City of Hailey

COMMUNITY DEVELOPMENT DEPARTMENT

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

115 MAIN STREET SOUTH
HAILEY, IDAHO 83333

(208) 788-9815

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, October 3, 2022
Virtual and In-Person Meeting
5:30 p.m.

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

Call to Order

Public Comment for items not on the agenda

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by West of First, LLC, represented by Opal Engineering, for construction of a new 44-unit apartment building, to be located at 40 McKercher Boulevard (Lot 1B, Block 2, Northridge Subdivision X). This parcel is located within the Business (B) and Downtown Residential Overlay (DRO) Zoning District. **ACTION ITEM.**

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Text Amendment to Title 17: Zoning Regulations, Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.02: Commercial, Professional, Service, Recreation, and Entertainment to change the parking requirement for theatres from one (1) parking stall per 4.5 persons to one (1) parking stall per one thousand (1,000) square feet of gross building area. The Applicant requests the text amendment to support the viability of a movie theatre business at 801 N. Main Street (Lots 2, Block 2) in the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM.**

Public Hearing

PH 1 Continuation of a Preliminary Plat Application submitted by Elevation Builders, Inc., to subdivide Lot 4, Block 6, Old Cutters Subdivision (550 Doc's Hickory Drive) into two (2) sublots, Sublot 4A, comprising of 5,001 square feet and Sublot 4B, comprising of 5,000 square feet. This project is located within the General Residential (GR) Zoning District. **ACTION ITEM.**

PH 2 Consideration of a City-Initiated Rezone Application, to rezone Lots S. ½ of 8, Lots 9-10, Block 69, Lots 4-7 and N. ½ 8, Block 69, Hailey Townsite, as well as Lots 1-3, Block 69, Hailey Townsite from Limited Business (LB) and Townsite Overlay (TO) Zoning Districts, to Limited Business (LB), Townsite Overlay (TO) Zoning Districts, and located within the Downtown Residential Overlay (DRO). **ACTION ITEM.**

PH 3 Consideration of a City-Initiated Text Amendment to Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.014: Miscellaneous, to add the River Street Concept Plan as a Standard Drawing within the Hailey Municipal Code. This addition would create a new item, item G. River Street Concept Plan. **ACTION ITEM.**

PH 4 Consideration of a City-Initiated Text Amendment to Hailey Municipal Code Title 17, Chapter 17.08, Article D: Accessory Dwelling Units, proposing minor amendments to various sections, which would allow for greater flexibility in designing and constructing an Accessory Dwelling Unit. **THIS ITEM WILL BE RE-NOTICED AND HEARD AT A FUTURE HEARING. ACTION ITEM.**

Staff Reports and Discussion

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

SR 2 Discussion of the next Planning and Zoning Meeting: **October 3, 2022**

- DR Tranter
- DR River Lane
- TA Solsmart Recommendations

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 19, 2022, the Hailey Planning and Zoning Commission considered and approved the Design Review Application by West of First, LLC, represented by Opal Engineering, for construction of a new 44-unit apartment building, to be located at 40 McKercher Boulevard (Lot 1B, Block 2, Northridge Subdivision X). This parcel is located within the Business (B) and Downtown Residential Overlay (DRO) Zoning District.

FINDINGS OF FACT

Notice: Notice for the September 19, 2022, public hearing was published in the Idaho Mountain Express on August 31, 2022 and mailed to property owners within 300 feet on August 31, 2022.

Background and Application: In June 2021, Larry Green of L.L. Green's received approval to rezone the subject parcel from Limited Business (LB) to Business (B) and remain within the Downtown Residential Overlay (DRO) Zoning District. The Final Plat to subdivide the parcel into two (2) lots, Lot 1A and Lot 1B (subject parcel) was also approved by the Hailey City Council in October 2021. Construction for the new L.L. Green's Hardware Store is currently underway and will be constructed on Lot 1A. The proposed multifamily apartment building is requesting Design Review approval to begin construction on Lot 1B.

This project, to be known as 40 McKercher, will comply with the DRO requirements and is proposing the following:

- 44 residential units to comprise of:
    - Eight (8) two-bedroom units (1,226 sq. ft.)
    - Fourteen (14) one-bedroom units (624 sq. ft.)
    - Twenty-two (22) studio units (553 sq. ft.)
- 56 total parking spaces:
    - 35 parking spaces within the enclosure (regular, compact, ADA, guest)
    - 21 parking spaces along the eastern side of the building (covered, uncovered, regular, compact, ADA, guest)
- Shared vehicular access from existing easement between Lot 1A and 1B
- Secondary Driveway Access, Drainage, Landscaping and Utility Easement along east side of building
- Reconstruction of the asphalt multiuse pathway to 10' in width
- 3,800 square feet of common useable open space
- Additional covered storage for all residential units
- Sustainable Building Initiatives: Build Better Program, US Green Building initiatives – utilizing Glulam/CLT and modular wood construction, utilizing Energy Start appliances, and future proofed for solar and electric-vehicle charging

Parking for the proposed units will be accessed off the proposed driveway access, drainage, landscaping, and utility easement along the east side of the building, and from the existing public street, McKercher Boulevard. Twenty-one (21) parking spaces are proposed off this easement, which includes six (6) guest parking spaces, compact, regular, and ADA-compliant spaces. A 20'-wide entrance to a heated garage is also accessed off this easement. The garage contains 33 parking stalls. Two (2) guest spaces achieve access from the westernmost approach of the building, from the existing driveway access easement to

benefit Lot 1B. All proposed parking is located on private property. Trash and recycling access can be achieved via the existing westernmost easement.

While the apartment building is located within the Business (B) Zoning District, the Applicant is utilizing the Downtown Residential Overlay (DRO). Requirements within the DRO allow for greater flexibility with regard density, parking, open space, and setbacks. The Applicant is proposing a front yard setback of 25' (required by the plat), a side yard setback of 4'-2" (west) and 23' (east), and a rear yard setback of 0'. These setbacks are generous within the Business (B) District, as a 0' setback is permitted on all sides.

