii. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.**
			Staff Comments	*Site plans show on-site parking areas located within the proposed shop/industrial space, which may be accessed at the rear of the building. Snow storage has been planned to avoid parking obstruction. Additional on-site parking may also be provided outside at the rear of the proposed building.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1h**	**h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area, and preserve the street frontage for pedestrian traffic.**
			Staff Comments	*Access to on-site parking is provided on the south side of the proposed building, between said building and the southern lot line (approx. 15' in width). While the area to the north of the building may be wide enough to*

				service some vehicles, snow storage proposed for the northeast corner of the lot will prevent year-round access. Depending on loading and operational needs, vehicles may occasionally enter and exit through the 10' x 12' garage doors at the front of the site. *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1i**	**i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.**
			Staff Comments	*Snow storage areas comply with this standard.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1j**	**j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.**
			Staff Comments	*The required snow storage area for the project is 1,050 square feet (25%). The proposed snow storage area is 1,123 square feet (approx. 26%).* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1k**	**k. A designated snow storage area shall not have any dimension less than 10 feet.**
			Staff Comments	*Snow storage areas comply with this standard.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1l**	**l. Hauling of snow from downtown areas is permissible where other options are not practical.**
			Staff Comments	*At this time, the site and proposed snow storage areas appear to be adequate for the storing of snow.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1m**	**m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation, or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.**
			Staff Comments	*Snow storage areas do not appear to fully impede any of the stated items.* *Vehicular circulation on the north side of the proposed building may be affected by snow storage during the winter months, but the primary access for the rear of the site (corridor south of proposed building) is not impeded by snow storage.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)1n**	**n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.**
			Staff Comments	*All snow storage will occur on existing gravel, which is the primary land cover across the site. This cover will not be affected by salt and is resilient to heavy snow.* *Finding: Compliance. This Standard has been met.*

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

Compliant	Standards and Staff Comments

Yes	No	N/A	City Code	City Standards and *Staff Comments*
☒	☐	☐	**17.06.080(A)2a**	**a. The proportion, size, shape, and rooflines of new buildings shall be compatible with surrounding buildings.**
			Staff Comments	*The proportion, size, shape, and roofline of the newly proposed building are each compatible with surrounding buildings, which are industrial in nature and feature low-angle rooflines rectangular building footprints, and simplified architectural detailing. The proposed height of the new building does not attempt to capitalize on the maximum permitted building height, allowing the new building to blend in naturally with surrounding building heights and avoid a domineering presence within the block.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2b**	**b. Standardized corporate building designs are prohibited.**
			Staff Comments	*N/A, as the project is not a corporate design.*
☒	☐	☐	**17.06.080(A)2c**	**c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.**
			Staff Comments	*Multiple human-entry doors occupy both the front and rear façade of the proposed building. Windows at both the ground and second-story level are also included, with larger windows framing the second-story office spaces. Although not at ground-level, a juliette balcony is included on the front façade of the building, which emphasizes the human scale. As this project is located in the LI zoning district, and the Applicant has expressed that no retail or client-based interactions are intended for the project site and proposed building, Staff are amenable to the proposed industrial design.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)2d**	**d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.**
			Staff Comments	*As stated above, a juliette balcony is included as a design feature on the front of the building, as well as three (3) human entry doors and three (3) 10' x 12' garage bay doors. These doors will be painted black, providing a change in materials/colors when compared to the gray corrugated metal that will make up the building walls. A row of five (5) exterior lights is included above all doors, which further breaks up large building surfaces and volumes.* *The Commission also offered the suggestion of extending the juliette balcony to wrap around the southwest corner of the proposed building, or to extend the balcony feature and construct a useable balcony and outdoor space for employees on the second floor. The Applicant was moderately amenable to these suggestions and open to exploring implementation.* *Finding: Compliance. This Standard has been met.*
			17.06.080(A)2e	**e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.**

☐	☐	☒	***Staff Comments***	*No future additions or renovations are planned at this time.*
☒	☐	☐	**17.06.080(A)2f**	**f. All exterior walls of a building shall incorporate the use of varying materials, textures, and colors.**
			Staff Comments	*The exterior walls of the proposed building include gray corrugated metal, black painted garage and human entry doors, and dark gray fascia and guttering. The garage doors and building walls have opposite siding patterns (vertical on building, horizontal on doors), providing further variety in texture.* *Staff originally suggested to the Applicant that they may consider changing the roof color to create more variety in exterior color for the building. After discussion and consideration with and by the Commission, it was decided that this color change would result in more solar absorption, and thus higher energy needs for cooling, for the building, which is not in either the Applicant's nor the City's best interest.* *The Applicant stated that the front façade of the building will likely receive a wood-paneling treatment in future years, meant to reflect a barn-like design. This addition will add great visual appeal to the building and site and diminish any concerns about breaking up large building surfaces and volumes.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)2g**	**g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.**
			Staff Comments	*See standard 17.06.080(A)2f. Exterior building colors are generally harmonious with surrounding buildings of the industrial scale and style.* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2h**	**h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies, or other design elements.**
			Staff Comments	*N/A, as no flat-roofed buildings are proposed.*
☒	☐	☐	**17.06.080(A)2i**	**i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:** **i) Solar Orientation. If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within 30 degrees of true south.** **ii) South facing windows with eave coverage. At least 40% of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.** **iii) Double glazed windows.** **iv) Windows with Low Emissivity glazing.** **v) Earth berming against exterior walls** **vi) Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site.**

				vii) Exterior light shelves. All windows on the southernmost facing side of the building shall have external light shelves installed.
			Staff Comments	*The proposed building's longer wall plane is placed on the east-west axis, with three (3) larger windows on the south elevation proposed; these larger windows will capitalize on southern sun. The submitted building plans show that the proposed structure adheres to 2023 IECC standards, while very slightly exceeding those standards (voluntarily).* *Due to the large, low angle roof structure of the project, as well as the absence of other significant energy conservation measures, Staff recommended that the Applicant install pre-wiring for solar energy installation in the future. The Applicant was amenable to this request.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)2j**	**j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.**
			Staff Comments	*Proposed roof pitch for the building is very low; it also appears that gutters are included along all rooflines of the building, although Staff requested that the Applicant confirm this at the Public Hearing. The Applicant did confirm that gutters would be included along all rooflines of the building. No sidewalks are directly adjacent to any portion of the building, and pedestrian activity around the building is not expected to be high.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)2k**	**k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.**
			Staff Comments	*The proposed drywell at the rear-center of the site is in the vicinity of entry/exit doors for humans and equipment, although it is not located directly adjacent to any doorways. None of the other three (3) drywells on site are located in an area that will create pedestrian hazards. All precipitation at the front of the site will gather in a newly constructed concrete gutter, which will route to a new catch basin, away from any entries/exits.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)2l**	**l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).**
			Staff Comments	*N/A, none are proposed.*
☐	☐	☒	**17.06.080(A)2m**	**m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Section 17.08A.020 of this title.**
			Staff Comments	*N/A, as no signage is proposed is proposed at this time.*

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

Compliant	Standards and Staff Comments

Yes	No	N/A	City Code	City Standards and *Staff Comments*
☐	☐	☒	**17.06.080(A)3a**	**a. Accessory structures shall be designed to be compatible with the principal building(s).**
			Staff Comments	*N/A, as no accessory structures are proposed at this time.*
☐	☐	☒	**17.06.080(A)3b**	**b. Accessory structures shall be located at the rear of the property.**
			Staff Comments	*Same as above.*
☒	☐	☐	**17.06.080(A)3c**	**c. Walls and fences shall be constructed of materials compatible with other materials used on the site.**
			Staff Comments	*A three foot (3') dry-stack retaining wall is proposed for the rear of the site, lining the center portion of the rear lot line. This rock/stone material is appropriate for the site. Site plans show that a fence currently occupies the rear parcel line, although materials are not noted. The Applicant shall apply for and receive approval to install fencing in the future, as well as ensure that any future fence installation on site incorporates materials compatible with the site and its materials/design. This has been made a Condition of Approval.* *Finding: Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)3d**	**d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.**
			Staff Comments	*See standard 17.06.080(A)4a below for further discussion.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)3e**	**e. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded, and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.**
			Staff Comments	*N/A, as no roof projections are proposed at this time.*
☐	☐	☒	**17.06.080(A)3f**	**f. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.**
			Staff Comments	*N/A, as no alternative energy sources, or their hardware, are proposed at this time.*
☒	☐	☐	**17.06.080(A)3g**	**g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.**
			Staff Comments	*It does not appear that any ground or roof-mounted mechanical equipment is proposed; if so, any and all ground and roof mounted mechanical equipment shall be screened from view. This has been made a Condition of Approval.* *Finding: Compliance. This Standard will be met.*

☒	☐	☐	**17.06.080(A)3h**	**i. All service lines into the subject property shall be installed underground.**
			Staff Comments	*All services lines will be underground.* *Finding: Compliance. This Standard will be met.*
☐	☐	☒	**17.06.080(A)3i**	**j. Additional appurtenances shall not be located on existing utility poles.**
			Staff Comments	*No appurtenances are proposed on existing utility poles.* *Finding: Compliance. This Standard has been met.*

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

Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)4a**	**a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.**
			Staff Comments	*A unique shared lot line at the rear of the parcel created uncertainty with the Applicant and their landscaping requirements, as it relates to an LI-zoned parcel adjacent to another LI-zone parcel, versus a Recreational Green Belt (RGB) parcel. The Applicant is aware of the landscaping requirements for the site, and they have been working internally with Staff to ensure these requirements are met. No formal landscaping plan had been submitted at the time of agenda publishing. Staff required that the Applicant submit a complete landscaping plan for the site, to be reviewed and approved by the Planning and Zoning Commission Chair, prior to issuance of a Building Permit. This has been made a Condition of Approval.* *Finding: Compliance. This Standard will be met.*
☒	☐	☐	**17.06.080(A)4b**	**b. All plant species shall be hardy to the Zone 4 environment.**
			Staff Comments	*Finding: Compliance. This Standard will be met.*
☒	☐	☐	**17.06.080(A)4c**	**c. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.**
			Staff Comments	*No landscaping or irrigation system was included in site plans. The Applicant shall submit site plans that clearly depict an irrigation system appropriate for establishing the proposed landscaping, prior to issuance of a Building Permit.* *Finding: Compliance. This Standard will be met.*
☐	☐	☒	**17.06.080(A)4d**	**d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees, shrubs, vines, ground covers, and ornamental grasses shall be used. Newly landscaped areas shall include trees with a caliper of no less than two-and-one-half (2 ½) inches. A maximum of twenty percent (20%) of any single tree species shall not be exceeded in any landscape plan, which includes streeDt trees. New planting areas shall be designed to**

				accommodate typical trees at maturity. Buildings within the LI and SCI-I Zoning Districts are excluded from this standard.
			Staff Comments	*N/A, as the proposed building is within the LI Zoning District.*
☒	☐	☐	**17.06.080(A)4e**	**e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.**
			Staff Comments	*The Applicant shall ensure that seasonal plantings are incorporated into final site design. This has been made a Condition of Approval.* *<u>Finding:</u> Compliance. This Standard will be met.*
☐	☐	☒	**17.06.080(A)4f**	**f. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.**
			Staff Comments	*N/A, as the proposed project is located within the Light Industrial Zoning District.*
☒	☐	☐	**17.06.080(A)4g**	**g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.**
			Staff Comments	*A site geometry and grading plan has been submitted and storm water will be retained onsite. Runoff is within the landscaped/parking areas and is directed to drywells, as noted on the site geometry and grading plan.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4h**	**h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).**
			Staff Comments	*The Applicant shall be responsible for ensuring all maintenance of the landscaping areas is completed and remains in a well-maintained condition.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4i**	**i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.**
			Staff Comments	*The proposed retaining wall is only three feet (3') in height and includes natural stone materials, minimizing both physical and visual impact on the site.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4j**	**j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.**
			Staff Comments	*See standard 17.06.080(A)4j* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.06.080(A)4k**	**k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three-foot horizontal separation of walls.**
			Staff Comments	*The proposed retaining wall is three feet (3') in height.* *<u>Finding:</u> Compliance. This Standard has been met.*
			17.06.080(A)4l	**l. Landscaping should be provided within or in front of extensive retaining walls.**

☒	☐	☐	***Staff Comments***	*Landscaping standards for LI-zoned parcels adjacent to the RGB district will fulfill this requirement. See standard 17.04H.060(D) below.* *<u>Finding:</u> Compliance. This Standard has been met.*
☐	☐	☒	**17.06.080(A)4m**	**m. Retaining walls over 24" high may require railings or planting buffers for safety.**
			Staff Comments	*See standard 17.04H.060(D) below.*
☐	☐	☒	**17.06.080(A)4n**	**n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.**
			Staff Comments	*N/A, as landscaping required at the rear of the parcel will prevent the retaining wall from being used for seating.*
Additional Standards for the Light Industrial (LI) Zoning District				
1. Additional Regulations: 17.04H.060, sections B through D				
☒	☐	☐	**17.04H.060(B)**	**B. Storage of Materials: All materials, with the exception of trees and plant materials stored on the premises, and all machinery and vehicles other than those for sale or display, or parked temporarily, shall be stored within a building or within a wall or fence not less than five (5) nor more than six feet (6') in height. Subject to approval of the administrator, earth berms and landscaping with sufficient height and density may be substituted for a wall or fence.**
			Staff Comments	*<u>Finding:</u> Compliance. This Standard will be met.*
☒	☐	☐	**17.04.060(C)**	**C. Landscaping shall be provided and maintained on all lots.**
			Staff Comments	*As noted previously in this Staff Report, the Applicant is creating a landscaping plan for the site, which will include all required components and maintenance plans. The Planning and Zoning Commission Chair will review and approve said landscaping plan, prior to issuance of a Building Permit.* *<u>Finding:</u> Compliance. This Standard will be met.*
☒	☐	☐	**17.04H.060(D)**	**D. Screening: Landscape screening shall be provided and maintained in the required yards adjacent to the RGB, GR, LR, and TN zoning districts to protect these areas from undue intrusion of noise, light, odors, and other influences. Such landscaping shall, at minimum, consist of:** **1. A hedge, berm, solid wall or solid fence not less than five (5) nor more than six feet (6') in height; and** **2. One row of evergreen trees placed no further apart than twenty feet (20'); and** **3. Lawn, low growing evergreen shrub, evergreen or ground cover on the balance of the yard (Ord. 1191, 2015)**
			Staff Comments	*See standard 17.04.060(C) above.* *<u>Finding:</u> Compliance. This Standard will be met.*

17.06.060 Criteria.

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

1. **The project does not jeopardize the health, safety, or welfare of the public.**
2. **The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**

B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:

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

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

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

CONCLUSIONS OF LAW

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

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, other Chapters of the Hailey Municipal Code and City Standards.

DECISION

The Design Review Application submitted by Morgan's Fine Finishes, represented by Teton West Construction, for the construction of a new 7,966 square foot office/industrial space, to be known as Morgan's Fine Finishes and located at 4303 Glenbrook Drive (Lot 14, Block 42, Woodside Subdivision #10) within the Light Industrial Zoning District, has been approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (m) are met:

a) All applicable Fire Department and Building Department requirements shall be met.
b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Municipal Code at the time of the new use.
c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required.
d) If a water stub or meter vault cannot be located for the site, the Applicant shall install a water stub and/or meter vault at their own expense.
e) The Applicant shall pay a sidewalk-in-lieu fee for the property frontage along Glenbrook Drive, prior to issuance of a Certificate of Occupancy.
f) Any building changes, including but not limited to stairwell additions, façade changes, fenestration additions, etc., not shown on the original design plan submittals, shall be clearly depicted on updated design/site plans, submitted to City Staff, and reviewed for approval, prior to issuance of a Certificate of Occupancy.
g) The Applicant shall apply for and receive approval to install fencing in the future. Furthermore, the Applicant ensure that any future fence installation onsite incorporates materials compatible with the site and its materials/design.
h) The Applicant shall submit a complete landscaping plan for the site, including species hardy to the zone 4 environment and a clearly depicted irrigation system that is appropriate for establishing the proposed landscaping, to be reviewed and approved by the Planning and Zoning Commission Chair, prior to issuance of a Building Permit.
i) The Applicant shall ensure that seasonal plantings are incorporated into final site design and included onsite prior to issuance of a Certificate of Occupancy.
j) The Applicant shall ensure proper storage of materials on site.
k) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.

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

m) The Design Review approval shall be valid for eighteen (18) months. This extension shall be effective from the day the Findings of Fact are approved.

Signed this _____ day of _____, 2023.

_____
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_____
Jessie Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 18, 2023, the Planning and Zoning Commission considered a Conditional Use Permit Application submitted by the Blaine County Recreation District (BCRD), represented by Michael Bulls of RLB Architecture PA., for the addition of a temporary 707 square foot yurt, to serve as a recreational Nordic ski warming hut, to be located on Block 10, Quigley Farm Large Block Plat (N/A Huckleberry Trail) within the Recreational Green Belt (RGB) Zoning District.

The Commission, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on August 30, 2023, and mailed to adjoining property owners on August 29, 2023. The onsite notice was posted to the property on September 11, 2023.

Application: The Applicant is proposing new construction of a temporary 707 square foot yurt, built on top of a 1,024 square foot wooden platform, to be located along Huckleberry Trail (Block 10, Quigley Farm Large Block Plat) adjacent to the Quigley Bike Park and within the Nordic ski area. This project is proposed to be located within the Recreational Green Belt (RGB) Zoning District. The temporary yurt structure is proposed to be used as a warming hut for Nordic ski participants of the Sun Valley Ski Education Foundation (SVSEF). The yurt will take the place of the temporary trailer structure that has been installed on the parcel in previous years, and it will be operated in a similar manner. Program participants will use the existing asphalt parking areas for drop off and pickup, similar to previous years, according to the Applicant.