Procedural History: The Planning and Zoning Commission first heard the Planned Unit Development (PUD) and Design Review Pre-Applications on May 2, 2022. The Commission suggested that the Applicant Team consider the following:

- **Deed or rent-restricting units.** The Applicant Team did not propose to offer deed or rent-restrict residential units.
- **Provide elevation of building from street level, specifically from First Avenue.** The Applicant provided a color elevation of the building from First Street, which is attached.
- **Create more useable open space.** The Applicant Team proposed to plant large trees and landscape features for residents and neighbors. Walkways framed by low level gabions provide wayfinding, and the parklet/green space adjacent McKercher Boulevard, provide attractive, exterior seating for residents and visitors alike. Patio space to the rear of the building is also proposed, and landscaping along the western side of the building naturally divides the building from the existing driveway easement.
- **Supply underground parking, if utilizing as an amenity for PUD.** The Applicant Team withdrew the PUD Application, and they are no longer requesting waivers to the building height. No underground parking is proposed at this time.
- **Reduce building height and/or density.** The Applicant Team withdrew the PUD Application, and they are no longer requesting waivers to the overall building height. The building height proposed is 35', which is a permitted building height in the Business (B) Zoning District.

Then, at the first Design Review Application hearing on August 1, 2022, the Planning and Zoning Commission suggested that the Applicant Team consider incorporating and/or providing the following:

- **Removal of the gated entry into the covered parking area.** While not required within Title 17, the Applicant has chosen to remove the proposed parking area gate.
- **Provide a Water Model Study commenting on water pressure and flow rates in this area.** The Applicant has provided a Hydraulic Modeling Study from Clear Solutions Engineering (any comments from the City's Contract Engineer, HDR, will be brought to the hearing). This technical memorandum presents the results of hydraulic modeling with any potential impacts of the 40 McKercher project on the water system.

  To best assess the potential impacts of the proposed project on the water system, three (3) criteria were reviewed – **Fire Flow**, **System Pressure**, and **System Velocity** (see Table 3 and the summary below for further details):

Table 3
Summary of Hydraulic Modeling Results

PARAMETER	CURRENT CONDITIONS	AFTER PROJECT	STANDARD
Fire Flow Availability	1,869 gpm	1,830 gpm	1,500 gpm minimum
Pressure at Peak Hour Demand	71 psi	71 psi	40 psi minimum
Water Velocity at Peak Hour Demand	0.10 fps	0.38 fps	<6 fps for planning

- **Fire Flow.** The State of Idaho requires public water systems to provide sufficient fire flow availability during maximum day demands while maintaining a 20 pounds per square inch (psi) residual pressure in the distribution system. A minimum fire flow requirement of 1,500 gallons per minute (gpm) was established and approved by the City in the City's 2015 Water Master Plan. The fire flow availability after construction of the proposed project would result in an availability of 1,830 gpm.
- **System Pressure.** The State of Idaho requires public water systems to maintain a minimum pressure of 40 psi throughout the distribution system during peak hour demands. The minimum pressure after construction of the proposed project would result in a pressure of 71 psi at peak hour demand.
- **System Velocity.** While the State of Idaho does not regulate pipe velocities in water distribution systems, velocities that exceed 6 to 8 feet per second (fps) result in decreased system performance and may result in excessive water hammer (vibrating pipes due to high pressure). For best practices, maintaining pipe velocities below 6 fps is recommended. The system velocity after construction of the proposed project would result in 0.38 fps at peak hour demand.

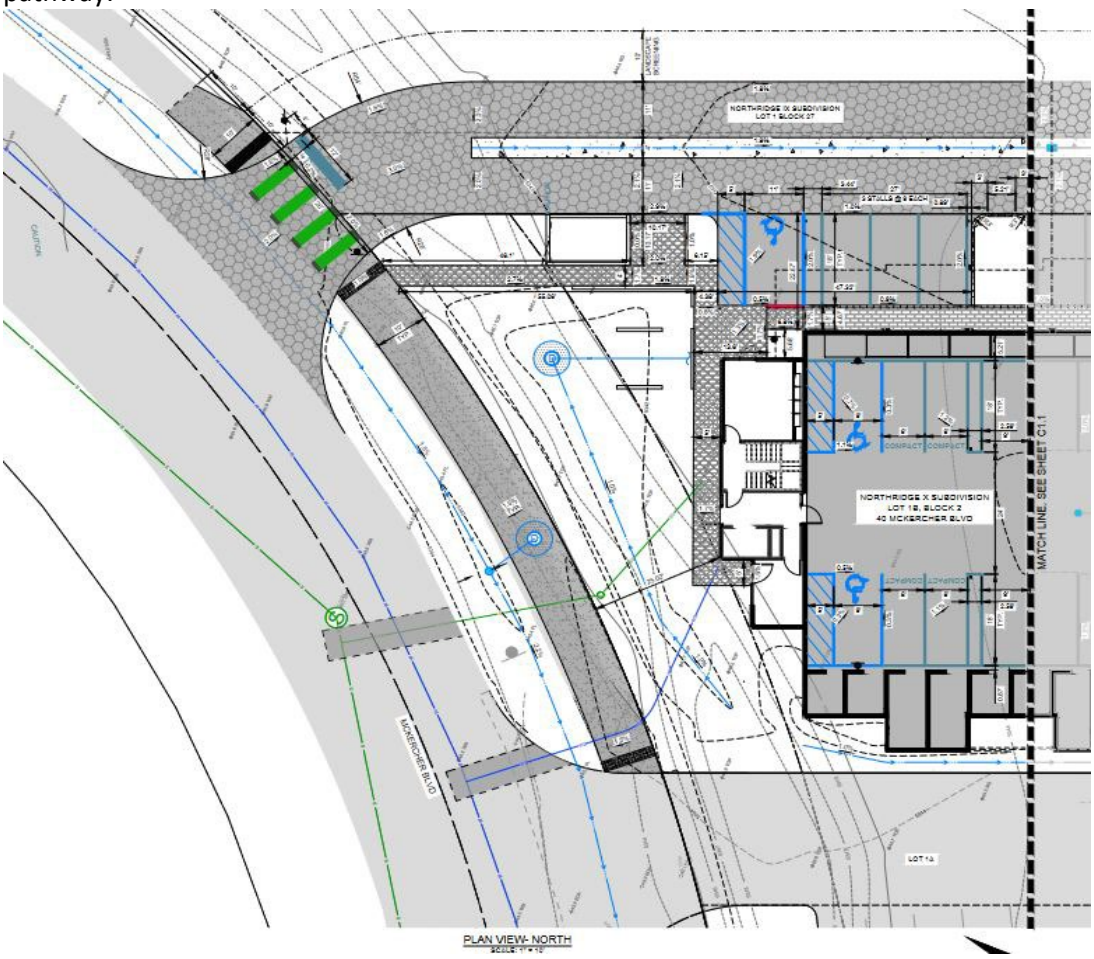
For each of the criteria established above and located within Section 3 of the attached study, the system exceeds state regulatory requirements, as well as the recommended engineering standards for water system performance.

In conclusion, the proposed development has a negligible impact on the available **fire flow**, **system pressure**, and **system velocity** in the project area, and the City's water system will continue to operate at an acceptable level with the additional demand from the proposed 44-unit project.

While the Commission found the proposed development to have a negligible impact on the water system, they requested that City Staff develop a memorandum outlining the water table depth and consider the drawing down of existing wells to better understand where the City is with regard to water, its availability, and future planning. City Staff will craft a memorandum with the above information and bring back to the Commission later.

- **Deed or rent-restricting units.** Currently, the Applicant Team is not proposing to deed or rent-restrict any of the residential units.

- **Consider the utilization of traffic calming measures.** The Applicant Team has supplied revised Civil Design Plans that illustrate pavement markings within the multiuse pathway, as we as the addition of a stop sign at the new private access approach onto McKercher Boulevard. The Applicant considered the inclusion of speed bumps; however, felt the markings and stop sign were more effective in providing protection of bicyclists and pedestrians utilizing the multiuse pathway.



Furthermore, a Traffic Impact Study was conducted for these parcels in 2020 and reported no impact to the surrounding area.

The purpose of the study was to analyze traffic operations at key intersections for existing (2020), future (2025), and future (2030) conditions. It was determined that the Cobblestone Lane/Main Street intersection was anticipated to perform at a poor level of service given the substandard size of the street. Since this study, Cobblestone Lane has become a standard street in width. Twenty-two (22) feet from the parcel north of Cobblestone Lane (910 North Main Street) has been dedicated to the City of Hailey to form a complete street of Cobblestone Lane.

All other intersections, as shown in the image below, were anticipated to operate at acceptable levels of service during peak hours in current (2020) and future (2025; 2030) conditions.

Table ES-1: Evening Peak Hour Level of Service Results

	Intersection	Level of Service					
		Existing (2020)		Future (2025)		Future (2030)	
		BG	PP	BG	PP	BG	PP
1	McKercher Boulevard / Main Street (ID-75)	A	A	B	B	B	B
2	1st Avenue / McKercher Boulevard	a	a	a	a	a	a
3	Winterberry Loop / Access 4 / 1st Avenue	a	a	a	a	a	a
4	Cobblestone Lane / 1st Avenue	a	a	a	a	a	a
5	Cobblestone Lane / Main Street (ID-75)	d	d	e	e	e	f
6	Access 1 / Main Street (ID-75)	-	a	-	a	-	a
7	Access 2 / McKercher Boulevard	-	a	-	a	-	a
8	Access 3 / McKercher Boulevard	-	a	-	a	-	a
9	Access 5 / 1st Avenue	-	a	-	a	-	a
10	Access 6 / Cobblestone Lane	-	a	-	a	-	a

1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter)
2. BG = Background (without project traffic), PP = Plus Project (with project traffic)

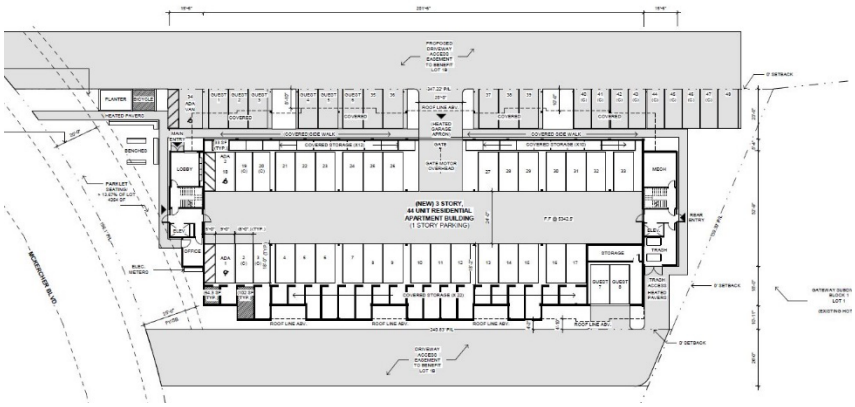
Source: Hales Engineering, December 2020

- **Consider the addition of a berm and/or sound buffering.** The Applicant Team is proposing open space between McKercher Boulevard and the proposed building; however, the Applicant Team feels this area is not large enough to provide for an effective sound-buffering berm. To provide some sound protection on the second and third levels, the Applicant Team is suggesting the addition of conifer trees in-lieu of the currently proposed deciduous trees along McKercher Boulevard. City Staff prefers to see tree species from the Approved Street Tree list utilized in this area, as said trees, while located on private property, are considered street trees (also made a Condition of Approval within the Final Plat Application of Lot 1A and 1B (L. L. Green's)).