The effects of the proposed yurt on adjoining properties of participants and vehicles in terms of noise and vehicular odor and fumes will be minimal, and will be similar to previous years. The proposed yurt structure and uses are consistent with the current uses and features of the project parcel, adjacent parcels, and other Recreational Green Belt parcels. These uses and features include Nordic skiing facilities and trail systems operated by the Blaine County Recreation District (BCRD).

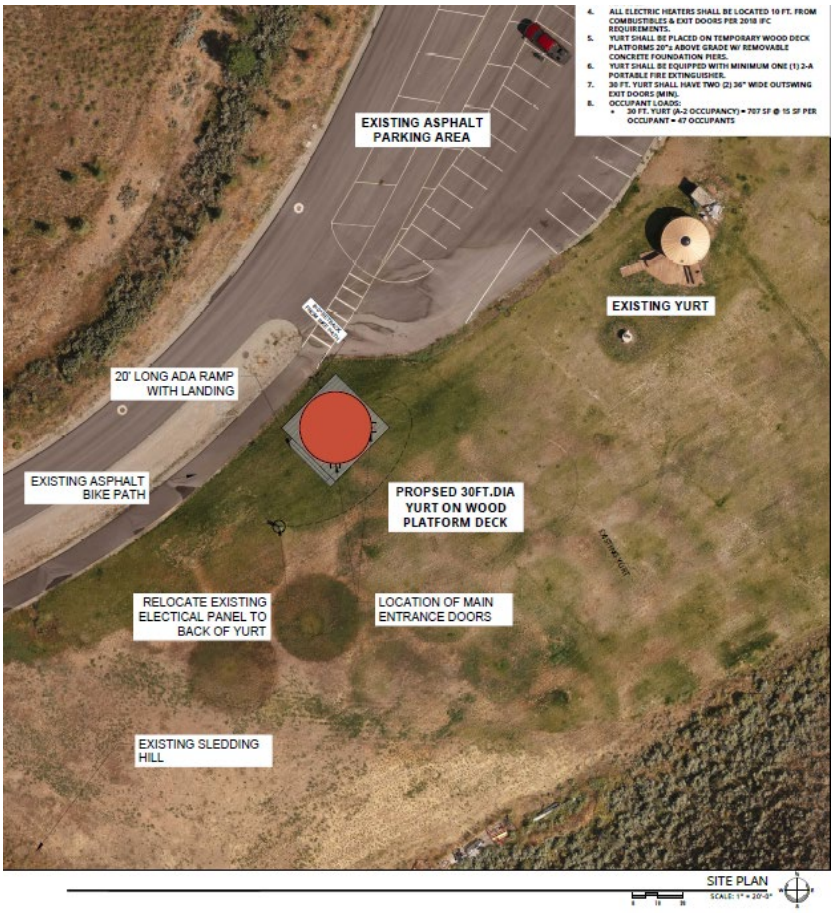
The proposed yurt structure use is also consistent and in compliance with the goals of the Comprehensive Plan. The structure is located in the Recreational Green Belt Zoning District, providing recreation opportunities in close proximity to the population density and enhancing winter recreational activities in the area. The temporary yurt structure and proposed deck support platform will have minimal impact and disturbance on the land. The facility will have no water or waste service impact and will require minimal electrical power use for heating purposes.

Procedural History: The Conditional Use Permit Application was submitted on August 18, 2023, and certified complete on August 31, 2023. A public hearing before the Planning and Zoning Commission for approval or denial of the project will be held on September 18, 2023 in the Hailey City Council Chambers and virtually via Microsoft Teams.

General Requirements for all Conditional Use Permits

Compliant			Standards and Commission Findings	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Commission Findings***
☒	☐	☐	**17.11.020**	**Complete Application:** **17.11.020 The application shall include at least the following information:** **a. Name, address, and phone number of the applicant.** **b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement.** **c. Legal description of the subject property, including street address.** **d. Description of existing use.** **e. Zoning district of subject property.** **f. Description of proposed conditional use.** **g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIIIB of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable.** **h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property.** **i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district.** **j. A narrative discussion of the relationship of the proposed use to the Comprehensive Plan.** **k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered.** **l. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article.** **m. A fee established in a separate ordinance approved by the Council.**
☐	☐	☐	**Department Comments**	**Engineering:** *No comments*
				Life/Safety: *No comments*
				Water and Sewer:
				Building: *No comments*

				Streets: *No comments*
				Parks: *No comments* *<u>Finding:</u> Compliance. These Standards have been met.*
☐	☐	☒	**17.08A Signs**	**17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.**
			Staff Comments	*N/A. No signage is proposed.*
☐	☐	☒	**17.08C.040 Outdoor Lighting Standards**	**17.08C.040 General Standards** **e. All exterior lighting shall be designed, located and lamped in order to prevent:** **a. Overlighting;** **b. Energy waste;** **c. Glare;** **d. Light Trespass;** **e. Skyglow.** **f. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.** **g. Idaho Power shall not install any luminaires after the effective date hereof that lights the public right of way without first receiving approval for any such application by the lighting administrator.** **h. All exterior lighting shall be full cutoff luminaires with the light source downcast and fully shielded, unless exceptions are specified in subsection 17.08C.040.02, Type of Luminaires, of this Chapter.**
			Staff Comments	*N/A. The proposed structure will only be used during daylight hours, appropriate for group Nordic ski instructional activities. No exterior lighting is proposed.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.**
			Staff Comments	*The proposed yurt structure is designed to take the place of the existing temporary trailer structure that has been installed on the parcel in previous years. The Applicant has stated that SVSEF program participants will use the existing asphalt parking area that services the existing BCRD yurt, Quigley Nordic trail head, and Quigley Bike Park. Participants are generally dropped off and picked up, resulting in little impact on the availability of parking spaces. The existing parking area contains approximately forty-five (45) parking spaces.*

				Finding: Compliance. This Standard has been met.
☐	☐	☒	**17.09.020.08(B)**	**B. Where alleys exist, access to on-site parking for any non-residential use or for any multifamily dwelling of three or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.**
			Staff Comments	*N/A, as the site is not serviced by an alley and the parking configuration is existing.*
☒	☐	☐	**17.09.020.08(C)**	**C. If the site is not serviced by an alley, access shall be from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.**
			Staff Comments	*Vehicles will be able to load and unload pedestrians/program participants within the gravel curbside right-of-way, directly north of the yurt, or just east of the yurt within the asphalt parking area. Pedestrian walkways and crosswalks are existing features of the site, and will be retained throughout the winter use season, as snow removal conditions allow. A 20'-wide ADA ramp with a landing is also shown on site plans, providing universal, safe access to the yurt for all SVSEF participants.*  *Finding: Compliance. This Standard has been met.*

☒	☐	☐	**17.09.020.08(D)**	**D. Access for on-site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.**
			Staff Comments	*Onsite parking locations are existing and located to the rear of the proposed yurt. Access to the on-site parking areas are clearly visible to pedestrian and vehicular traffic coming from Huckleberry Trail, especially as users of the yurt will be elevated multiple feet above the parking lot surface (depending on winter conditions), due to snowpack.* *Finding: Compliance. This Standard has been met.*
☐	☐	☒	**17.09.020.08(E)**	**E. Access for subdivisions shall be provided in accordance with standards set forth in Section 4 of the Subdivision Ordinance.**
			Staff Comments	*N/A. No subdivision access will be impacted by this project.*
☐	☐	☒	**17.09.020.08(F)**	**F. Parking areas containing no more than two (2) parking spaces in any zoning district or parking areas within the LR, GR, TN, TI and LI Districts may be designed to allow a vehicle to back from the parking area into the public right-of-way.**
			Staff Comments	*N/A. The proposed project is located within the RGB Zoning District.*
☐	☐	☒	**17.09.020.08(G)**	**G. Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus "stacking" the parking area. For non-residential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces.**
			Staff Comments	*N/A. The proposed project does not include any residential uses.*
☒	☐	☐	**Chapter 17.05: Bulk Requirements**	**RGB District:** - **Maximum Building Height: 35 feet** - **Minimum Setbacks:** o **Front Setback: 20 feet** o **Side and Rear Yard Setback: 10 feet** - **Maximum Lot Coverage: None**
			Staff Comments	*The Applicant is proposing the following:* - *Building Height: 19' 1"* - *Setbacks:* o *Front yard (south): 100+'* o *Side yard (east): approximately 10'* o *Side yard (west): 50+'* o *Rear (north): 10'*

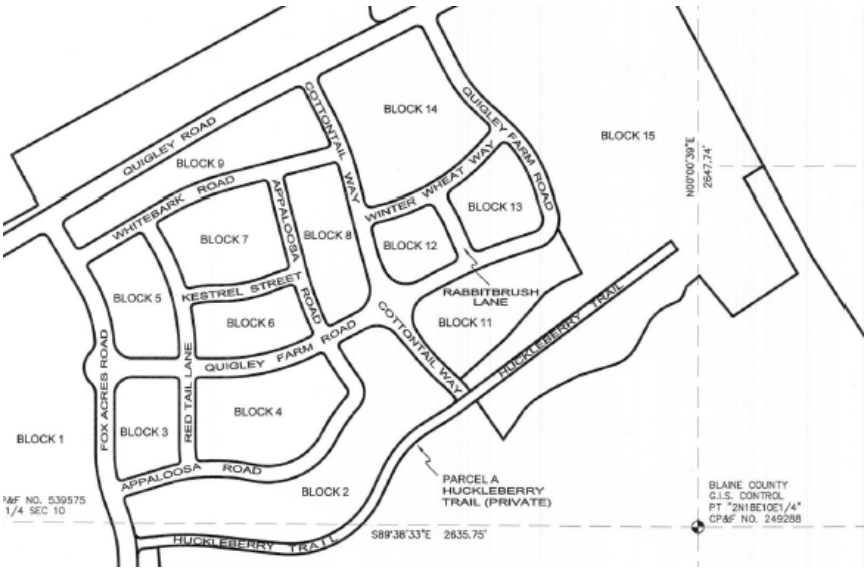
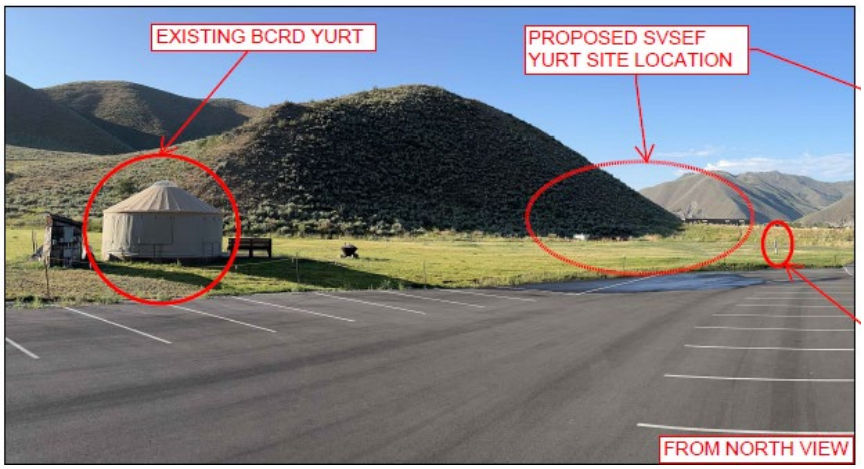
				- *Lot Coverage: Less than 1%* *All building height, setback and lot coverage requirements have been met.* *<u>Finding:</u> Compliance. This Standard has been met.*

Chapter 17.11 Criteria for Review of Conditional Use Permits

Compliant			Standards and Commission Findings	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Commission Findings***
☒	☐	☐	**17.11.010**	**Compliance with the Comprehensive Plan** **17.11.010: Purpose. The City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.**
			Staff Comments	*The Comprehensive Plan calls for planning for parks and recreation that is sensitive to the stresses and complexities of growth, flexible to changing conditions, and be part of the City's focus on providing recreation opportunities to meet the diverse needs of a diverse community. The population of Hailey is growing, including the population of youth. Consequently, the number of local youth enrolled in recreational programming, including SVSEF's Nordic programming, has risen as well. Facilities and resources must keep pace with participation and enrollment rates in local recreation opportunities. This application epitomizes this sentiment and further complies with the following goals and objectives of the Hailey Comprehensive Plan:* ***Goal 4.1: Recreation, Parks, and Lands:*** *Create and maintain an interconnected system of parks, recreational facilities, trails, green spaces, and natural lands in order to provide diverse recreation opportunities for Hailey residents within ¼ mile to ½ mile of the greatest number of residents.* • *The proposed structure is located in the Recreational Green Belt Zoning District, providing recreation opportunities in close proximity to the population density. This project will further enhance the outdoor winter recreational activities in the area, especially for youth, who are the primary beneficiary of SVSEF programming. Maintenance costs for the Quigley Nordic facility, which the proposed structure will serve and occupy, are not expected to be impacted by the proposed structure in any way.* *<u>Finding:</u> Compliance. This Standard has been met.*

☒	☐	☐	**17.11.040.01(a)**	**17.11.040.01 The Commission or Hearing Examiner shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and, if approved, shall find adequate evidence showing that such use at the proposed location:** **a. Will, in fact, constitute a conditional use as established for the zoning district involved; and**
			Staff Comments	*Per Section 17.05.040 of the Hailey Municipal Code, Temporary Structures require a Conditional Use Permit in the Recreational Green Belt (RGB) Zoning District.* *The Applicant is requesting approval for the addition of a temporary 707 square foot yurt, to serve as a recreational Nordic ski warming hut, to be located on Block 10, Quigley Farm Large Block Plat (N/A Huckleberry Trail).* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(b)**	**b. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;**
			Staff Comments	*The proposed yurt structure will be highly similar in design, construction, operation, and maintenance to the existing yurt structure located on Block 10, Quigley Farm Large Block Plat (Huckleberry Trail). The proposed yurt will be used for Nordic ski programming during the winter months, which is harmonious with the existing character and use of the general vicinity, which includes established Nordic ski trails and facilities, located in the Recreational Green Belt Zoning District.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(c)**	**c. Will not be hazardous or disturbing to existing or future neighboring uses;**
			Staff Comments	*The proposed yurt will provide a sheltered, heated area for warming and gathering activities during Nordic ski programming hosted by SVSEF. The proposed yurt will be a duplication of an existing yurt in close proximity on the parcel, which has proven to be a safe and harmonious feature of the winter recreational facilities occupying the site.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(d)**	**d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and drainage structure. Agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service; and**
			Staff Comments	*The site will be directly serviced by Huckleberry Trail, a private street maintained by the Quigley Farms Subdivision that is accessible via the publicly owned and maintained Fox Acres Road. Huckleberry Trail and the existing parking area that will service the proposed yurt have been operated and*

				maintained safely and adequately since their construction. Staff see no potential impacts from the proposed yurt that would alter these conditions. *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(e)**	**e. Will not create excessive additional requirements at public cost for public facilities and services; and**
			Staff Comments	*At this time, no additional cost will be incurred from any public agencies for the construction, function, and operation of the proposed facility.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(f)**	**f. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards; and**
			Staff Comments	*The addition of the proposed yurt does not appear to involve uses, activities and/or processes that impact the general welfare to Hailey residents, nor are hazardous or disturbing to the neighboring uses. No excessive production of traffic will occur, as SVSEF Nordic programming is limited to specific dates/times that aim to avoid disruption of general public use of the Nordic facility and site.* *Additionally, no smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards are expected with the proposed use.* *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(g)**	**g. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares;**
			Staff Comments	*Vehicular approaches to the property are established and were designed as a one-way loop, with parking spaces on both the interior and exterior of the loop. This vehicular approach and parking facility is only accessible via Huckleberry Trail; no through-traffic infrastructure currently defines the site. No interference with traffic on surrounding public thoroughfares is expected.*

				 *<u>Finding:</u> Compliance. This Standard has been met.*
☒	☐	☐	**17.11.040.01(h)**	**h. Will not result in the destruction, loss or damage of a natural, scenic or historic feature.**
			Staff Comments	*The proposed yurt will have an overall building footprint of 1,024 square feet. The surrounding ground cover is planted grass, and no trees or shrubs are to be removed with project construction. The yurt is proposed at 19' 1" in height on flat ground, in close proximity to an existing yurt with shared design and uses. Little to no impact on viewshed is expected.*  *<u>Finding:</u> Compliance. This Standard has been met.*

17.11.060 Conditions.

The Commission or Hearing Examiner may impose any conditions which it deems necessary to secure the purpose of City regulations and give effect to the Comprehensive Plan. Conditions which may be attached include, but are not limited to those which will:

- **17.11.060(A) Require conformity to approved plans and specifications.**
- **17.11.060(B) Require or restrict open spaces, buffer strips, walls, fences, signs, concealing hedges, landscaping and lighting.**
- **17.11.060(C) Restrict volume of traffic generated, require off-street parking, and restrict vehicular movements within the site and points of vehicular ingress and egress or other conditions related to traffic.**
- **17.11.060(D) Require performance characteristics related to the emission of noise, vibration and other potentially dangerous or objectionable elements.**
- **17.11.060(E) Limit time of day for the conduct of specified activities.**
- **17.11.060(F) Require guarantees such as performance bonds or other security for compliance with the terms of the approval.**
- **17.11.060(G) Require dedications and public improvements on property frontages.**
- **17.11.060(H) Require irrigation ditches, laterals, and canals to be covered or fenced.**
- **17.11.060(I) Minimize adverse impact on other development.**
- **17.11.060(J) Control the sequence, timing and duration of development.**
- **17.11.060(K) Assure that development is maintained properly.**
- **17.11.060(L) Designate the exact location and nature of development.**
- **17.11.060(M) Require the provision for on-site or off-site public services.**
- **17.11.060(N) Require more restrictive standards than those generally found in this Ordinance.**
- **17.11.060(O) Mitigate foreseeable social, economic, fiscal and environmental effects.**
- **17.11.060(P) Set a limit on the duration of the permit when deemed necessary.**
- **17.11.060(Q) Allow for subsequent periodic review.**

Summary: Section 17.11.010 of the Hailey Zoning Ordinance states that "the City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission."