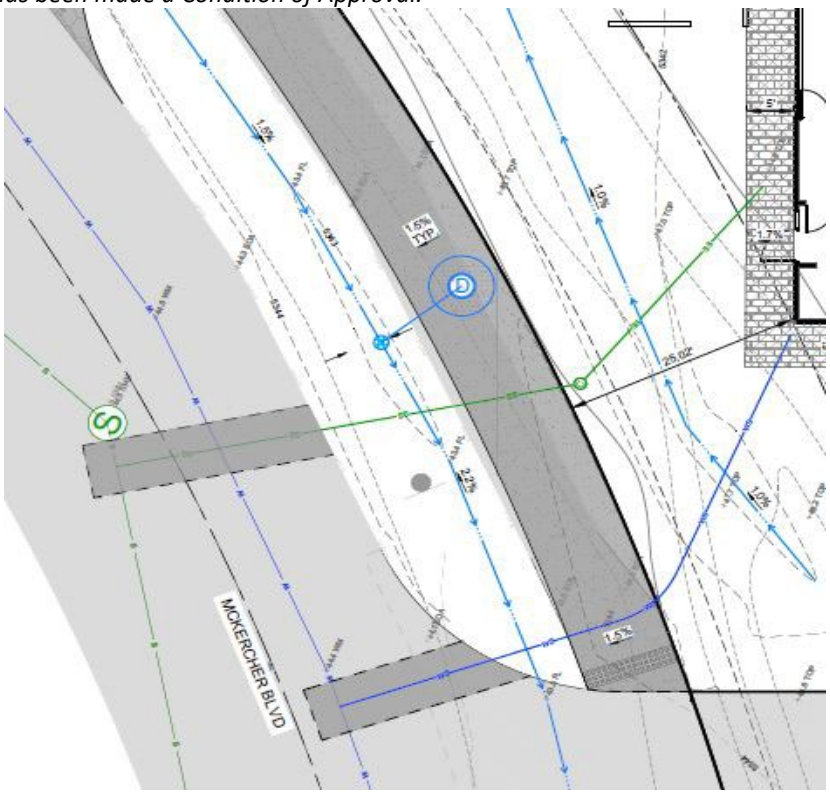
Public Hearing: A public hearing before the Planning and Zoning Commission was held on August 1, 2022, in the Hailey City Council Chambers and remotely via GoTo Meeting. The project was continued, as the Commission requested that a Water Model Study be provided. A public hearing before the Planning and Zoning Commission will be held on September 19, 2022, in the Hailey City Council Chambers and remotely via GoTo Meeting.

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**: *A Water Model Study was recommended by the City Engineer to prove water pressure and flow rates in this area. This study has been provided and is attached to this report. In summary, the Hydraulic Modeling Study and Memorandum from Clear Solutions Engineering notes that the impacts of the proposed development are negligible, and the City's water system will*

				continue to operate at an acceptable level with the additional demand (refer to the 'Background and Application' section of this report for further details). *This analysis, while completed by a third party, will also be reviewed by the city's contract engineer (SPF/HDR) for review and comment. Comments made by SPF/HDR have been noted herein (refer to the 'Background and Application' section of this report for further details).*
				Life/Safety: *The building shall comply with IFC and IBC code requirements. No additional comments at this time.*
				Water and Sewer: *No comments*
				Building*: No comments*
				Streets: *Drywell Permits shall be applied for at the time of the Building Permit.* *An aging eight (8) foot wide multiuse asphalt pathway exists along the property frontage (McKercher Boulevard) of the project. In lieu of the installation of a sidewalk or sidewalk in-lieu fees, the Applicant is required to reconstruct and increase this pathway to ten (10) feet in width along the property frontage, as well as the installation street trees (required by the Final Plat of L.L. Greens).* *The Streets Division recommends that the Applicant install audible warning inserts at the crosswalks over the easement between the subject parcel and L.L. Greens. This has been made a Condition of Approval.* *Regarding drainage improvements, the Streets Division further recommends that the proposed drywell located within the multiuse asphalt path be relocated outside of the pathway (see image within the Staff Report for further details). This has been made a Condition of Approval.* *Additionally, the Streets Division requests the following:* - *No winter parking will be permitted along McKercher Boulevard and First Avenue. Any issues that arise or towing expenses will be the responsibility of the owner and/or HOA.* *This has been made a Condition of Approval.*
☐	☐	☒	**17.08A Signs**	**17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.**
			Staff Comments	*N/A, as no signage is proposed at this time. Signage must be reviewed via a Sign Permit Application, if proposed, and comply with City Standards. The Commission found that this standard has been met.*
☒	☐	☐	**17.09.040 On-site Parking Req.**	**See Section 17.09.040 for applicable code.**
			Staff Comments	*The proposed project is located within the Downtown Residential Overlay (DRO). The Hailey Municipal Code requires a minimum of one (1) parking space per residential dwelling unit. The project proposes a total of 44 residential units, thereby requiring that 44 onsite parking spaces be provided.* *The site plan shows a total of 56 parking spaces, which includes eight (8) guest parking spaces, as outlined within the DRO – at least one (1) parking space shall be provided for every six (6) dwelling units where the public right-of-ways*