Conditional Use Permits are subject to review and revocation pursuant to Section 17.11.090 of the Hailey Municipal Code. This statement will be included in the Findings of Fact, Conclusions of Law, and Decision for any Conditional Use Permit approved by the Commission.

By ordinance, the Commission is required to decide to approve, conditionally approve, or deny the application within forty-five (45) days after conclusion of the public hearing and issue its decision together with the reasons, therefore. The Commission is required to review the application, all supporting documents and plans, and Section 17.11 of the Zoning Ordinance, in making their decision.

The Commission should make Findings of Fact related to the criteria of Section 17.11, (a) through (d).

CONCLUSIONS OF LAW

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

1) Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2) The project is in general conformance with the Hailey Comprehensive Plan.
3) The project does not jeopardize the health, safety, or welfare of the public.
4) Upon compliance with the conditions set forth, the project conforms to the applicable standards of, Chapter 17.11, Conditional Use, and other Chapters of the Zoning Ordinance and City Standards.

DECISION

The Conditional Use Permit Application submitted by the Blaine County Recreation District, represented by Michael Bulls of RLB Architectura PA, for the addition of a temporary 707 square foot yurt, to serve as a recreational Nordic ski warming hut, to be located on Block 10, Quigley Farm Large Block Plat (N/A Huckleberry Trail), within the Recreational Green Belt Zoning District, was approved by the Planning and Zoning Commission on September 18, 2023, finding that each of the criteria for review pursuant to sections (a) through (d) cited in the Zoning Ordinance, Title 17.11.060, does not jeopardize the health, safety or welfare of the public and complies with the Comprehensive Plan, and is subject to conditions (a) through (c), noted below:

a) All Fire Department and Building Department requirements shall be met in regard to all maintenance, administrative, and other functions of this facility.

b) Construction staging and storage shall not be in the City Right-of-Way. All construction impacts shall occur within the property boundary.

c) A Building Permit and all associated permits (electrical) shall be acquired prior to placement and/or construction of the modular building.

A party aggrieved by a final decision of the Commission may appeal in writing any final decision by filing a Notice of Appeal with the Hailey City Clerk within fifteen (15) days from the date of the decision.

Signed this _____ day of _____, 2023.

_____
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_____
Jessie Parker, Community Development Assistant

Return to Agenda

Staff Report
Hailey Planning and Zoning Commission
Regular Meeting of October 2, 2023

To: Planning and Zoning Commission

From: Emily Rodrigue, Community Development City Planner/Resilience Planner

Proposal: Consideration of a Design Review Preapplication submitted by CK Property Group, LLC, represented by Opal Engineering and Pivot North, for the construction of a ten (10) unit, three story, townhouse project to be located at 317 N River Street (Lots 1, 2, and 3, Block 54, Hailey Townsite) on approximately 0.25 acres. This project is proposed for the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning District. Each unit consists of three (3) bedrooms, three (3) bathrooms, a one (1) car garage, and a rooftop deck.

Hearing: October 2, 2023

Applicant: CK Property Group, LLC, represented by Opal Engineering and Pivot North

Location: 317 N River Street, Lots 1-3, Block 54, Hailey Townsite

Zoning/Lot Size: Business (B), Downtown Residential Overlay (DRO), Townsite Overlay (TO); 0.25 acres

Notice: Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners on September 13, 2023.

Background and Project Overview. The Applicant is proposing to build a ten (10) unit townhouse project at 317 N River Street (Lots 1-3, Block 54, Hailey Townsite), within the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning Districts. Each unit consists of three (3) bedrooms, three (3) bathrooms, a one-car garage, and a rooftop deck. Street frontage, site, and landscaping improvements are also proposed.

More specifically, the proposed site plan entails two (2) new townhouse buildings, which consist of the following:

- Buildings 1 and 2: Five (5) townhouse units, each including:
    - One (1) single-car garage (10’ x 20’)
    - Three (3) bedrooms and three (3) bathrooms at 1,538 sf of living area
    - Washer/dryer, dining, and great room areas (included in 1,538 sf)
    - Second-floor balcony at 32 sf
    - Rooftop deck at 374 sf
- Open space, approximately 1,080 sf in size
- N River Street and W Silver Street ROW improvements

- Pedestrian, streetscape, and lighting improvements

Parking for the proposed townhomes will be accessed via an internal shared drive, 22' in width, that will be achieved from the public street, W Silver Street, along the northern property line. The DRO code requires one (1) parking space per unit. With ten (10) units, the Applicant is proposing 10 parking spaces onsite (single-car garages), which fulfills the parking requirement of the DRO. As part of right-of-way improvements associated with the project, five (5) angle-in parking spaces along River Street are also proposed. These spaces will fulfill the guest parking requirements for the site (one (1) guest parking space for every six (6) dwelling units).

Per the DRO, open space – equivalent to 10% of lot area or larger – is also required. The total lot area is approximately 10,793 square feet in size. The Applicant is proposing common open space of approximately 1,080 square feet, which is located along the northern edge of the parcel. While not considered common open space, rooftop deck features, of approximately 374 square feet per unit, are also proposed. The design and rooftop deck features will be similar to River Street Townhomes, a 12-unit townhouse project, that became available for purchase earlier this year.

It appears all bulk requirements with regard to setbacks, lot coverage, density, height, and open space will be met with the development of this project. The Applicant is proposing a maximum building height of 38'-9", which is just slightly below the 40' building height limit for the site's Zoning District and proposed building occupancy (residential). Staff would like to remind the Applicant that they will be required to submit a Foundation and Grade Certificate, after the building foundations have been completed. This certificate is required of all projects with proposed building heights within two (2') feet of the site's building height maximum.

Chapter 17.06: Design Review. Section 17.06.050: Application:

C. Design Review Pre-Application:

1. **Required: An application for Preapplication Design Review shall follow the procedures and be subject to the requirements established by section 17.03.070 of this title, and shall be made by at least one holder of any interest in the real property for which the Preapplication Design Review is proposed.**
2. **Information Required: The following information is required with an Application for Preapplication Design Review:**
    a. **The Design Review Application form, including project name and location, and Applicant and representative names and contact information.**
    b. **One (1) eleven inch by seventeen inch (11" x 17") and one electronic copy showing at a minimum the following:**
        i. **Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: A vicinity map must show the location of adjacent buildings and structures.**
        ii. **Site plan, to scale, showing proposed parking, loading and general circulation.**
        iii. **One color rendering of at least one side of the proposed building(s).**
        iv. **General location of public utilities (survey not required). (Ord. 1226, 2017; Ord. 1191, 2015)**

Items for Discussion and/or Other Items of Note:

1. **Building Design, Materials, and Colors:** The building design and materials are proposed to be cooler in color – hues of blue, white, grey, beige, and black are proposed. Undulation and visual interest are created by varied roof top features, balconies, various-sized windows, rooftop decks, and a combination of exterior materials.

3. VIEW LOOKING NORTH FROM RIVER STREET

2. **Water, Sewer, and Fire:** This is a Preapplication Design Review. Final drawings that illustrate connection details will be required for full Design Review (to be determined). Existing overhead power lines in the vicinity of the site (W Silver Street) have been identified as an issue by Idaho Power. The Applicant is aware of this concern. A site meeting with Idaho Power and the Applicant has been proposed. Staff will meet internally with the Applicant Team afterward, and prior to the full Design Review Hearing, to further assist in the process and remediate any issues. In remediating the site safety issues posed by the overhead power lines, possible site additions could include a switch gear and a three-phase transformer, according to Idaho Power.

3. **Streets, Right-of-Ways, Sidewalks:** As noted, the River Street Typical Section will be constructed along River Street, and codified ROW improvements along W Silver Street are also proposed. Such improvements include but are not limited to – the installation of streetlights, electrical, and irrigation to all ROW landscaping. If the project is approved, a Right-of-Way Maintenance Agreement will be developed and recorded prior to issuance of a Certificate of Occupancy.

4. **Landscaping & Street Trees/Useable Open/Park Space.** The <u>preliminary</u> site plan proposes to implement and construct the River Street Typical Section along the River Street frontage and build out W Silver Street ROW as codified. Street trees and landscaping are proposed

(no species selected), which will be reviewed by the Hailey Tree Committee prior to the final Design Review hearing.

Pedestrian circulation is proposed onsite, which connects the public ROW, internal drive aisle, and ground-level unit entrances to the open space located onsite. While a more detailed plan will be submitted as part of the full Design Review process, along with a Preliminary Plat Subdivision Application, it is important to note that open space, per the DRO code, and park space, per Title 16, are required.

Action: No formal action is required at this time, as this is a Preapplication Design Review. The Commission should give feedback on the above items, and any others that may arise, so that the Applicant can incorporate said feedback into their Design Review submittal.

pivot north

Concept Design Options

MID RVR

09.07.2023

Project Address: 317 N. River St., Hailey, ID 83333

01

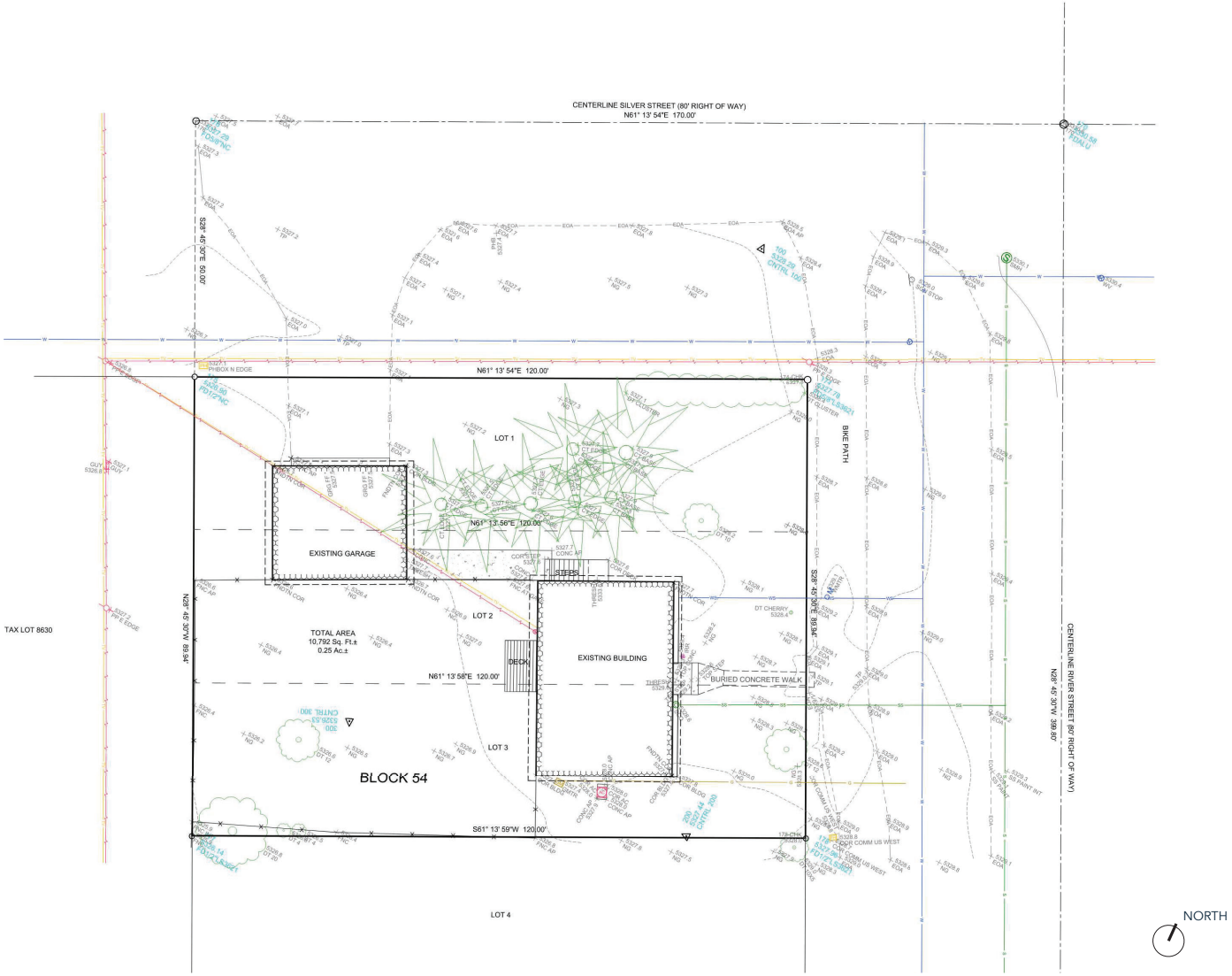
CONCEPT SITE PLAN

SCALE: 1" = 20'

MID RVR

09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

pivot north



02

SITE SURVEY

SCALE: 1" = 20'

MID RVR

09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

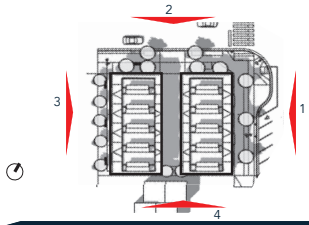
pivot north

1. RIVER STREET (EAST) ELEVATION

2. SILVER STREET (NORTH) ELEVATION

3. INTERIOR (WEST) ELEVATION

4. INTERIOR (SOUTH) ELEVATION



03

CONCEPT ELEVATIONS

SCALE: 1" = 20'

MID RVR

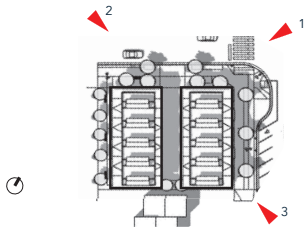
09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

pivot north

1. VIEW LOOKING WEST FROM CORNER OF RIVER AND SILVER STREETS

2. VIEW LOOKING SOUTH FROM SILVER STREET

3. VIEW LOOKING NORTH FROM RIVER STREET

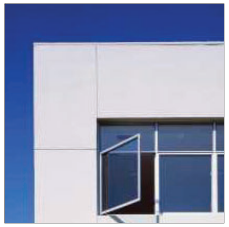


PERSPECTIVE VIEWS

MID RVR

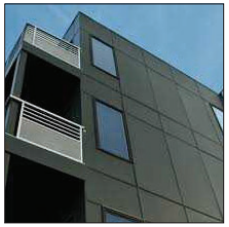
09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

pivot north



1. EXTERIOR PLASTER OR EIFS, SAND FINISH

2. HORIZONTAL FIBER CEMENT SIDING, SMOOTH FINISH

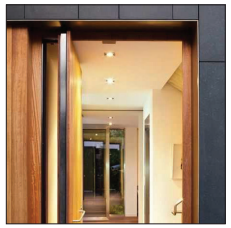


3. PAINTED CEMENT FIBER WALL PANEL

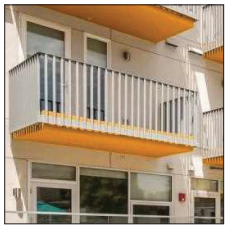
4. VERTICAL WALL CLADDING, THERMALLY MODIFIED WOOD OR STAINED CEDAR SIDING

5. ROOFTOP FRAMED AWNING

6. PAINTED METAL DOWNSPOUT AND CONDUCTOR HEAD



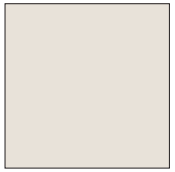
7. PAINTED METAL AWNING



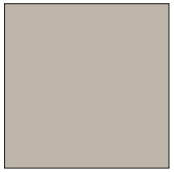
8. PAINTED METAL RAILING

9. VINYL OR COMPOSITE WINDOW BRONZE EXT./ WHITE INT.

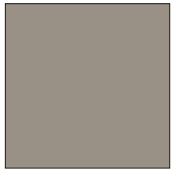
10. ASPHALT SHINGLE ROOF COLOR: DRIFTWOOD



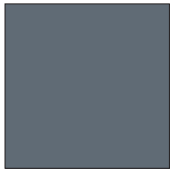
A. TOQUE WHITE
SHERWIN WILLIAMS
SW7003



B. ANEW GREY
SHERWIN WILLIAMS
SW7030

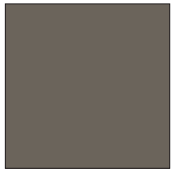


C. ELEPHANT EAR
SHERWIN WILLIAMS
SW9168



D. GRANITE PEAK
SHERWIN WILLIAMS
SW6250

E. CHARCOAL BLUE
SHERWIN WILLIAMS
SW2739

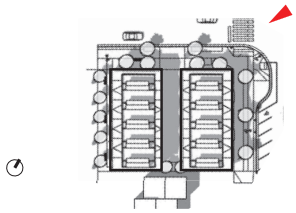


F. PORPOISE
SHERWIN WILLIAMS
SW7047

NOTE: NUMBERS DENOTE MATERIAL, LETTERS DENOTE COLOR.