				are not improved. This provision requires that approximately eight (8) additional spaces be provided onsite, and the Applicant Team has shown eight (8) guest spaces and four (4) extra spaces in addition to the required 44 spaces. The total number of spaces provided onsite is 56 parking stalls. *Further, thirty-three (33) of the proposed spaces will be enclosed and on the ground level within the proposed building. These spaces will be guest, regular, compact and ADA. Twenty-one (21) spaces will be exterior spaces along the eastside of the structure. These spaces will be covered, uncovered, guest, regular, compact, and ADA. Two (2) additional spaces, located off the westernmost driveway access easement, are proposed as guest spaces. Three (3) accessible spaces have also been provided onsite: two (2) are located within the structure and one (1) space is located along the eastern side of the building, and closest to the lobby entrance, stairs, and elevator.*  *The project meets the total number of parking spaces required by the Hailey Municipal Code. The Commission found that 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.** *The parking requested above City Standards are not in excess of 200%. Fifty-six (56) spaces are proposed; fifty-two (52) spaces are required. The Commission found that 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 a variety of light fixtures. Cut sheets are attached and comply with Dark Sky Standards. The proposed fixtures can be reviewed on A1.1 of the Additional Drawings Set. The Commission found that this standard has been met.*
☒	☐	☐	**Bulk Requirements**	**Zoning District: Business** **Maximum Height: 35'** **Required Setbacks:** • **Front Yard: 0'** • **Side Yards: 0'** • **Rear Yard: 0'**
			Staff Comments	***Zoning District(s):*** *Business (B) and Downtown Residential Overlay (DRO)* ***Proposed Height:*** *35' from Finished Floor* ***Proposed Setbacks:*** • *Front Yard: 25' (as required by the plat)* • *Side Yard (east): 23'* • *Side Yard (west): 4'-2"* • *Rear Yard: 0'* *The proposed project complies with setback requirements of the Hailey Municipal Code. The building height shall be measured from record grade, not finished floor. This has been made a Condition of Approval.* *The Commission found that this standard has 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	*An aging eight (8) foot wide multiuse asphalt pathway exists along the property frontage (McKercher Boulevard) of the project. In lieu of the installation of a sidewalk or sidewalk in-lieu fees, the Applicant is required to reconstruct and increase this pathway to ten (10) feet in width along the property frontage, as well as the installation street trees (as required by the Final Plat of L.L. Greens). To provide some sound protection on the second and third levels, the Applicant Team suggested the addition of conifer trees in-lieu of the currently proposed deciduous trees along McKercher Boulevard. City Staff prefers to see tree species from the Approved Street Tree list utilized in this area, as said trees, while located on private property, are considered street trees. The Commission concurred that the trees along McKercher Boulevard, while on private property, are considered street trees and should follow the guidelines implemented by the Hailey Tree Committee. They further agreed that the proposed tree species be selected from the Approved Street Tree list, and not include coniferous trees, as proposed by the Applicant.*

				The Streets Division recommended that the Applicant install audible warning inserts at the crosswalks over the easement between the subject parcel and L.L. Greens. This has been made a Condition of Approval. *Regarding drainage improvements, the Streets Division further recommended that the proposed drywell located within the multiuse asphalt path be relocated outside of the pathway (see image below for further details). This has been made a Condition of Approval.* 
☐	☐	☒	**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 site is not in Townsite Overlay. The Commission found that this standard has been met.*

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

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

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

☒	☐	☐	**17.06.080(A)1a**	**a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings.**
			Staff Comments	*The proposed building follows the grid pattern in downtown Hailey. The primary walls of the proposed building are oriented east/west, with the primary entrance facing north and having frontage off McKercher Boulevard. Exterior spaces are proposed along the north and south sides of the building, creating open spaces around the building that are usable by the residents of the building. Entries to and from the building are located adjacent to these open space areas.* *The Commission found that 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	*N/A, as the site does not contain any existing mature landscaping. The Commission found that 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	*An aging eight (8) foot wide multiuse asphalt pathway exists along the property frontage (McKercher Boulevard) of the project. In lieu of the installation of a sidewalk or sidewalk in-lieu fees, the Applicant is required to reconstruct and increase this pathway to ten (10) feet in width along the property frontage, as well as the installation of street trees (required by the Final Plat of Lots 1A and 1B). To provide some sound protection on the second and third levels, the Applicant Team suggested the addition of conifer trees in-lieu of the currently proposed deciduous trees along McKercher Boulevard. City Staff prefers to see tree species from the Approved Street Tree list utilized in this area, as said trees, while located on private property, are considered street trees. The Commission concurred that the trees along McKercher Boulevard, while on private property, are considered street trees and should follow the guidelines implemented by the Hailey Tree Committee. They further agreed that the proposed tree species be selected from the Approved Street Tree list, and not include coniferous trees, as proposed by the Applicant.* *To ensure safe pedestrian access through the site, the Applicant has designed a four-foot (4') wide heated paver walkway from the primary entrance through the open space parcel and to the multiuse asphalt pathway. A covered paver walkway, approximately five feet (5') wide is proposed along the eastern side of the building, where it transitions around the corner and west to an uncovered pathway and connects to the trash area/easement between the subject parcel and Sublot 1A (L.L. Greens). Circulation to all entrances is pedestrian friendly and provides safe access to/from the building.* *The Commission found that 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	*The Applicant is proposing a trash enclosure area at the southwestern corner of the building. A heated paver walkway is proposed leading up to the enclosure area, which is screened by opening doors. This enclosure area can be accessed via an existing driveway access easement. A letter from Clear Creek Disposal was provided to City Staff on August 4, 2022, commenting on the adequacy of said enclosure/accessibility. The Commission found that 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 this block does not contain a platted alley. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)1f**	**f. Vending machines located on the exterior of a building shall not be visible from any street.**
			Staff Comments	*N/A, as no vending machines will be located on the exterior of the building. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)1g**	**g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. *(NOTE: If project is 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	*Most of the onsite parking is located within the proposed structure. All other onsite parking is located along the eastern side of the structure. A useable prominent entrance is located on the front of the building and the parking area is buffered from the street by a multiuse asphalt pathway, open space, and building.* *Additionally, the Streets Division requested the following:* *- No winter parking will be permitted along McKercher Boulevard and First Avenue. Any issues that arise or towing expenses will be the responsibility of the owner and/or HOA.* *This has been made a Condition of Approval.*
☐	☐	☒	**17.09.020.02**	**Loading Space Requirements and Dimensions: The following regulations apply to all commercial and industrial uses with onsite loading areas:** **a. Requirements: One loading space shall be provided for any single retail, wholesale or warehouse occupancy with a floor area in excess of 4,000 square feet, except grocery and convenience stores where one loading space shall be provided for a floor area in excess of 1,000 square feet. An additional loading space shall be required for every additional 10,000 square feet of floor area, except grocery and convenience stores where an additional loading space shall be required for every additional 5,000 square feet of floor area. Such spaces shall have a minimum area of 500 square feet, and no dimension shall be less than 12'.**
			Staff Comments	*N/A, as the proposed use is residential. No retail, wholesale or warehouse occupancy is proposed. The Commission found that this standard has been met.*
☒	☐	☐	**17.09.020.09A(3)**	**Screening and Landscaping:** **A. Screening from Residential Property:**

				1. All loading space areas and parking areas shall be screened from the public street and shall be screened on all sides which adjoin or face any residential property. **2. The screening shall consist of an acceptably designed wall, fence or drought tolerant landscaping.** **3. Such a fence or wall shall not be less than four (4') feet nor more than six (6') feet in height and shall be maintained in good condition. The space between such fence or wall and the lot line of the adjoining premises in any residential district shall be landscaped with drought tolerant landscaping and maintained in good condition.**
			Staff Comments	*Onsite parking along the eastern side of the proposed building faces the large residential parcel to the east. The Applicant Team is proposing a ten-foot-wide (10') landscape buffer to the east of the proposed Driveway Access, Drainage, Landscaping and Utilities Easement to screen said parking from any future residential properties within that block. The landscaping proposed is drought tolerant and will be maintained in a healthy condition by the Owner.* *The Commission found that this standard has been met.*
☒	☐	☐	**17.09.020.09B**	**B. When Buffer Required: When a project is being reviewed pursuant to Chapter 17.06 of this title, and an existing onsite parking area is located adjacent to a sidewalk, a landscape buffer is required between the surface of the parking area and the sidewalk.**
			Staff Comments	*Please refer to Section 17.06.080(A)1g for further detail. The Commission found that 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	*This block does not contain a platted alley. The onsite parking area can be accessed via a new curb cut along McKercher Boulevard (a 26'-wide driveway access easement). The location of the access and parking area are along the eastern side of the proposed building, which buffers the parking from the street and preserves the street frontage for pedestrian traffic. Two (2) additional parking spaces can be accessed via the existing driveway access easement along the western side of the building. These spaces are enclosed within the proposed structure. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)1i**	**i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.**
			Staff Comments	*Snow storage areas have been provided onsite where practical. The Applicant also intends to haul snow from the site where needed. The Commission found that 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 site plan proposes approximately 1,166 square feet of snow storage areas for Lot 1B, which is 85% more than the improved parking, vehicle, and pedestrian circulation areas. These areas do not impede vehicular circulation areas; however, it appears that a snow storage area is proposed in the open space located to the rear of the building. Snow shall not be stored within useable open spaces areas and shall be relocated from this space. This has been made a Condition of Approval.*

☒	☐	☐	**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 vary in width, and they appear to meet all requirements. The Commission found that 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	*It is anticipated that snow will be stored onsite, as well as hauled from the site, where necessary. The Commission found that 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 to not impede parking areas, nor vehicular circulation of the site. It appears that a snow storage area is proposed in the open space located to the rear of the building. Snow shall not be stored within useable open spaces areas and shall be relocated from this space. This has been made a Condition of Approval.*
☒	☐	☐	**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 areas contain shrubs, native grasses, and other low-lying plants. The Commission found that this standard has been met.*

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(A)2a**	**a. The proportion, size, shape, and rooflines of new buildings shall be compatible with surrounding buildings.**
			Staff Comments	*The proposed building responds to the layout of the individual housing units. The articulation of the exterior decks, rooflines, and materials complement the surrounding area. The roofline is articulated in a comparable manner to the surrounding area with varying overhangs and parapets that provide human scale to the overall massing, as well as visual identity to each individual residence. The building is proportional in size and shape to the surrounding building(s) (AmericInn), and the use of natural stone, exposed structural timber and siding offer warmth, variety, and visual interest.* *The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2b**	**b. Standardized corporate building designs are prohibited.**
			Staff Comments	*N/A, as the proposed building design is not a standardized corporate building design. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2c**	**c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.**
			Staff Comments	*The Applicant has integrated the building to the surrounding site and greater area. Open space areas, pathway connections and various exterior materials emphasize human scale, are pedestrian oriented and encourage human activity. The large trees and landscape features provide screening for both residents and neighbors. Walkways framed by low level gabions provide wayfinding and exterior seating that encourages human activity. Green space and a parklet are proposed along McKercher Boulevard to further enhance pedestrian interaction.*

				The Commission found that this standard has been met.
☒	☐	☐	**17.06.080(A)2d**	**d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.**
			Staff Comments	*The front façade and front entry of the building faces McKercher Boulevard. Paver pathways, open space, and seating areas adjacent to the primary entrance create human scale and break up larger building surfaces.* NORTH ELEVATION *The enclosed parking podium is expressed in the form of natural rock filled gabions while mass timber (glulam/CLT) members articulate the structure. The housing units themselves, rest on top of this stone base and create a rhythm of board/baton covered masses and light exterior decks. The roof line is articulated in a comparable manner with varying overhangs and parapets that give a human scale to the overall building massing and a visual identity to each individual residence. The use of trellising, overhangs, and fenestration in the form of railings and siding provide shade, scale, and privacy. The use of natural stone, exposed structural timber and siding expressed in warm earth tones, with black/bronze steel railings and facias, together offer multiple layers of material expression and detail.* *The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2e**	**e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.**
			Staff Comments	*N/A, as no expansion is planned at this time. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2f**	**f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.**
			Staff Comments	*A variety of materials will be used on the exterior, as described in Section 17.06.080(A)2d above. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2g**	**g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.**
			Staff Comments	*Building colors are shown on the elevations. Colors are broken on various elements to help break up mass and be harmonious with other neighboring buildings. Please refer to Section 17.06.080(A)2d above for further detail. The Commission found that this standard has been met.*