ALL MATERIALS AS NOTED OR OWNER APPROVED EQUAL

VIEW LOOKING WEST FROM CORNER OF RIVER AND EMPTY SADDLE

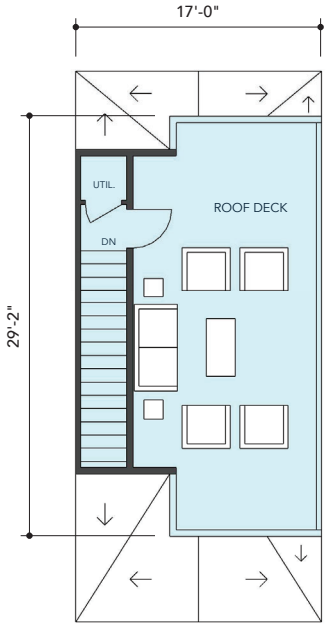


CONCEPT DETAIL/MATERIALS

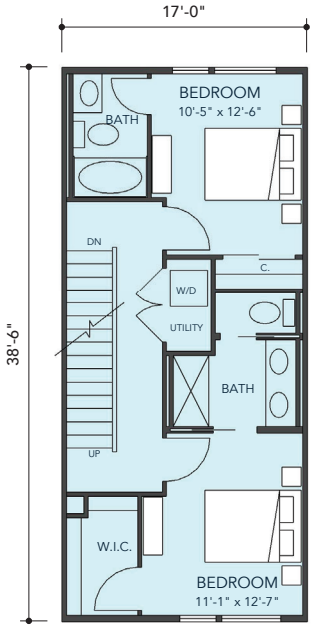
MID RVR

09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

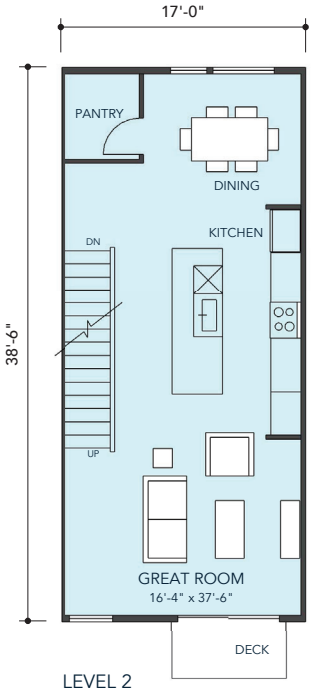
pivot north



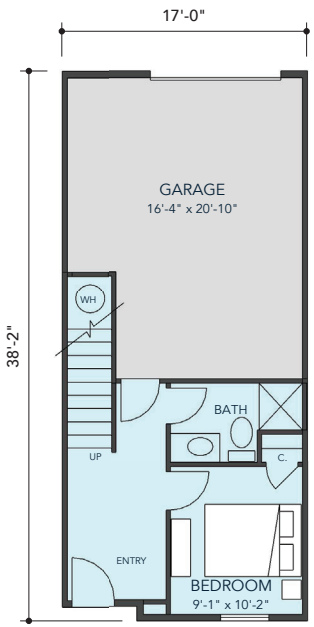
LEVEL 4



LEVEL 3



LEVEL 2



LEVEL 1

UNIT TH1

1,538 NET SF
10 OCCURENCES
SCALE: 1/8"=1'-0" @ 11X17

FLOOR PLANS

MID RVR

09.07.2023 Project Address: 317 N. River St., Hailey, ID 83333 PNA Project # 23-012

pivot north

MID RVR
317 N. River St. Hailey, ID 83333

Zoning Summary:

Site Area: 10,793 sf 0.25 AC

Current:		**Proposed:**		
Current Zoning:	B DRO TO	Proposed Zoning:	B DRO TO	(no change)
Allowable Units:	no limit	Proposed Units:	10	
Max. Density:	no limit	Proposed Density:	40.4	DU/AC
Lot Coverage:	no limit			
Max. Height:	40'	Proposed Height:	+/- 38'-9"	
Yards Required:	Building:	Yards Proposed:	Building:	
Front:	0'	Front:	3'-6"	
Side Street:	0'	Side Street:	1'-0"	
Side Int.:	0'	Side Int.:	3'-11"	
Rear:	0'	Rear:	13'-1"	

Gross SF Data:

	Flr.-to-Flr. Height:	Bldg. GSF	Bldg. Net SF	Eff. #	Garage GSF	# Unit per floor
Level 1:	9'-2"	6,440	2,880	45%	3,150	10
Level 2:	9'-7"	6,540	6,140	94%		
Level 3:	10'-2"	6,540	6,140	94%		
Roof:	9'-10"	840	220	26%		
Total:	38'-9"	20,360	15,380	76%		0

PROPOSED SITE **3-story TH** Pivot North Architecture

Unit Summary:

	#	NSF*	DECK	NSF + DECK	SUBTOTAL	%
TH1	10	1,538	374	1,912		
Subtotal 3-bedroom	10	1,538			15,380	100.0%
TOTAL:	**10**	**1,538**	**ave.**		**15,380**	**SF**

*Note: Data taken to inside face of exterior walls excluding exterior wall / corridor /partii walls

Parking Summary:

Parking Required:

	#	ratio	total
3-bed:	10	1	10
Guest:	10	0*	0
*improved ROW as part of project			
Subtotal Required:			**10** 1.00

Parking Proposed:

		total
Garage:	10x20	10
Street:	9x23	0
HC	9x22	0
Compact:	8x16	0
Subtotal Provided:		**10**

Bike Parking Summary:

Bike Parking Required:

	#	ratio	total
Req. Stalls:	10	25%	3
Total Required:			**3**

Bike Parking Proposed:

	total
Secured:	3
Total Proposed:	**3**

Open Space Summary:

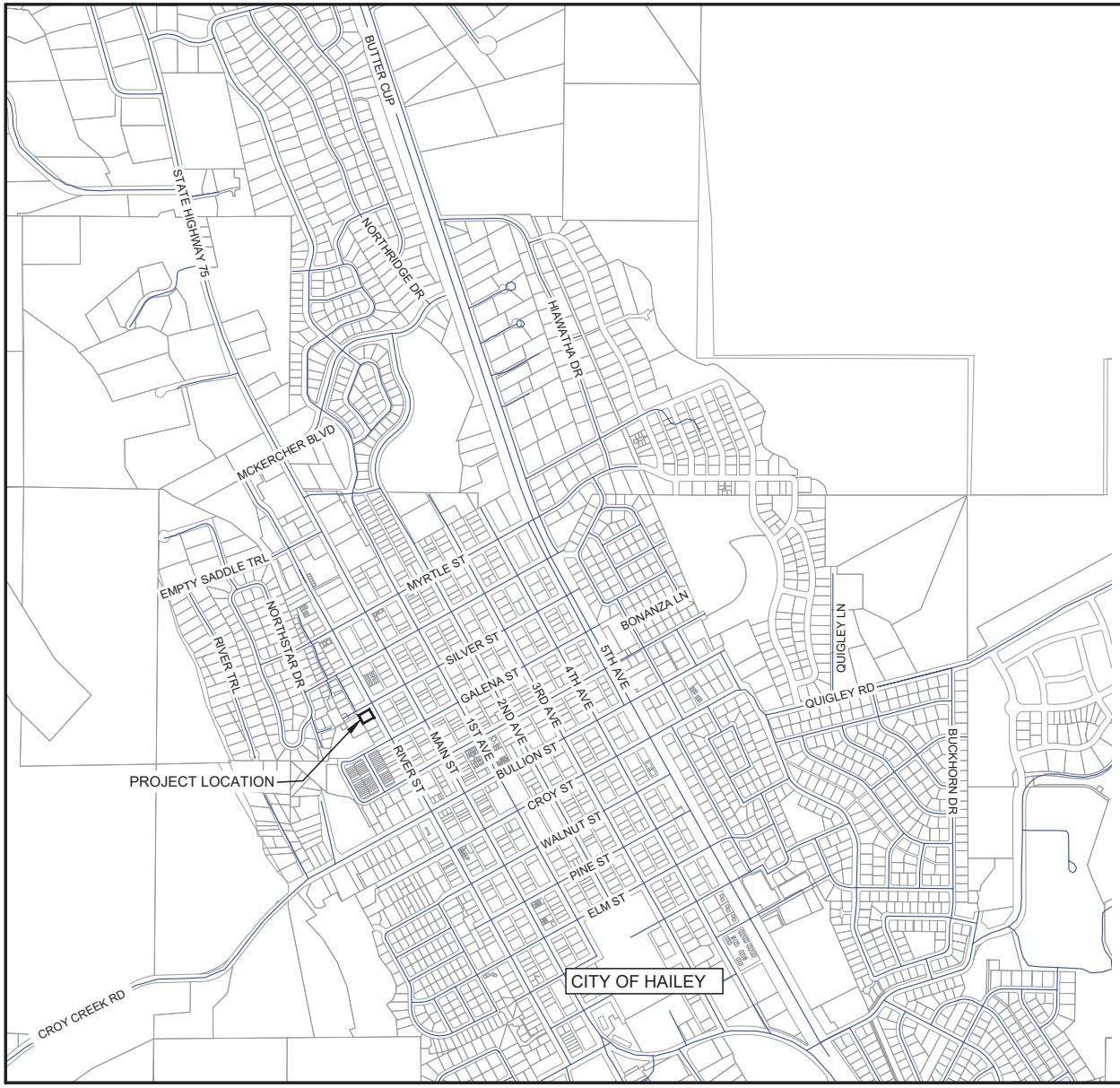
Common Open Space Required:

	#	ratio	total
Site 1:	10,793	10%	1,080
Subtotal Required:			**1,080** sf

Common Open Space Proposed:

	total
Ground Site 1:	1,080
Subtotal Provided:	**1,080**

**Note: Data represents preliminary net unit sizes and unit mix, subject to update as more information is known



NOTE:
PROPERTY BOUNDARIES SHOWN HEREON ARE APPROXIMATE PER BLAINE COUNTY GIS.

LEGEND:
- PROPERTY BOUNDARY PER BLAINE COUNTY GIS
- ADJOINING PROPERTY BOUNDARY PER BLAINE COUNTY GIS
- ROADS PER BLAINE COUNTY GIS

N

0 1000 2000 Feet

EXHIBIT ONLY

NOT FOR CONSTRUCTION

opal
OPAL ENGINEERING, PLLC
PO BOX 2530; HAILEY, ID 83333
WWW.OPAL-ENGINEERING.COM

VICINITY MAP

MID RVR
PREPARED FOR CK PROPERTY GROUP, LLC

23021
PROJECT NUMBER

EX

Return to Agenda

Staff Report
Hailey Planning and Zoning Commission
Regular Meeting of October 2, 2023

To: Hailey Planning and Zoning Commission
From: Robyn Davis, Community Development Director
Overview: Consideration of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapters 17.06 Design Review, Section17.06.070: Improvements Required, Item A.1.c., eliminating the requirement of sidewalk and drainage improvement in-lieu fee estimates, as well as the required additional in-lieu contribution amount of one hundred ten percent (110%). The proposed edits are as follows:

- A.1.c. The city may approve and accept voluntary cash contributions in lieu of the above-described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be as per the currently adopted fee schedule. ~~ne hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements. provided by a qualified contractor, plus associated engineering costs, as approved by the city engineer.~~ Any approved in lieu contribution shall be paid before the city issues a certificate of occupancy.

Hearing: October 2, 2023

Applicant: City of Hailey
Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 13, 2023, and mailed to public agencies on September 13, 2023.

Background: Since 2021, City Planning Staff has prioritized minor code amendments within Hailey's Municipal Code. Staff will continue to pursue amendments in order of priority, and as time permits. As such, Staff are proposing to amend the existing code language pertinent to In-Lieu Fees for the requirement of Sidewalk and Drainage Improvements.

Currently, Hailey's Municipal Code requires that either the Developer **a)** complete the associated sidewalk and drainage improvements for the project, or **b)** pay cash contributions in lieu of installing said improvements, plus provide an additional amount of one-hundred ten percent (110%) of the estimated costs for said improvements. If Developers choose Option (b), an estimate, by a qualified contractor, shall be provided to the City, and approved by the City Engineer prior to issuance of a Certificate of Occupancy.

Often, where a Developer has chosen to pursue Option (b), City Staff has identified that the estimates provided do not accurately reflect the overall cost to design, engineer, nor install such improvements. The specific objective of the proposed amendment is to eliminate the requirement of sidewalk and drainage improvement in-lieu fee estimates, as well as the required additional in-lieu fee contribution amount of one hundred ten percent (110%), and instead, simplify the process by utilizing the currently adopted Fee Schedule, which would specify a fee per square yard of sidewalk based on current market rate estimates.

Periodically, the City amends this Fee Schedule to best reflect market rates, inflation, and various other factors. When amending this Fee Schedule in the future, the specified fee per square yard of sidewalk would also be amended to best reflect current market conditions. As such, City Staff are proposing to amend the current language in Hailey's Municipal Code, as shown below, to simplify it and further provide clarity of the process.

If the Text Amendment Application is recommended for approval by the Hailey City Council, the ~~strike-through~~ text below would be removed and the **bold and underlined text** would be added within Title 17: Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.070: Improvements Required:

17.06.070: Improvements Required:

A. Sidewalks and Drainage Improvements:

1. Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.

c. The city may approve and accept voluntary cash contributions in lieu of the above-described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be **as per the currently adopted fee schedule**. ~~one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements. provided by a qualified contractor, plus associated engineering costs, as approved by the city engineer.~~ Any approved in lieu contribution shall be paid before the city issues a certificate of occupancy.

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 public health, safety, and general welfare**.

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

The Comprehensive Plan does not go into the specificity that this code section contemplates. That said, the Comprehensive Plan articulates the merits of transportation and circulation through a balanced combination of multimodal and vehicular transportation measures. As such, the following goal from the Comprehensive Plan is relevant to the proposed text amendment:

10.1 Create and maintain a pedestrian and bicycle-friendly community that provides safe, convenient, and efficient multimodal transportation for all Hailey residents.

The City is seeing robust growth in infill development, building construction, and infrastructure improvements. To adequately meet the needs of our growing community, while maintaining safe pedestrian and vehicular infrastructure, the installation of public infrastructure, or appropriately estimated in-lieu fees, are integral to facilitating safe and adequate sidewalks, streets, and other public infrastructure for people and cars alike.

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 the public cost for services. The amendments are intended to clarify regulations, to simplify administration of the requirements, and to implement best practices.

3. The proposed uses are compatible with the surrounding area; and
The proposed text amendment will not result in a change in allowed uses, and compatibility with surrounding areas will not be impacted.

4. The proposed amendment will promote public health, safety, and general welfare.
The proposed amendments are consistent with the Hailey Comprehensive Plan, will promote public health, safety, and general welfare, and will not result in a change in allowed uses.

Motion Language:
Approval: Motion to recommend approval to the Hailey City Council the draft Ordinance, Ordinance No._____, amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapters 17.06 Design Review, Section17.06.070: Improvements Required, Item A.1.c, which would eliminate the requirement of sidewalk and drainage improvement in-lieu fee estimates, as well as the required additional in-lieu contribution amount of one hundred ten percent (110%), finding that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare.

Denial: Motion to deny an Ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapters 17.06 Design Review, Section17.06.070: Improvements Required, Item A.1.c, finding that _____ [the Commission should cite which standards are not met and provide the reason why each identified standard is not met].

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

HAILEY ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17: ZONING REGULATIONS, CHAPTER 17.06: DESIGN REVIEW, SECTION 17.06.070: IMPROVEMENTS REQUIRED, OF THE HAILEY MUNICIPAL CODE, BY AMENDING SIDEWALK AND DRAINAGE IMPROVEMENTS IN-LIEU FEE ESTIMATES, AND BY ELIMINATING THE REQUIRED ADDITIONAL IN-LIEU FEE CONTRIBUTION AMOUNT OF ONE HUNDRED TEN PERCENT (110%); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

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

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

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

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

Section 1. Title 17, Section 17.06, Section 17.06.070, A.1.c. of the Hailey Municipal Code, is hereby amended by the addition of the underlined language, as follows:

Title 17: Zoning Regulations
Chapter 17.06: Design Review
Section 17.06.070: Improvements Required

A. Sidewalks And Drainage Improvements:

1. Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.

a. The requirement for sidewalk and drainage improvements may be waived if the proposed project construction is less than five hundred (500) square feet.

b. The requirement for sidewalk and drainage improvements may be waived for any remodel or addition to single-family dwelling and duplex projects within the townsite overlay district; sidewalk and drainage improvements shall be required for new principal building.

c. The city may approve and accept voluntary cash contributions in lieu of the above-described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be as per the currently adopted fee schedule. ~~one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the city engineer.~~ Any approved in lieu contribution shall be paid before the city issues a certificate of occupancy.

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

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

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

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

_____
Martha Burke, Mayor, City of Hailey

Attest:

_____
Mary Cone, City Clerk

DRAFT

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 15, 2023, the Planning and Zoning Chair and Administrator considered a Tiny Homes on Wheels (THOW) Application by Nicholas and Margaret Blatz for a new 204 square foot Tiny Home on Wheels, to be located, in conjunction with an existing single-family residence, at 1565 Baldy View Drive (Lot 1, Block 8, Woodside Subdivision #2) within the Limited Residential (LR-1) Zoning District.