☒	☐	☐	**17.06.080(A)2h**	**h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.**
			Staff Comments	*The proposed building is three stories in height and contains a flat roof. The variety of colors utilized, proposed decks and overhang features, and vertical siding and natural stone, provide depth, shadow lines, and human scale to the building façades. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2i**	**i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:** **i. Solar Orientation. If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within 30 degrees of true south.** **ii. South facing windows with eave coverage. At least 40% of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.** **iii. Double glazed windows.** **iv. Windows with Low Emissivity glazing.** **v. Earth berming against exterior walls** **vi. Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site.** **vii. Exterior light shelves. All windows on the southernmost facing side of the building shall have external light shelves installed.**
			Staff Comments	*The building incorporates the following techniques that minimize its energy consumption:* *- All windows will be double glazed and incorporate low emissivity glazing properties* *- The proposed building utilizes mass timber and prefabrication to mitigate excessive use of concrete and construction waste* *- The prefabricated building components will be manufactured from Idaho, mitigating the costs of transport and logistics* *- The building will be entirely electric, with no gas service* *- Energy Star Appliances will be utilized* *- Windows on the south side of the building will have trellis/shade features* *- The building will be constructed with conduit for future solar and electric vehicle charging stations. Wire for solar and EV chargers will be run at the time of solar panel or EV charger install.* *The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2j**	**j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.**
			Staff Comments	*Pedestrian areas are either under covered walkways or have the appropriate snow retention devices above to prevent snow from falling directly onto adjacent sidewalks. Pathways to the primary entrance, drive entry and trash enclosure area are proposed to incorporate heat to further mitigate snow and ice buildup within these areas. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)2k**	**k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.**

			Staff Comments	*Downspouts from the building appear to be routed underground to a drywell. All downspouts, overflow downspouts, and roof leaders will either drain into drywells or into landscape areas only and not onto pedestrian and hardscape locations. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2l**	**l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).**
			Staff Comments	*NA, as no drive-through canopies are proposed. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)2m**	**m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.**
			Staff Comments	*N/A, as a Master Signage Plan is not required of a single-tenant building. The Commission found that this standard has been met.*

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. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)3b**	**b. Accessory structures shall be located at the rear of the property.**
			Staff Comments	*N/A, as no accessory structures are proposed. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)3c**	**c. Walls and fences shall be constructed of materials compatible with other materials used on the site.**
			Staff Comments	*N/A, as no walls or fences are proposed at this time. The Commission found that 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	*N/A, as no walls or fences are proposed at this time. The Commission found that 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	*Roof-mounted equipment is proposed and will be located toward the center of the roof. All roof-mounted mechanical equipment shall be screened or not visible from the ground level of on-site parking areas, adjacent streets, and properties. This has been made a Condition of Approval.*
☒	☐	☐	**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	*The Applicant intends to construct the building with conduit for future solar and electric vehicle charging stations. The wiring for solar and EV chargers will be run at the time of solar panel or EV charger install. No additional hardware for*