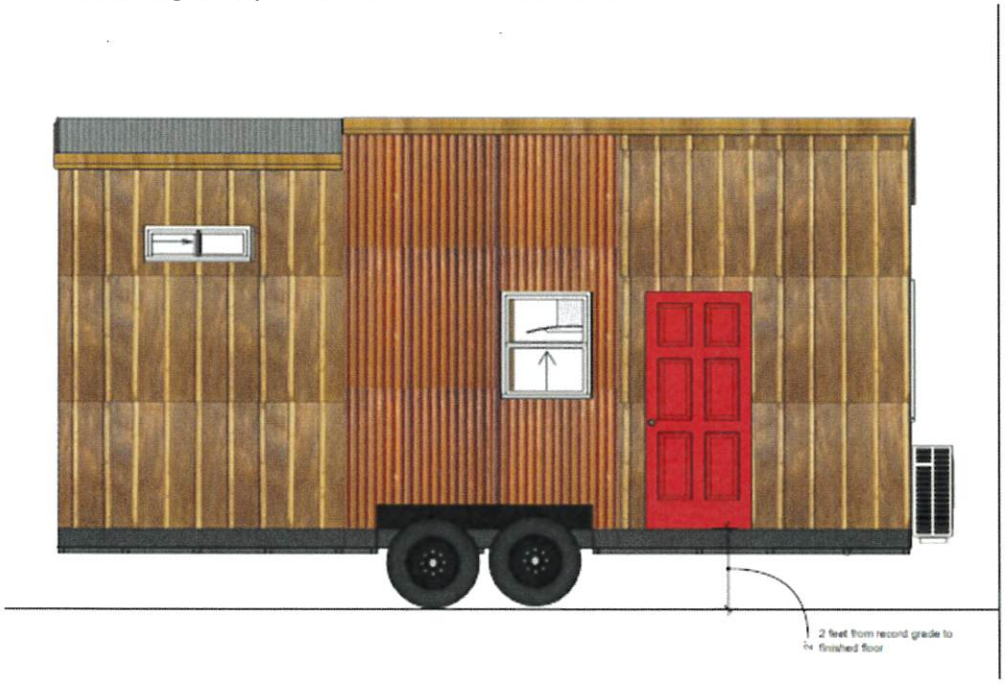
The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

Notice: The Notice for the ADU Application was mailed to property owners within 300 feet on August 29, 2023. The Public Comment period was open from August 29, 2023 to September 8, 2023.

Application: The Owners, Nicholas and Margaret Blatz, are proposing to place a new 204 square foot Tiny Home on Wheels onsite at 1565 Baldy View Drive. The proposed THOW is an accessory use to the existing single-family residence, and the Owners intend to utilize the existing single-family residence as their primary residence, and the THOW as a long-term rental. Access for the proposed THOW will be located off of the existing driveway, which is off Baldy View Drive.

Design Elements and Exterior Materials: The proposed exterior materials are made of roughly sawn, rustic mahogany, and cedar board and batten siding – stained Colorado Brown. A rust finished corrugated metal element will complement the wood siding, as well as the galvanized metal roof. A bright red door will bring a fiery accent to finish off the THOW.



Procedural History: The Tiny Home on Wheels Application was submitted and certified complete on August 29, 2023. The Public Comment period was open from August 29, 2023 to September 8, 2023. During this time, no public comment letters were received.

Standards of Evaluation: Chapter 17.06 of the Hailey Municipal Code establishes the criteria for applications for Design Review. For each applicable standard (in bold print), the Commission makes the following Findings of Fact:

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

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

The proposed Application is for the placement of a Tiny Home on Wheels (THOW), to be located at 1565 Baldy View Drive (Lot 1, Block 8, Woodside Subdivision #2), within the Limited Residential (LR-1) Zoning District and outside of the Townsite Overlay (TO) Zoning District.

As such, this project is exempt from the Design Review approval requirements; however, shall comply with the requirements noted herein. Should the Administrator and the Chair determine that the proposal does not meet all of the evaluation criteria outlined herein, the project shall be subject to the provisions of Title 17.06: Design Review, of the Hailey Municipal Code, prior to issuance of a Building Permit.

General Requirements for Accessory Dwelling Units and Tiny Homes on Wheels				
Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.08D.020**	**Applicability.** **A. The standards of this section apply to all Accessory Dwelling Units created after February 10, 2021, whether created by new construction, addition, or conversion**

				of an existing building or area within an existing building; and to all tiny homes on wheels established after March 13, 2023.
☒	☐	☐	**17.04D.030**	**General Provisions.** **A. Accessory Dwelling Units may be located within, or attached to, a principal building or may be located within a detached accessory building. Detached Accessory Dwelling Units may comprise the entirety of the accessory building or may comprise part of the floor area of an accessory building with another permitted accessory use or uses comprising of the remaining floor area.**
			Staff Comments	*The proposed THOW is detached and located along the eastern side of the existing single-family residence. The THOW will be positioned to meet all setbacks, is 204 square feet in size, and can be accessed via the existing driveway, located off of Baldy View Drive.*
☒	☐	☐		**B. Only one (1) Accessory Dwelling Unit or one (1) tiny home on wheels is permitted on a lot, as an accessory to a single-family dwelling unit.**
			Staff Comments	*Only one (1) THOW is proposed onsite and is accessory to the single-family residence.*
☒	☐	☐		**C. Accessory Dwelling Units and tiny homes on wheels are only permitted in conjunction with single-family residences in residential zones. In the Townsite Overlay, Transition and SCI zones, Accessory Dwelling Units are permitted in conjunction with commercial buildings. In Business, Limited Business and Neighborhood Business, one or more residential unit(s) are considered.**
			Staff Comments	*The proposed THOW will be positioned onsite and will be accessory to the existing single-family residence. Both are located within the Limited Residential (LR-1) Zone District.*
☒	☐	☐		**D. Accessory Dwelling Units and tiny homes on wheels in the Special Flood Hazard Area (SFHA) shall have the top of the lowest floor elevated no lower than the flood protection elevation as defined in Section 17.04J.020, "Definitions", of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.**
			Staff Comments	*A portion of the parcel, along the property frontage, is located within the Special Flood Hazard Area. That said, the existing home, nor the proposed THOW, are existing and/or proposed within the floodplain. A building development, proposed and existing, complies with this standard.*
☒	☐	☐		**E. Tiny homes on wheels are subject to the same standards as accessory dwelling units, including design review standards, except where specifically noted herein.**
			Staff Comments	*All standards noted herein are pertinent to ADUs or THOWs. Please reference the standards noted herein for compliance.*
☒	☐	☐		**F. If tiny homes on wheels (THOW) are removed from Hailey's Municipal Code as an allowable use, no THOW structure shall be considered legally non-conforming.**
			Staff Comments	*The Applicant has been notified of this standard.*
☒	☐	☐	**17.08D.040: Registration**	**Registration Required.**

				A. All Accessory Dwelling Units created after February 10, 2021, and all tiny homes on wheels established after March 13, 2023 shall be issued a compliance certificate as a prerequisite for a certificate of occupancy.
			Staff Comments	*Upon completion of construction for and placement of the proposed THOW, a Compliance Certificate will be issued.*
☒	☐	☐		**B. Tiny homes on wheels shall be registered or permitted annually with the Idaho Transportation Department Division of Motor Vehicles.**
			Staff Comments	*The Applicant has registered the Tiny Home with the Idaho Department of Motor Vehicles. A copy of the Vehicle Registration has been submitted and is on file with the Community Development Department.*
☐	☐	☒	**17.08D.050: Occupancy Restrictions - Short Term Occupancy**	**Occupancy Restrictions.** **A. Accessory Dwelling Units.** **1. Where a lot contains both a primary dwelling unit and an Accessory Dwelling Unit, only one dwelling unit shall be utilized for Short-Term Occupancy.** **2. When one dwelling unit is utilized for Short-Term Occupancy, the other unit shall be owner-occupied or utilized as a long-term rental, with long-term occupancy being a period of thirty-one (31) days or more.**
			Staff Comments	*N/A, as these standards are pertinent to ADUs only.*
☒	☐	☐		**B. Tiny Homes on Wheels (THOW).** **1. THOWs are restricted for long-term use ((thirty-one (31) days or longer)) only.**
			Staff Comments	*At this time, the Owners intend to utilize the THOW as a long-term rental. The Owners further intend to reside in the primary residence. This standard shall continue to be met and has been made a Condition of Approval.*
☐	☐	☒	**17.08D.060: Subordinate Scale and Size**	**Subordinate Scale and Size.** **A. Accessory Dwelling Units:** **1. Scale: The floor area of an Accessory Dwelling Unit (ADU) is limited to no more than 66% of the gross square footage of the principal building, or the maximum floor area permitted for an ADU based on the lot size or zone, whichever is less.** **2. Maximum Floor Area:**

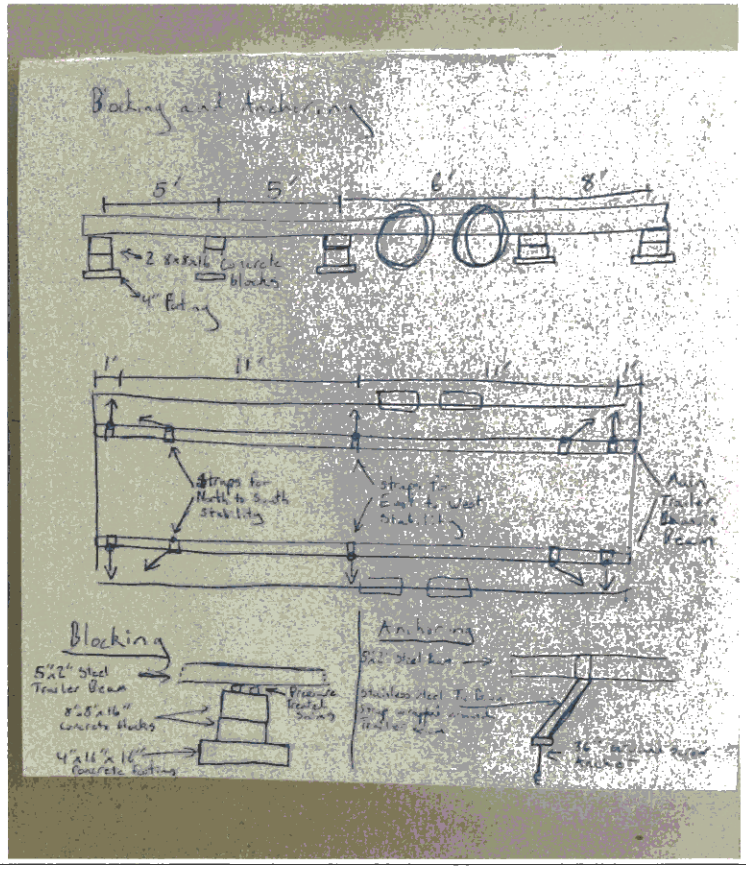
Lot Size (square feet)	Minimum Gross Floor Area (square feet)[1]	Maximum Gross Floor Area (square feet)[1,]
Up to 7,000	300	900
7,001 – 8,000	300	950
Lots 8,001 and greater	300	1,000
Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included.		

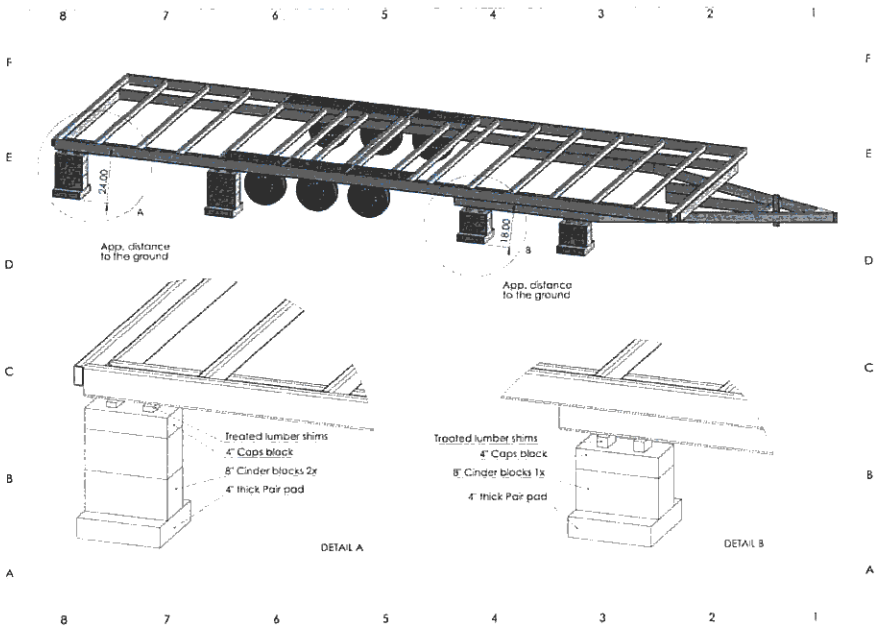
3. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.

			Staff Comments	*N/A, as these standards are pertinent to ADUs only.*

☒	☐	☐		**B. Tiny Homes on Wheels (THOWs):** **1. The footprint of tiny homes on wheels shall be limited between one hundred (100) to four hundred (400) square feet in size.**
			Staff Comments	*The proposed THOW is 204 square feet in size, which complies with the required size range for THOWs.*
☒	☐	☐	**17.08D.070: Livability**	**A. Outdoor Access: All Accessory Dwelling Units and Tiny Homes on Wheels shall have a designated area to access the outdoors. Examples include a balcony, porch, deck, paver patio, or yard area delineated by fencing, landscaping, or similar treatment so as to provide for private enjoyment of the outdoors. This area shall be no less than 50 square feet in size. The Outdoor Access area shall be approved through the Design Review process.**
			Staff Comments	*The Owners are proposing approximately 140 square feet of outdoor space for utilization by the tenants of the THOW (see image below for further details).*
			Chapter 17.08D.080: Tiny Homes on Wheels	
☒	☐	☐	**17.08D.080 A**	**A. Building Standards:** **1. All tiny homes on wheels shall meet the NOAH+ Standards, in addition to and except where they are superseded by the requirements for Hailey's climatic conditions, listed herein. Additional Requirements for Hailey's Climactic Conditions:** **2. Insulation:** **a. Minimum Insulation R-Values:** **b. Walls: R-19** **c. Floors: R-20** **d. Roof/ceiling: R-28** **3. Vapor retarders shall be in accordance with the International Residential Code (IRC).** **4. Windows and doors shall have a maximum 0.30 U-factor.** **5. Roof snow loads shall meet the site-specific requirements set forth in Chapter 15.08: Building Code, Section 15.08.020: Amendment of Codes.**

			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *1. The THOW complies with the NOAH+ standards, as exhibited by a Certificate of Compliance provided by the Owner/builder prior to issuance of a Certificate of Occupancy.* *2. Insulation:* *a) Minimum Insulation R-Values:* *b) Walls: R-21* *c) Floors: R-27.5* *d) Roof/ceiling: R-41* *3. Vapor mitigation is achieved via a complete envelope of three (3) inch thick spray foam insulation. The floor is insulated with rigid foam and taped seams.* *4. Windows and doors range between 0.27 and 0.30 u-factor, but do not exceed 0.30 u-factor.* *5. Roof snow loads meet the site-specific requirements for Hailey, or 100 pounds per square foot.* *The above requirements have been met. Additionally, NOAH inspects the THOW for compliance throughout the construction process. At this time, NOAH has inspected the home's trailer foundation, framing, insulation, electrical rough in, and plumbing rough in. These items have all been approved by NOAH. A final inspection, and Certificate of Compliance, will be issued by NOAH before the THOW is placed onsite. The Owner/builder will provide the City with a copy of the final inspection and Certificate of Compliance prior to issuance of a Certificate of Occupancy.*
☒	☐	☐	**17.08D.080 B**	**B. Inspections:** **1. Inspection of the THOW building requirements or standards- including the NOAH+ Standards[II] and the requirements for Hailey's climatic conditions- shall be completed and approved by the National Organization of Alternative Housing (NOAH) or another inspection agency that is approved by the Administrator.** **2. A certificate of approval from the inspector shall be submitted to the Community Development Department for further review, approval, and issuance of the Compliance Certificate.**
			Staff Comments	*NOAH inspects the THOW for compliance throughout the construction process. At this time, NOAH has inspected the home's trailer foundation, framing, insulation, electrical rough in, and plumbing rough in. These items have all been approved by NOAH. A final inspection, and Certificate of Compliance, will be issued by NOAH before the THOW is placed onsite. The Owner/builder will provide the City with a copy of the final inspection and Certificate of Compliance prior to issuance of a Certificate of Occupancy.*
☒	☐	☐	**17.08D.080 C.1.**	**1. Establishing the THOW:** **a. Location/Placement:** **i. The THOW shall meet the setbacks for the Zoning Districts in which it is located.** **ii. The THOW shall adhere to the minimum separation distances for buildings, as articulated in Table R302.1(1) of the International Residential Code[I].**

			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *b. The THOW is located within the LR-1 Zoning District. The setbacks for the LR-1 District are as follows:* *a) **Required:** Front yard: 25'; Side yards: 10' (west) and 16.67' (east); Rear yard: 10'* *b) **Proposed:** Front yard: +25', Side yards: 10' (west and between the primary residence and the proposed THOW) and 16.67' (east); Rear yard: 10'* *c. As noted, and shown on the site plan, the proposed THOW and the existing single-family residence are 10' apart, which complies with the IFC, Table R302.1(1).*
☒	☐	☐	**17.08D.080 C.2.**	**2. Blocking and Anchoring:** **a. The tiny homes on wheels chassis shall be maintained level, supported by blocks at a minimum of eight (8) points, one (1) per corner and two (2) per wheel well, and anchored to the ground.** **b. Only a tongue jack shall be used on a full-time basis. No other jacks shall be used on a long-term (thirty-one (31) days or more) basis.**
			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *a. The THOW will be maintained level and will be supported by a minimum of eight (8) blocks, one (1) per corner and two (2) per wheel well, and anchored to the ground, as described in the image below.* 

				 *b. As shown in the images above, a tongue jack will be used on a full-time basis.*
☐	☐	☒	**17.08D.080 C.3.**	**3. Exterior Attachments:** **a. Exterior attachments such as porches, decks, lean-tos, or sheds are permitted; however, they must be affixed in a manner that is freestanding or removable and allows for towing where appropriate.** **b. Porches and decks shall be lower than eighteen inches (18") unless located in any flood hazard plain.** **c. Detached or attached accessory structures (e.g., sheds) shall comply with the regulations outlined in Chapter 17.07 of Hailey's Municipal Code.**
			Staff Comments	*N/A. At this time, no exterior attachments are proposed. If a porch, deck feature, or other exterior attachment is constructed in the future, this standard shall be met. This has been made a Condition of Approval.*
☒	☐	☐	**17.08D.080 C.4.**	**4. Skirting:** **a. Skirting is required and shall be installed to enclose all open space between the THOW and the ground.** **b. The skirting shall screen the wheels and aesthetically complement, or continue the THOW siding, as approved through Administrative Design Review.**
			Staff Comments	*Corrugated metal panels will skirt the THOW, enclose all open space between the THOW and the ground, and aesthetically complement the primary residence, as well as the tiny home.*

☒	☐	☐	**17.08D.080 C.5.**	**5. Municipal Service and Utility Connections:** **a. All municipal and utility connections are subject to City standards, inspections, and policies.** **b. Water And Wastewater:** **i. Tiny homes on wheels shall connect to municipal water and wastewater systems through the connection serving the primary residence, or via an additional, separate connection to the water or wastewater main lines.** **c. Water connections serving THOW shall remain separate from all secondary connections (e.g., irrigation lines).** **d. Insulating THOW water and wastewater connections, to prevent freezing, is the sole responsibility of the THOW owner. (Ord. 1320, 2023)**
			Staff Comments	*The new THOW will connect to municipal services, which will be made off the existing single-family residence and will be inspected by the City Water and Wastewater Departments for compliance. Specifically, water service will be from a ¾" line, which will come from the existing residence to the new THOW. All work will be performed by a licensed plumber, and heat tape and insulation will be utilized as necessary to prevent freezing. As far as sewer connections go, a new service from the existing sewer line will be made to service the THOW. Water and Wastewater standards shall be met, and verification of compliance shall be submitted to the City prior to issuance of a Certificate of Occupancy.* *As far as utilities are concerned, the electrical service will be provided by the primary dwelling's electrical panel. Three #4 conductors will be 2" conduit. The circuit will be rated at 60amps, and all electrical work will be performed by a licensed electrician. Furthermore, an Electrical Permit has been filed with the Idaho Division of Occupational and Professional Licensing (IDOPL). Electrical connections will be*

				inspected by IDOPL and issued a Final Inspection once compliant and complete. Upon receipt of this Final Inspection, the Applicant shall submit the approved permit to the City for verification purposes. *These have been made Conditions of Approval.*
Chapter 17.09: Parking and Loading				
☒	☐	☐	**17.09.040.01**	**Accessory Dwelling Units and all dwelling units less than 1,000 square feet require one (1) parking space per unit. A site developed with both a primary dwelling less than 1,000 square feet in size and an Accessory Dwelling Unit shall provide a minimum of 2 spaces. Parking for Accessory Dwelling Units must be provided on site. Existing parking in excess of the required parking for a single-family unit shall count towards the total required parking.**
			Staff Comments	*This standard has been met. A single-car parking space is proposed within the existing driveway, located adjacent to the single-family residence, as well as the proposed THOW. The existing driveway is large enough and intended to be serviced by the proposed THOW and the existing single-family residence.*

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Planning and Zoning Chair and Administrator make the following Conclusions of Law:

1. Adequate notice, pursuant to the Hailey Municipal Code, Title 17, Chapter 17.06, Design Review, 17.06.020(B), was given.
2. The project is in general conformance with the Hailey Municipal Code, Title 17 and the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Given the nature of this project, this constitutes a minor project, will not conflict with the Design Review Standards of this Chapter, and will not adversely impact any adjacent properties.
5. The proposed project is documented in the project file.

Conditions of Approval. The following Conditions are suggested for approval of this Application:

a) All applicable Fire Department and Building Department requirements shall be met.
b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Municipal Code at the time of the new use.
c) The project shall be constructed in accordance with the Application or as modified by the Findings of Fact, Conclusions of Law, and Decision.
d) The lot contains a primary dwelling and a Tiny Home on Wheels. The THOW, pursuant Hailey's Municipal Code, shall be owner-occupied, or utilized for a long-term rental (31 days or longer) only.
e) If a porch, deck feature, or other exterior attachment is constructed in the future, Section 17.08D.080.C.3 shall be met.
f) The Applicant shall receive water and wastewater connection approval, of which approvals shall be documented in writing, by the City prior to issuance of a Certificate of Occupancy.

g) The Applicant shall receive electrical and/or utility connection approval, of which approvals shall be documented in writing, by the Idaho Department of Occupational and Professional Licensing prior to issuance of a Certificate of Occupancy.
h) The final inspections and approval by a NOAH+ Inspector, or an approved alternative, shall be provided prior to issuance of a Certificate of Occupancy.

Signed this 15th day of September 2023.

Janet Fugate, Chair

Robyn Davis, Community Development Director

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 20, 2023, the Hailey Planning & Zoning Commission Chair and the Administrator considered a recommendation by the Administrator to exempt from Design Review an application, submitted by Pamela Plowman, for the construction of a new, covered front entry porch addition, and covered back entry patio area, for the residence at 111 E. Myrtle Street (Hailey Lots W 50'x150' of 7-12, Block 70, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

The Chair and the Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby make the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

Standards of Evaluation: Chapter 17.06 of the Hailey Municipal Code establishes the criteria for applications for Design Review:

17.06.010: APPLICABILITY:

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

TABLE 1
PROJECT TYPES

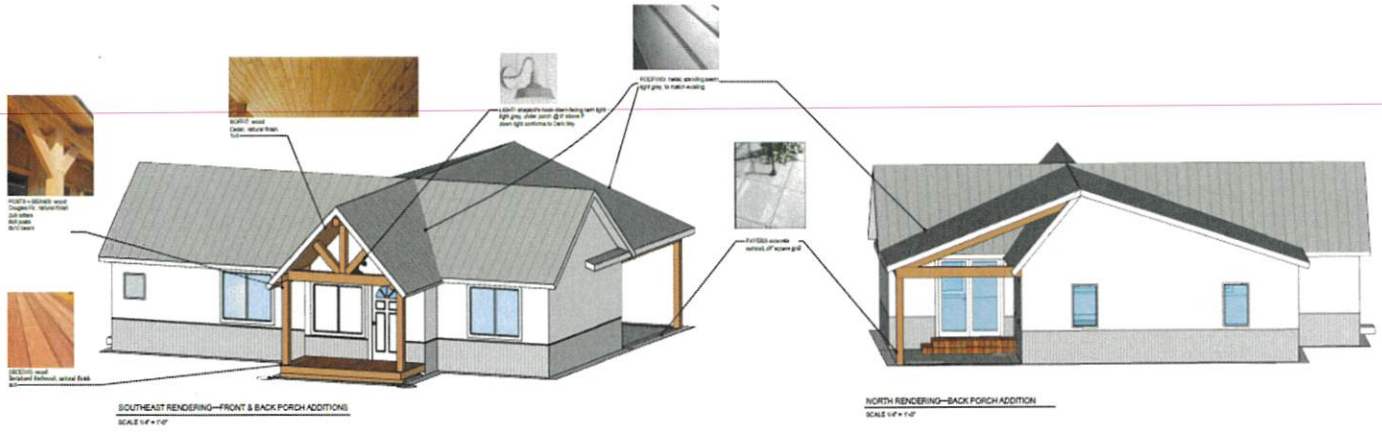
Type Of Use	Exempt (PZ Chair and Administrator)	Hearings Examiner	Full PZ Review
New construction:			
All zones: Nonresidential buildings			X
All zones: Residential of 3 or more units			X
All zones: Accessory Dwelling Units and Tiny Homes on Wheels	X		
Townsite Overlay District: New single-family or duplex			X
Townsite Overlay District: Accessory structures (excluding Accessory Dwelling Units and Tiny Homes on Wheels)			X
Additions:			
Commercial: Additions under 500 square feet which are not prominently visible from a public street	X		

Type Of Use	Exempt (PZ Chair and Administrator)	Hearings Examiner	Full PZ Review
Townsite Overlay District: Single-family, duplex, or accessory structure that adds floor area equal to or greater than 50 percent of the original structure			X
Townsite Overlay District: Additions that adds floor area less than 50 percent of the original structure and complies with section 17.06.020 of this chapter	X		
Modifications that do not add square footage:			
Minor facade changes, alterations to parking and other site elements	X		
Commercial: Major deck additions; changes to architectural elements which alter the overall style of the building; addition of window(s) or door(s) or changes to existing windows or doors that result in major stylistic changes; changes to architectural elements which alter the overall style of the building			X
Commercial: Minor deck additions; changes to siding and/or materials; changes to window(s) or door(s) that do not result in major stylistic changes; landscape and/or parking changes that do not materially alter the flow of circulation	X		
Murals and public art	X		
Temporary structures	X		
Projects which qualify under subsection 17.06.020B of this chapter	X		

Pursuant Section 17.06.010.A, accessory structures and features in the Townsite Overlay (TO) that add floor area that is less than 50 percent of the original or principal structure are exempt from the full Planning & Zoning Design Review process.

Proposal: The Administrator reviewed an application submitted by Pamela Plowman, for the construction of a new, covered front entry porch addition, and covered back entry patio area. The proposed covered front entry porch footprint is 14'-3/4" by 7'-2", and the covered patio entry at the rear of the residence is 15' by 11'-8 ½", both additions rendering a footprint of approximately two hundred eight five (284) square feet, or less than 50% of the original structure's footprint.

The proposed design of the front entry includes a gabled entry made of wooden beams, a new, wooden porch, covered with metal roofing to match the existing metal roof, and a new downward illuminating, Dark Sky compliant fixture. The proposed design of the rear entry includes a new shed-style roof, and matching metal, which will cover the back patio entry and area. Wooden beams will also be utilized to soften the entry.



The proposed covered porch and patio additions are meant to replace or add to the existing residence. Both additions are intended to move water away from the foundation, creating safer pedestrian zones for those utilizing the space. All mature landscaping will be retained and maintained, and both additions comply with setbacks, building height, lot coverage, and other bulk requirements of Hailey's Municipal Code.

Application: Pamela Plowman submitted a Design Review Exemption Application for the addition of front and rear entry covered porches on September 15, 2023. The Application was certified complete on September 18, 2023.

Procedural History: The Application was considered before the P&Z Commission Chair and Administrator on September 20, 2023, as a Design Review Exemption.

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the P&Z Commission Chair and Administrator make the following Conclusions of Law:

1. Adequate notice, pursuant to the Hailey Municipal Code, Title 17, Chapter 17.06, Design Review,

17.06.020(B), was given.

2. The project is in general conformance with Title 17 and the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Given the nature of this project, this constitutes a minor project, will not conflict with the design review standards of this Chapter, and will not adversely impact any adjacent properties.
5. The proposed alterations to the parking area and vehicular circulation have been documented in the project file.
6. To mitigate snow from shedding onto pedestrian areas, snow retention devices shall be installed on the roof of the proposed rear entry addition.

Signed this 21st day of September, 2023.

Janet Fugate, Chair

Robyn Davis, Community Development Director

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 18, 2023, the Planning and Zoning Chair and Administrator considered a Tiny Homes on Wheels (THOW) Application by the City of Hailey for a new 255 square foot Tiny Home on Wheels, to be located, in conjunction with an existing commercial building (the Hailey Fire Department), at 617 South 3rd Avenue (Lot 8A, Block 2, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

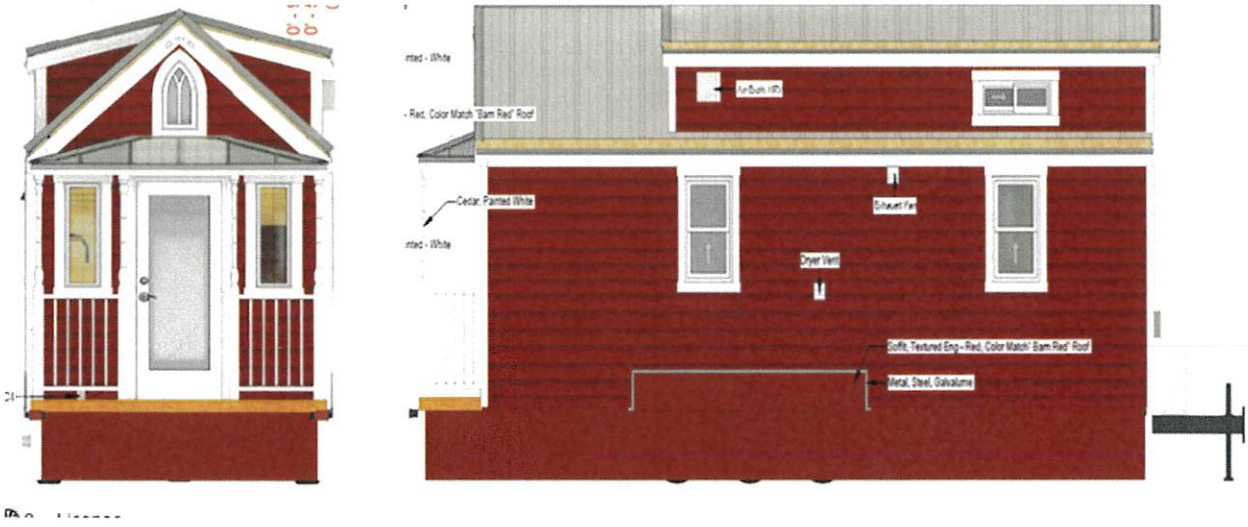
The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

Notice: The Notice for the ADU Application was mailed to property owners within 300 feet on August 29, 2023. The Public Comment period was open from August 29, 2023 to September 8, 2023.

Application: The Owner, the City of Hailey, is proposing to place a new 255 square foot Tiny Home on Wheels onsite at 617 South 3rd Avenue. The proposed THOW is an accessory use to the existing commercial building, and the City intends to utilize the THOW as a long-term rental, available to employees of the City. Access for the proposed THOW will be located off of the existing driveway/parking area approach, which is off South 3rd Avenue.

Design Elements and Exterior Materials: The proposed exterior materials are made of engineer wood – Clapboard Siding – in Barn Red, white trim, and a Galvalume Metal roof. The exterior finishes will be cedar wood painted white. A deck feature, approximately 100 square feet, will be added for additional outdoor space.



Procedural History: The Tiny Home on Wheels Application was submitted and certified complete on August 28, 2023. The Public Comment period was open from August 29, 2023 to September 8, 2023. During this time, no public comment letters were received.

Standards of Evaluation: Chapter 17.06 of the Hailey Municipal Code establishes the criteria for applications for Design Review. For each applicable standard (in bold print), the Commission makes the following Findings of Fact:

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

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

The proposed Application is for the placement of a Tiny Home on Wheels (THOW), to be located at 617 South 3rd Avenue (Lot 8A, Block 2, Townsite), within the General Residential (GR) Zoning District and Townsite Overlay (TO) Zoning Districts.

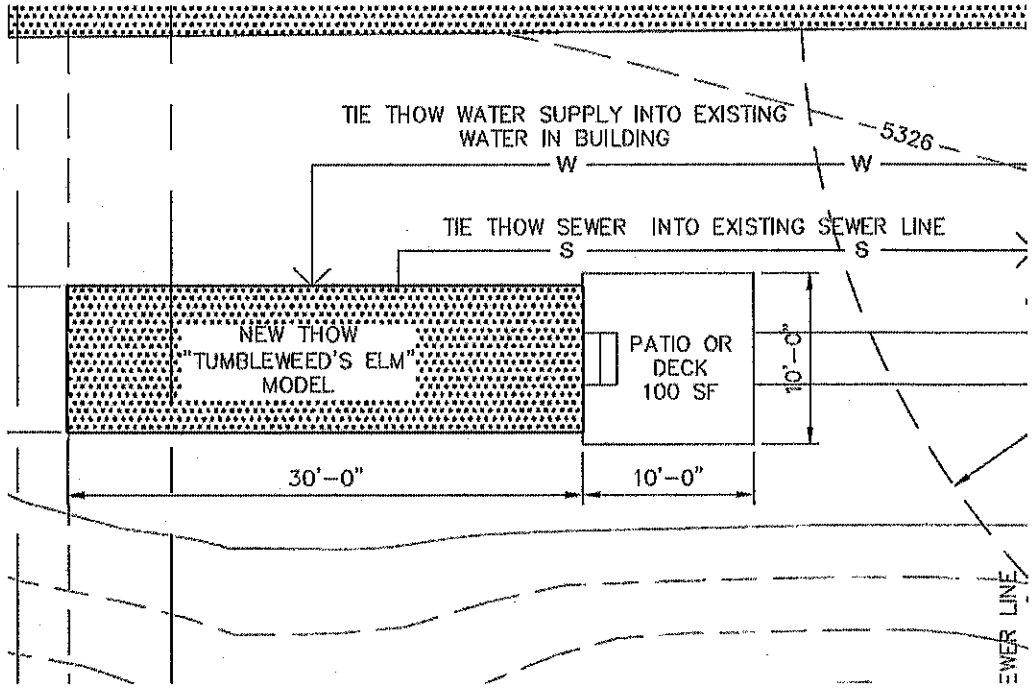
As such, this project is exempt from the Design Review approval requirements; however, shall comply with the requirements noted herein. Should the Administrator and the Chair determine that the proposal does not meet all of the evaluation criteria outlined herein, the project shall be subject to the provisions of Title 17.06: Design Review, of the Hailey Municipal Code, prior to issuance of a Building Permit.

General Requirements for Accessory Dwelling Units and Tiny Homes on Wheels

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and *Staff Comments*
☒	☐	☐	17.08D.020	**Applicability.** **A. The standards of this section apply to all Accessory Dwelling Units created after February 10, 2021, whether created by new construction, addition, or conversion of an existing building or area within an existing building; and to all tiny homes on wheels established after March 13, 2023.**
☒	☐	☐	17.04D.030	**General Provisions.** **A. Accessory Dwelling Units may be located within, or attached to, a principal building or may be located within a detached accessory building. Detached Accessory Dwelling Units may comprise the entirety of the accessory building or may comprise part of the floor area of an accessory building with another permitted accessory use or uses comprising of the remaining floor area.**
			Staff Comments	*The proposed THOW is detached and located along the western side (rear) of the existing commercial structure. The THOW will be positioned to meet all setbacks, is 255 square feet in size, and can be accessed via the existing driveway, located off of South 3rd Avenue and Maple Street Unimproved ROW.*
☒	☐	☐		**B. Only one (1) Accessory Dwelling Unit or one (1) tiny home on wheels is permitted on a lot, as an accessory to a single-family dwelling unit.**
			Staff Comments	*Only one (1) THOW is proposed onsite and is accessory to the commercial use.*
☒	☐	☐		**C. Accessory Dwelling Units and tiny homes on wheels are only permitted in conjunction with single-family residences in residential zones. In the Townsite Overlay, Transition and SCI zones, Accessory Dwelling Units are permitted in conjunction with commercial buildings. In Business, Limited Business and Neighborhood Business, one or more residential unit(s) are considered.**
			Staff Comments	*The proposed THOW will be positioned onsite and will be accessory to the existing commercial use. Both are located within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.*
☐	☐	☒		**D. Accessory Dwelling Units and tiny homes on wheels in the Special Flood Hazard Area (SFHA) shall have the top of the lowest floor elevated no lower than the flood protection elevation as defined in Section 17.04J.020, "Definitions", of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.**
			Staff Comments	*N/a, no portion of the existing property is located within the Special Flood Hazard Area.*
☒	☐	☐		**E. Tiny homes on wheels are subject to the same standards as accessory dwelling units, including design review standards, except where specifically noted herein.**

			Staff Comments	*All standards noted herein are pertinent to ADUs or THOWs. Please reference the standards noted herein for compliance.*
☒	☐	☐		**F. If tiny homes on wheels (THOW) are removed from Hailey's Municipal Code as an allowable use, no THOW structure shall be considered legally non-conforming.**
			Staff Comments	*The Applicant has been notified of this standard.*
☒	☐	☐	**17.08D.040: Registration**	**Registration Required.** **A. All Accessory Dwelling Units created after February 10, 2021, and all tiny homes on wheels established after March 13, 2023 shall be issued a compliance certificate as a prerequisite for a certificate of occupancy.**
			Staff Comments	*Upon completion of construction for and/ or placement of the proposed THOW, a Compliance Certificate will be issued.*
☒	☐	☐		**B. Tiny homes on wheels shall be registered or permitted annually with the Idaho Transportation Department Division of Motor Vehicles.**
			Staff Comments	*The Applicant shall register the Tiny Home with the Idaho Department of Motor Vehicles. A copy of the Vehicle Registration shall be submitted prior to issuance of a Certificate of Occupancy.*
☐	☐	☒	**17.08D.050: Occupancy Restrictions -Short Term Occupancy**	**Occupancy Restrictions.** **A. Accessory Dwelling Units.** **1. Where a lot contains both a primary dwelling unit and an Accessory Dwelling Unit, only one dwelling unit shall be utilized for Short-Term Occupancy.** **2. When one dwelling unit is utilized for Short-Term Occupancy, the other unit shall be owner-occupied or utilized as a long-term rental, with long-term occupancy being a period of thirty-one (31) days or more.**
			Staff Comments	*N/A, as these standards are pertinent to ADUs only.*
☒	☐	☐		**B. Tiny Homes on Wheels (THOW).** **1. THOWs are restricted for long-term use ((thirty-one (31) days or longer)) only.**
			Staff Comments	*At this time, the Owners intend to utilize the THOW as for long-term, employee housing. The Owners do not intend to make any changes to the existing commercial use. This standard shall continue to be met and has been made a Condition of Approval.*
☐	☐	☒	**17.08D.060: Subordinate Scale and Size**	**Subordinate Scale and Size.** **A. Accessory Dwelling Units:** **1. Scale: The floor area of an Accessory Dwelling Unit (ADU) is limited to no more than 66% of the gross square footage of the principal building, or the maximum floor area permitted for an ADU based on the lot size or zone, whichever is less.** **2. Maximum Floor Area:**

Lot Size (square feet)	Minimum Gross Floor Area (square feet)[1]	Maximum Gross Floor Area (square feet)[1,]
Up to 7,000	300	900
7,001 – 8,000	300	950
Lots 8,001 and greater	300	1,000

				Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included. **3. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.**
			Staff Comments	*N/A, as these standards are pertinent to ADUs only.*
☒	☐	☐		**B. Tiny Homes on Wheels (THOWs):** **1. The footprint of tiny homes on wheels shall be limited between one hundred (100) to four hundred (400) square feet in size.**
			Staff Comments	*The proposed THOW is 255 square feet in size, which complies with the required size range for THOWs.*
☒	☐	☐	**17.08D.070: Livability**	**A. Outdoor Access: All Accessory Dwelling Units and Tiny Homes on Wheels shall have a designated area to access the outdoors. Examples include a balcony, porch, deck, paver patio, or yard area delineated by fencing, landscaping, or similar treatment so as to provide for private enjoyment of the outdoors. This area shall be no less than 50 square feet in size. The Outdoor Access area shall be approved through the Design Review process.**
			Staff Comments	*The Owners are proposing approximately 100 square feet of outdoor space for utilization by the tenants of the THOW, in addition to the attached front deck feature, approximately 100 square feet in size (see image below for further details).*  *Furthermore, it is the City's intent to add landscaping in and around the site for additional privacy, and greater usable open space.*

Chapter 17.08D.080: Tiny Homes on Wheels

☒	☐	☐	**17.08D.080 A**	**A. Building Standards:** **1. All tiny homes on wheels shall meet the NOAH+ Standards, in addition to and except where they are superseded by the requirements for Hailey's climatic conditions, listed herein. Additional Requirements for Hailey's Climactic Conditions:** **2. Insulation:** **a. Minimum Insulation R-Values:** **b. Walls: R-19** **c. Floors: R-20** **d. Roof/ceiling: R-28** **3. Vapor retarders shall be in accordance with the International Residential Code (IRC).** **4. Windows and doors shall have a maximum 0.30 U-factor.** **5. Roof snow loads shall meet the site-specific requirements set forth in Chapter 15.08: Building Code, Section 15.08.020: Amendment of Codes.**
			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *a. The THOW complies with the NOAH+ standards, as exhibited by a Certificate of Compliance provided by the Owner/builder prior to issuance of a Certificate of Occupancy.* *b. Insulation:* *a) Minimum Insulation R-Values:* *b) Walls: R-19.8* *c) Floors: R-28.1* *d) Roof/ceiling: R-28* *c. Vapor retarders were installed on floors, walls, and ceiling, and in accordance with the 2018 IRC.* *d. Windows and doors have a 0.28 U-factor.* *e. Roof snow loads meet the site-specific requirements for Hailey, or 100 pounds per square foot.* *The above requirements have been met. Additionally, NOAH inspects the THOW for compliance throughout the construction process. At this time, NOAH has inspected the home for compliance with the NOAH+ Standards, and all standards have been met. A final inspection, and Certificate of Compliance, has been issued by NOAH, is located in the THOW, and a copy has been filed in the Community Development Department.*
☒	☐	☐	**17.08D.080 B**	**B. Inspections:** **1. Inspection of the THOW building requirements or standards- including the NOAH+ Standards[ii] and the requirements for Hailey's climatic conditions- shall be completed and approved by the National Organization of Alternative Housing (NOAH) or another inspection agency that is approved by the Administrator.** **2. A certificate of approval from the inspector shall be submitted to the Community Development Department for further review, approval, and issuance of the Compliance Certificate.**
			Staff Comments	*NOAH inspects the THOW for compliance throughout the construction process. NOAH has completed a final inspection, and has issued a Certificate of Compliance, which is on file within the Community Development Department. This standard has been met.*
☒	☐	☐	**17.08D.080 C.1.**	**1. Establishing the THOW:** **a. Location/Placement:** **i. The THOW shall meet the setbacks for the Zoning Districts in which it is located.** **ii. The THOW shall adhere to the minimum separation distances for buildings, as articulated in Table R302.1(1) of the International Residential Code[i].**

			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *f. The THOW is located within the GR and TO Zoning Districts. The setbacks for the GR and TO Districts are as follows:* *i.* ***Required:*** *Front yard: 12'; Side yards: 10' (north), but not less than 6', and 12' (south); Rear yard: 6' (alley)* *ii.* ***Proposed:*** *Front yard: +20' (THOW to be located behind existing building with a 14'6" separation), Side yards: 9' (north), and +10' (south); Rear yard: +10'* *g. As noted, and shown on the site plan, the proposed THOW and the existing commercial building are 14'6" apart, which complies with the IFC, Table R302.1(1).*
☒	☐	☐	**17.08D.080 C.2.**	**2. Blocking and Anchoring:** **a. The tiny homes on wheels chassis shall be maintained level, supported by blocks at a minimum of eight (8) points, one (1) per corner and two (2) per wheel well, and anchored to the ground.** **b. Only a tongue jack shall be used on a full-time basis. No other jacks shall be used on a long-term (thirty-one (31) days or more) basis.**
			Staff Comments	*The proposed THOW complies with the standards noted above. Specifically,* *a. The THOW will be maintained level and will be supported by a minimum of eight (8) blocks and/or tiedowns, four (4) tie loops near the end and four (4) leveling jacks, all of which will be tied or anchored to a cement pad.* *b. As shown in the images above, a tongue jack will be used on a full-time basis.* *These standards have been met.*
☒	☐	☐	**17.08D.080 C.3.**	**3. Exterior Attachments:** **a. Exterior attachments such as porches, decks, lean-tos, or sheds are permitted; however, they must be affixed in a manner that is freestanding or removable and allows for towing where appropriate.** **b. Porches and decks shall be lower than eighteen inches (18") unless located in any flood hazard plain.** **c. Detached or attached accessory structures (e.g., sheds) shall comply with the regulations outlined in Chapter 17.07 of Hailey's Municipal Code.**
			Staff Comments	*A 100 square foot exterior deck feature is proposed along the south façade, creating a natural extension of outdoor space for the tenant(s) of the THOW. This deck feature will be affixed in a manner that is either freestanding, or removable, allowing for towing where appropriate. All other exterior attachments, if constructed in the future, shall comply with Section 17.08D.080.C.3 of Hailey's Municipal Code. This has been made a Condition of Approval.*
☒	☐	☐	**17.08D.080 C.4.**	**4. Skirting:** **a. Skirting is required and shall be installed to enclose all open space between the THOW and the ground.** **b. The skirting shall screen the wheels and aesthetically complement, or continue the THOW siding, as approved through Administrative Design Review.**
			Staff Comments	*Skirting will consist of metal, steel, galvalume, textured and in Barn Red, to match the exterior colors and textures of the THOW. This proposed skirting will enclose all open space between the THOW and the ground, and aesthetically complement the primary commercial use directly east of the THOW.*
☒	☐	☐	**17.08D.080 C.5.**	**5. Municipal Service and Utility Connections:** **a. All municipal and utility connections are subject to City standards, inspections, and policies.** **b. Water And Wastewater:** **i. Tiny homes on wheels shall connect to municipal water and wastewater systems through the connection serving the primary**

				residence, or via an additional, separate connection to the water or wastewater main lines. **c. Water connections serving THOW shall remain separate from all secondary connections (e.g., irrigation lines).** **d. Insulating THOW water and wastewater connections, to prevent freezing, is the sole responsibility of the THOW owner. (Ord. 1320, 2023)**
			Staff Comments	*The new THOW will connect to municipal services, which will be administered off the existing commercial structure and will be inspected by the City Water and Wastewater Departments for compliance. Specifically, water and wastewater services will be from a ¾" line, which will come from the existing commercial structure to the new THOW. All work will be performed by a licensed plumber, and heat tape and insulation will be utilized as necessary to prevent freezing. Water and Wastewater standards shall be met, and verification of compliance shall be submitted to the City prior to issuance of a Certificate of Occupancy.* *As far as utilities are concerned, the electrical service will be provided by the primary structure's electrical panel. All electrical work will be performed by a licensed electrician. Furthermore, an Electrical Permit has been filed with the Idaho Division of Occupational and Professional Licensing (IDOPL). Electrical connections will be inspected by IDOPL and issued a Final Inspection once compliant and complete. Upon receipt of this Final Inspection, the Applicant shall submit the approved permit to the City for verification purposes.* *These have been made Conditions of Approval.*
Chapter 17.09: Parking and Loading				
☒	☐	☐	**17.09.040.01**	**Accessory Dwelling Units and all dwelling units less than 1,000 square feet require one (1) parking space per unit. A site developed with both a primary dwelling less than 1,000 square feet in size and an Accessory Dwelling Unit shall provide a minimum of 2 spaces. Parking for Accessory Dwelling Units must be provided on site. Existing parking in excess of the required parking for a single-family unit shall count towards the total required parking.**
			Staff Comments	*This standard has been met. A single-car parking space is proposed within the existing parking lot, located adjacent to the commercial structure, closest to the proposed THOW. The existing driveway and parking area is large enough and intended to be serviced by the proposed THOW and the existing commercial structure.*

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Planning and Zoning Chair and Administrator make the following Conclusions of Law:

1. Adequate notice, pursuant to the Hailey Municipal Code, Title 17, Chapter 17.06, Design Review, 17.06.020(B), was given.
2. The project is in general conformance with the Hailey Municipal Code, Title 17, and the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Given the nature of this project, this constitutes a minor project, will not conflict with the Design Review Standards of this Chapter, and will not adversely impact any adjacent properties.
5. The proposed project is documented in the project file.

Conditions of Approval. The following Conditions are suggested for approval of this Application:

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

b) Any change in use or occupancy type from that approved at time of issuance of a Certificate of Occupancy may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Municipal Code at the time of the new use.

   a. If the THOW is relocated or repositioned onsite, it is no longer permitted as authorized. Compliance with the standards noted herein, and within Hailey's Municipal Code, shall be reviewed for compliance via a separate THOW Application.

c) The project shall be constructed in accordance with the Application or as modified by the Findings of Fact, Conclusions of Law, and Decision.

d) The lot contains a primary structure and a Tiny Home on Wheels. The THOW, pursuant Hailey's Municipal Code, shall be owner-occupied, or utilized for a long-term rental (31 days or longer) only.

e) The Applicant shall register the Tiny Home with the Idaho Department of Motor Vehicles. A copy of the Vehicle Registration shall be submitted prior to issuance of a Certificate of Occupancy.

f) The proposed deck feature, and all other exterior attachments, if constructed in the future, shall comply with Section 17.08D.080.C.3 of Hailey's Municipal Code.

g) The Applicant shall receive water and wastewater connection approval, of which approvals shall be documented in writing and approved by the City, prior to issuance of a Certificate of Occupancy.

h) The Applicant shall receive electrical and/or utility connection approval, of which approvals shall be documented in writing and by the Idaho Department of Occupational and Professional Licensing, prior to issuance of a Certificate of Occupancy.

i) The final inspections and approval by a NOAH+ Inspector, or an approved alternative, shall be provided prior to issuance of a Certificate of Occupancy.

Signed this 21st day of September, 2023.

Janet Fugate, Chair

Robyn Davis, Community Development Director

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On August 10, 2021, the Planning and Zoning Chair and Administrator considered an Accessory Dwelling Unit (ADU) Application, by Dana and Liz Larsen, for a new 588 square foot Accessory Dwelling Unit, to be construction in conjunction with a new single-family residence. On September 21, 2023, the Planning and Zoning Chair and Administrator considered, and approved, an amended site plan that increased the ADU's square footage from 588 square feet to 997 square feet. This project is located at 308 Bluebird Court (Lot 3, Block 2, Bluebird Subdivision).

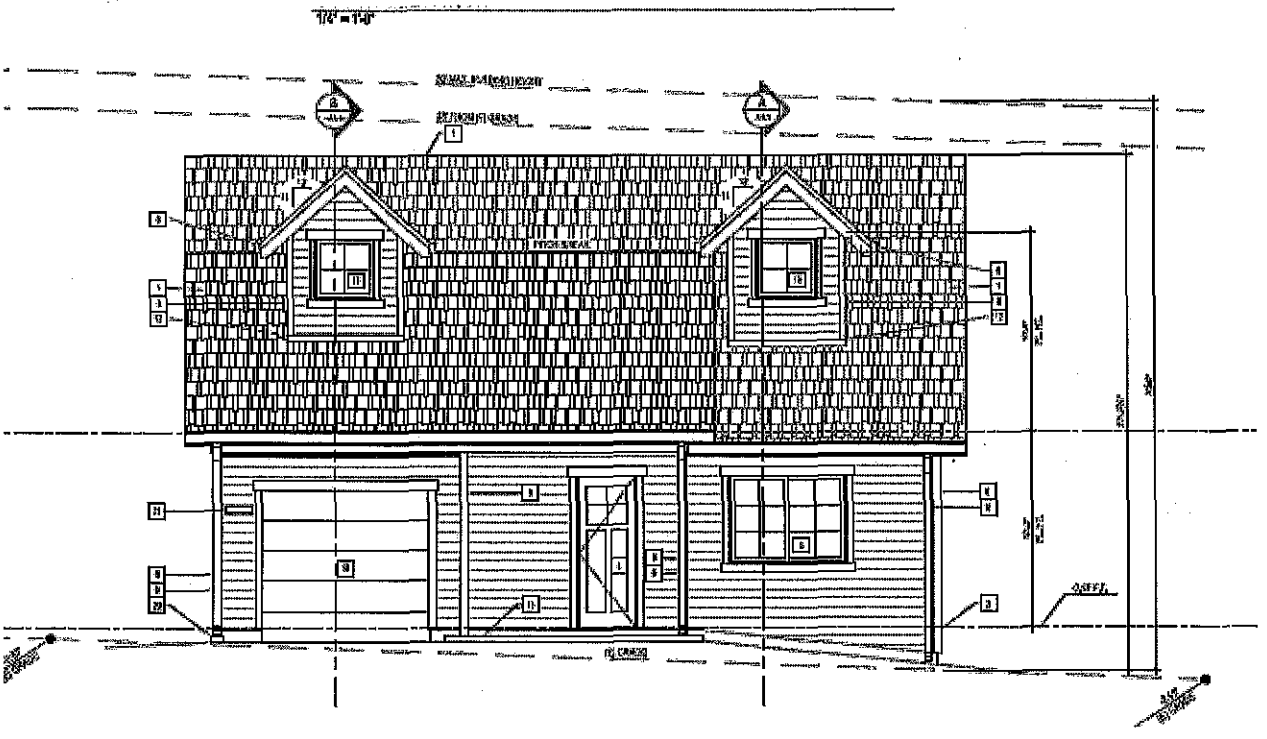
The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

Notice: Notice for the ADU Application was mailed to property owners within 300 feet on July 30, 2021. As the amended plan was minor in overall scope, it was determined no additional noticing was necessary.

Application: The Applicant is now proposing to construct a new 997 square foot Accessory Dwelling Unit, detached from the newly constructed single-family residence. Current access for the proposed ADU will be from Bluebird Court.

Design Elements and Exterior Materials: The proposed ADU will be sided with HardiPlank Fiber Cement Siding and trim, asphalt shingles, and will incorporate wooden beams to better define the entry.



The newly revised plan retains the location of the ADU, and adheres to all bulk requirements (i.e., setbacks, lot coverage, building height) of Hailey's Municipal Code. Further, a second bedroom, a one-car garage space, and a ninety-five (95) square foot open space area are proposed to service the ADU and its tenants.

Procedural History: The Accessory Dwelling Unit Application was submitted on July 23, 2021 and certified complete on July 26, 2021. The public comment period was open from July 31, 2021 to August 10, 2021. During this time, two public comment letters were received. Both public comment letters noted support for the proposed Accessory Dwelling Unit.

Standards of Evaluation: Chapter 17.06 of the Hailey Municipal Code establishes the criteria for applications for Design Review. For each applicable standard (in bold print), the Commission Chair and Administrator make the following Findings of Fact:

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

Type of Use	Exempt (PZ Chair And Administrator)	Hearings Examiner	Full PZ Review
New construction:			
All zones: Nonresidential buildings			X
All zones: Residential of 3 or more units			X
All zones other than Townsite Overlay District: Accessory Dwelling Units	X		
Townsite Overlay District: New single-family or duplex			X
Townsite Overlay District: Accessory structures (including Accessory Dwelling Units)			X

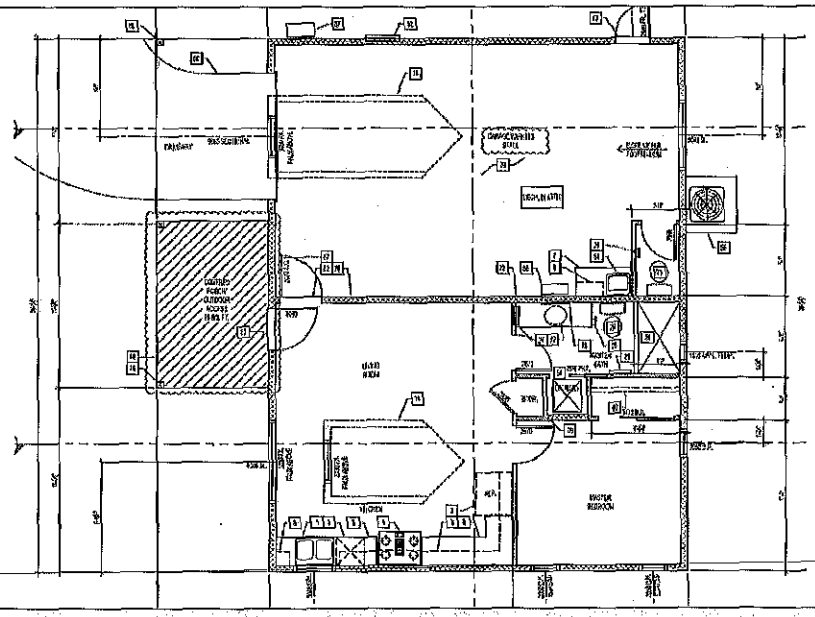
The proposed Application is for construction of an Accessory Dwelling Unit (ADU), to be located at 308 Bluebird Court (Lot 3, Block 2, Bluebird Subdivision), located within the General Residential (GR) Zoning District and outside of the Townsite Overlay (TO) Zoning District.

As such, this project is exempt from the Design Review approval requirements; however, shall comply with the requirements noted herein. Should the Administrator and the Chair determine that the proposal does not meet all of the evaluation criteria outlined herein, the project shall be subject to the provisions of Title 17.06: Design Review, of the Hailey Municipal Code, prior to issuance of a Building Permit.

General Requirements for Accessory Dwelling Units

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and *Staff Comments*
☒	☐	☐	17.08D.020	**Applicability.** **A. The standards of this section apply to all Accessory Dwelling Units created after February 10, 2021, whether created by new construction, addition, or conversion of an existing building or area within an existing building.**
☒	☐	☐	17.04D.030	**General Provisions.** **A. Accessory Dwelling Units may be located within, or attached to, a principal building or may be located within a detached accessory building. Detached Accessory Dwelling Units may comprise the entirety of the accessory building or may comprise part of the floor area of an accessory building with another permitted accessory use or uses comprising of the remaining floor area.**
			Staff Comments	*The proposed ADU is detached to the primary residence and located to the rear of the property. The ADU is approximately 997 square feet in size and the one-car garage space is approximately 552 square feet in size.*
☒	☐	☐		**B. Only one (1) Accessory Dwelling Unit is permitted on a lot.**
			Staff Comments	*Only one (1) ADU is proposed onsite.*
☒	☐	☐		**C. Accessory Dwelling Units are only permitted in conjunction with single-family residences in residential zones. In the Townsite Overlay, Transition and SCI zones, Accessory Dwelling Units are permitted in conjunction with commercial buildings. In Business, Limited Business and Neighborhood Business, one or more residential unit(s) are considered.**
			Staff Comments	*The proposed ADU is in conjunction with a new single-family residence, and both are located within the General Residential (GR) Zone District.*
☐	☐	☒		**D. Accessory Dwelling Units in the Special Flood Hazard Area (SFHA) shall have the top of the lowest floor elevated no lower than the flood protection elevation as defined in Section 17.04J.020, "Definitions", of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.**
			Staff Comments	*N/A, as the proposed ADU is not located within the Special Flood Hazard Area.*
☒	☐	☐	**17.08D.040: Registration of Accessory Dwelling Units Required**	**A. All Accessory Dwelling Units created after February 10, 2021, shall be issued an Accessory Dwelling Unit Compliance Certificate.**
			Staff Comments	*Upon completion of construction for the proposed ADU, a Compliance Certificate will be issued.*
☒	☐	☐	**17.08D.050: Occupancy Restrictions - Short Term Occupancy**	**A. Where a lot contains both a primary dwelling unit and an Accessory Dwelling Unit, only one dwelling unit shall be utilized for Short-Term Occupancy;**
			Staff Comments	*At this time, the Owners intend to utilize the ADU as additional living space for extended family visits or use as a long-term rental. If the Owners decide to use as a long-term rental, one dwelling unit shall either be owner-occupied or used as a long-term rental. This has been made a Condition of Approval.*
☒	☐	☐		**B. When one dwelling unit is utilized for Short-Term Occupancy, the other unit shall be owner-occupied or utilized as a long-term rental, with long-term occupancy being a period of thirty-one (31) days or more.**

			Staff Comments	*At this time, the Owners intend to utilize the ADU as additional living space for extended family visits or use as long-term rental. If the Owners decide to use as a long-term rental one dwelling unit shall either be owner-occupied or used as a long-term rental. This has been made a Condition of Approval.*
☒	☐	☐	**17.08D.060: Subordinate Scale and Size**	**A. Scale: The floor area of an Accessory Dwelling Unit (ADU) is limited to no more than 66% of the gross square footage of the principal building, or the maximum floor area permitted for an ADU based on the lot size or zone, whichever is less.**
			Staff Comments	*The gross floor area of the principal building is 1,951 square feet in size. Sixty-six percent (66%) of this is 1,288 square feet in size, which exceeds the maximum gross floor area for any ADU.* *The lot size is 10,081 square feet, which would allow for a maximum gross floor area of 1,000 square feet. That said, the Owners are proposing a maximum gross floor area of 997 square feet (ADU), which complies with this standard.*
☒	☐	☐		**B. Maximum Floor Area:** **Lot Size (square feet) / Minimum Gross Floor Area (square feet)[1] / Maximum Gross Floor Area (square feet)[1]** **Up to 7,000 / 300 / 900** **7,001 – 8,000 / 300 / 950** **Lots 8,001 and greater / 300 / 1,000** **Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included.**
			Staff Comments	*Please refer to Section 17.08D.060A, noted above, for further details.*
☒	☐	☐		**C. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.**
			Staff Comments	*The proposed ADU has two (2) bedrooms.*
☒	☐	☐	**17.08D.070: Livability**	**A. Outdoor Access: All Accessory Dwelling Units shall have a designated area to access the outdoors. Examples include a balcony, porch, deck, paver patio, or yard area delineate by fencing, landscaping, or similar treatment so as to provide for private enjoyment of the outdoors. This area shall be no less than 50 square feet in size. The Outdoor Access area shall be approved through the Design Review process.**
			Staff Comments	*The Owners are proposing approximately a 95 square foot outdoor space for utilization by the tenants of the ADU (see image below for further details).*



Chapter 17.09: Parking and Loading

☒	☐	☐	17.09 020.05.B	**Parking areas and driveways for single-family, accessory dwelling unit, and duplex residences may be improved with compacted gravel or other dustless material.**
			Staff Comments	*An attached one-car garage is proposed to service the ADU.*
☒	☐	☐	17.09.020.05.D	**Mitigation for Accessory Dwelling Unit parking spaces: Parking stalls for Accessory Dwelling Units shall be reviewed to assess light trespass into residential indoor living areas on adjacent properties. Mitigation measures may include fencing, landscaping, screening, landscape walls, and similar treatments.**
			Staff Comments	*The Applicant has filed for a Fence Permit for approval by Staff to construct a fence along the rear (east) property line. The parcel is surrounded by existing landscaping from the surrounding residences. The Applicant intends to add additional landscaping to mitigate any possible light trespass into residential indoor living areas. Additionally, the western property boundary borders a trail easement.*
☒	☐	☐	17.09.040.01	**Accessory Dwelling Units and all dwelling units less than 1,000 square feet require one (1) parking space per unit. A site developed with both a primary dwelling less than 1,000 square feet in size and an Accessory Dwelling Unit shall provide a minimum of 2 spaces. Parking for Accessory Dwelling Units must be provided on site. Existing parking in excess of the required parking for a single-family unit shall count towards the total required parking.**
			Staff Comments	*This standard has been met. A single-car garage is proposed to service the ADU, and a single-car garage is proposed to service the single-family residence. The driveway accessing both can accommodate additional parking, if needed.*

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Planning and Zoning Chair and Administrator make the following Conclusions of Law:

1. Adequate notice, pursuant to the Hailey Municipal Code, Title 17, Chapter 17.06, Design Review, 17.06.020(B), was given.
2. The project is in general conformance with the Hailey Municipal Code, Title 17 and the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Given the nature of this project, this constitutes a minor project, will not conflict with the Design Review Standards of this Chapter and will not adversely impact any adjacent properties.
5. The proposed project is documented in the project file.

Conditions of Approval. The following Conditions are suggested for approval of this Application:

a) All applicable Fire Department and Building Department requirements shall be met.
b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Municipal Code at the time of the new use.
c) The project shall be constructed in accordance with the Application or as modified by the Findings of Fact, Conclusions of Law and Decision.
d) The lot contains a primary dwelling and an Accessory Dwelling Unit. Only one (1) dwelling unit shall be utilized for short-term occupancy. If one (1) dwelling unit is utilized for short-term occupancy, the other unit shall be owner-occupied or utilized as a long-term rental (31 days or longer).
e) A Fence Permit shall be issued prior to the construction of said fence along the eastern property line.

Signed this 21st day of September, 2023.

Janet Fugate, Chair

Robyn Davis, Community Development Director

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

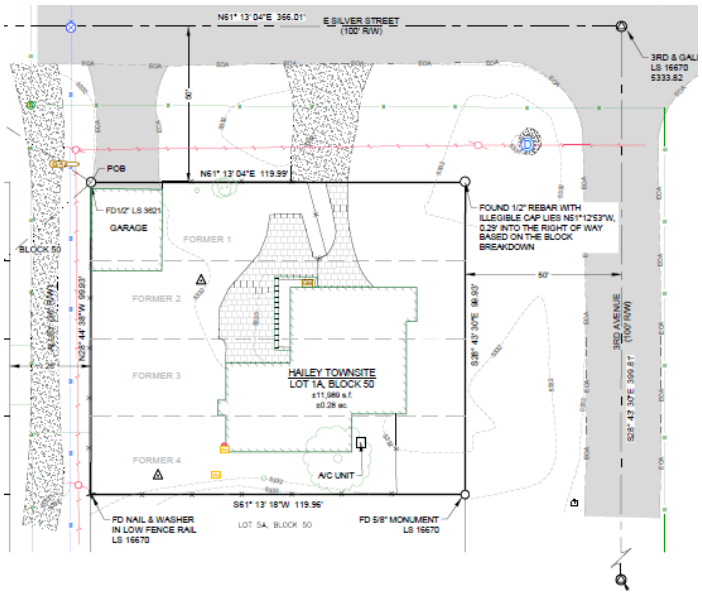
On October 2, 2023, the Hailey Planning and Zoning Administrator considered the Application for a Lot Line Adjustment, submitted by Nicholas and Amy Cole, wherein the interior lot lines of Lots 1-4, Block 50, Hailey Townsite, are eliminated. The reconfiguration of the lots would form one (1) lot, Lot 1A, comprising of 11,989 square feet. The Lot Line Adjustment is located within Section 9, T2N., R18E., B.M., City of Hailey, Blaine County, Idaho. The parcel is located at 218 E Silver Street, in the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

The Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

Notice: Notice was published in the Idaho Mountain Express and mailed to property owners within 300 feet on August 18, 2023. The notice informed adjacent property owners they may comment on the application during a period of fifteen (15) days after the post mark of the notice. During this time, no public comment was received. The notice comment period ended on September 21, 2023.

Application: Application for a Lot Line Adjustment, submitted by Nicholas and Amy Cole, wherein the interior lot lines of Lots 1 through 14 on Block 50 in the Hailey Townsite, are eliminated. The reconfiguration of the lots would from one (1) lot, Lot 1A, comprising of 11,989 square feet. The Applicant's residence and yard spans the aforementioned lots.



Procedure: Following expiration of the comment period, and upon the Administrator's finding that the plat is compliant with the provisions of the Hailey Municipal Code, the Administrator may approve, or conditionally approve, the Preliminary Plat.

The Lot Line Adjustment Application was submitted on August 10, 2023 and certified complete on August 22, 2023. The public comment period was open from September 6 to September 21, 2023. During this time, no public comment was received. Staff recommends that the Administrator move forward and approve the Lot Line Adjustment application.

Standards: Each of the pertinent standards of the Hailey Municipal Code have been met.

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Administrator makes the following Conclusions of Law and Decision:

1. Adequate notice for Preliminary Plat of a Lot Line Adjustment, pursuant to Section 16.06 of the Hailey Municipal Code, was given.
2. The Application conforms to the definition of a Lot Line Adjustment.
3. Upon compliance with the conditions noted below, the application substantially meets the standards of approval set forth in the Hailey Municipal Code.

DECISION

Application for a Lot Line Adjustment, submitted by Nicholas and Amy Cole, wherein the interior lot lines between Lots 1-4, Block 50, Hailey Townsite, are eliminated, is approved by the Administrator with the following conditions:

1. Upon any further development, any applicable provisions of the Hailey Municipal Code are in effect on the date of the Application for Development shall apply. City infrastructure requirements, as outlined in Chapter 16.05 of the Hailey Municipal Code, shall be met. Detailed plans for any required infrastructure to be installed or improved at or adjacent to the site shall meet City Standards and shall be submitted for City approval.
2. Issuance of permits for the construction of buildings shall be subject to Chapter 16.02.080 of the Hailey Municipal Code.
3. The Final Plat must be submitted within two (2) calendar years from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.

Findings approved this 2nd day of October, 2023.

_____
Janet Fugate, Planning and Zoning Commission Chair

Attest:

_____
Jessica Parker, Community Development Assistant

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