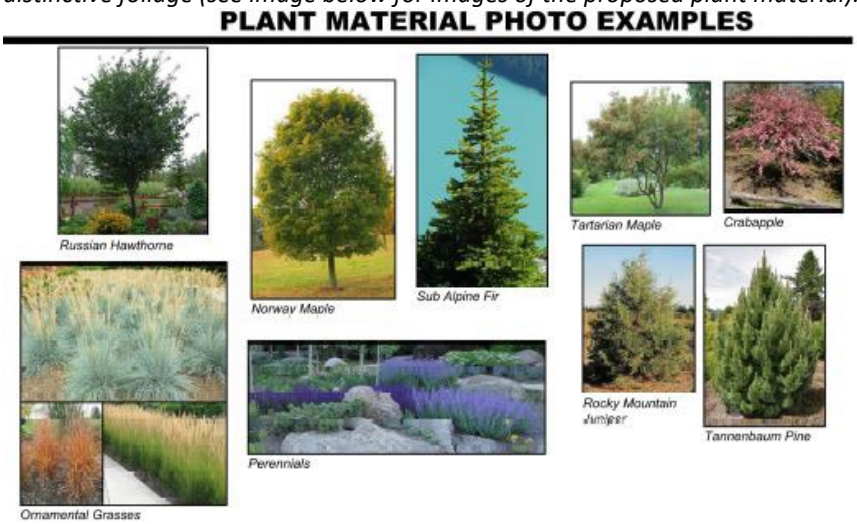
				alternative energy sources is proposed at this time. The Commission found that this standard has been met.
☒	☐	☐	**17.06.080(A)3g**	**g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets using a wall, fence, or landscaping, or shall be enclosed within a building.**
			Staff Comments	*Ground-mounted mechanical equipment is not anticipated for the proposed building. All service lines into the property shall be installed underground and no service equipment shall be placed on utility poles. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)3h**	**h. All service lines into the subject property shall be installed underground**
			Staff Comments	*All service lines shall be installed underground. City Staff requests that, if applicable, transformer locations be shown on the Building Permit drawings. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)3i**	**i. Additional appurtenances shall not be located on existing utility poles.**
			Staff Comments	*N/A, as no additional appurtenances are proposed. The Commission found that 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	*Drought tolerant plant species are proposed. The Applicant is proposing the following landscaping onsite:* *Trees:* - *Three (3) Washington Hawthorn Trees at 2 ½" caliper* - *Three (3) Thornless Honeylocust Trees (Street Trees) at 4" caliper* - *Three (3) Autumn Blaze Maple Trees at 4" caliper* - *Three (3) Tartarian Maple Trees at 3" caliper* - *One (1) Crabapple Morning Princess Tree at 2 ½" caliper* *Evergreen Trees (19 at 12' in height or ~3" caliper):* - *Sub Alpine Fir* - *Colorado Spruce* - *Austrian Pine* *Small Evergreen Trees (11 total at 15 gallons each or ~2 ½" caliper):* - *Rocky Mountain Juniper* - *Tannenbaum Pine* *Shrub Massing (35 total at 5 gallons each):* - *Peking Cotoneaster* - *Diablo Ninebark* - *Miss Kim Lilac* - *Snowmound Spirea* - *Tor Birchleaf Spirea* - *Common Snowberry* *Ornamental Grasses and Perennials (180 total at 5 gallons each):* - *Reed grass* - *Flame Grass* - *Blue Oat Grass* - *Black Eye Susan* - *Lavender* - *Salvia* *Grass Space (1,300 square feet of sod):* - *Drought tolerant Wood River Low Maintenance Scottish Links (Hard Fescue, Chewing Fescue, Sheep Fescue, Idaho Fescue)* *To provide some sound protection on the second and third levels, the Applicant Team is suggesting the addition of conifer trees in-lieu of the currently proposed deciduous trees along McKercher Boulevard. City Staff prefers to see tree species from the Approved Street Tree list utilized in this area, as said trees, while located on private property, are considered street trees, and were required as part of the Final Plat process for Lot 1A and 1B (L.L. Green's). The Commission agreed and found the trees along McKercher Boulevard to be street trees and recommended that an approved species from the Street Tree List be utilized.* *The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)4b**	**b. All plant species shall be hardy to the Zone 4 environment.**
			Staff Comments	*Plant materials will be appropriate for the Zone 4 environment. The Commission found that 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	*A drip irrigation system will be installed according to City Standards. The automatically controlled system includes a smart controller and rain sensor for a water wise system. Low water use rotator nozzles will be installed in grass spaces and irrigation systems will not be placed against the pavement – these will be positioned in a way that they do not spray water on the pavement or other hardscape areas. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)4d**	**d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.**
			Staff Comments	*Proposed landscaping is varied. A combination of trees, shrubs, and native grasses will be utilized to soften the site. This is a newly landscaped area, and more than ten (10) trees are proposed. The Applicant is proposing a total of 43 trees. The breakdown is as follows:* - *A minimum of 10% of the trees, or four (4) of the trees, shall be at least a four-inch (4") caliper. The Applicant is proposing a total of six (6) trees at a 4" caliper.* - *A minimum of 20% of the trees, or eight (8) trees, shall be at least a three-inch (3") caliper. The Applicant is proposing a total of twenty-two (22) trees at a 3" caliper.* - *A minimum of 20% of the trees, or eight (8) trees, shall be at least a two-and-one-half-inch (2 ½") caliper. The Applicant is proposing a total of fifteen (15) trees at a 2 ½" caliper.* *The Commission suggested that the Applicant Team reduce the total number of four-inch (4") caliper trees, as a Text Amendment to reduce all trees onsite, included street trees, to no less than a two-and-one-half (2 ½") caliper, will go into effect soon. The Applicant agreed and will revise the Landscape Plan accordingly.*
☐	☐	☒	**17.06.080(A)4e**	**e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.**
			Staff Comments	*N/A, as this parcel is located within the Business (B) Zoning District. The Commission found that this standard has been 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	*The subject parcel is located within the Business (B) Zoning District. The landscape plan incorporates a variety of trees, shrubs, grasses and perennials that soften the site, while also providing visual interest from the various colors, textures and forms of each plant. There are also open areas that further enhance the site – open space, benches and parklet seating, heated pathways, and distinctive foliage (see image below for images of the proposed plant material).*  *The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)4g**	**g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.**
			Staff Comments	*Storm water runoff is located within the landscaping beds, turf area, and/or drywells, as shown on the civil plans. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(A)4h**	**h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).**
			Staff Comments	*The Applicant shall be responsible for maintaining plant material in a healthy condition. Plants were chosen for reduced maintenance, drought tolerance and ability to thrive in the conditions on-site. The Commission found that 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	*N/A, as no retaining walls are proposed at this time. The Commission found that 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	*N/A, as no retaining walls are proposed at this time. The Commission found that 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	*N/A, as no retaining walls are proposed at this time. The Commission found that 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	*N/A, as no retaining walls are proposed at this time. The Commission found that 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	*N/A, as no retaining walls are proposed at this time. The Commission found that this standard has been met.*
☐	☐	☒	**17.06.080(A)4n**	**n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.**
			Staff Comments	*N/A, as no retaining walls are proposed at this time. The Commission found that this standard has been met.*

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

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(D)1a**	**a. The location of the buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.**
			Staff Comments	*The proposed building complements the surrounding area and adjacent uses. The proposed residential use within the Business (B) Zoning District will create a strong transition from adjacent commercial uses, Albertsons, L.L. Greens (proposed), and the AmericInn. The proposed building will create a natural transition from commercial use to higher-density residential use, and in-turn, to less-dense residential use that is evident in the original Townsite.* *Integration of the building to the surrounding site and landscape is an imperative facet of the project with a variety of key large trees and landscape features providing screening for both residents and neighbors alike. Walkways framed by low level gabions provide way finding and exterior seating that allows the green space/parklet provided on McKercher Boulevard, to give the residents an attractive, exterior communal area. Native plantings, together with sensitive landscape lighting, further embed the structure in the surrounding area.* *The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(D)1b**	**b. Site plans shall include a convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.**

			Staff Comments	*The site plan includes convenient, attractive, and interconnected pedestrian system of pathways, multiuse and perimeter, as well as open space pathways, which reinforces pedestrian circulation of the site. The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(D)1c**	**c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering places.**
			Staff Comments	*An aging eight (8) foot wide multiuse asphalt pathway exists along the property frontage (McKercher Boulevard) of the project. In lieu of the installation of a sidewalk or sidewalk in-lieu fees, the Applicant is required to reconstruct and increase this pathway to ten (10) feet in width along the property frontage, as well as the installation street trees (required by the Final Plat of Lots 1A and 1B).* *To ensure safe pedestrian access through the site, the Applicant has designed a four-foot (4') wide heated paver walkway from the primary entrance through the open space parcel and to the multiuse asphalt pathway. A covered paver walkway, approximately five feet (5') wide is proposed along the eastern side of the building, where it transitions around the southeast corner and moves west to an uncovered pathway. This path connects to the trash area/easement between the subject parcel and Sublot 1A (L.L. Greens). Circulation to all entrances is pedestrian friendly and provides safe access to/from the building.* *Pedestrian amenities include open space at the front and rear of the building. This open space includes seating, turf area, bicycle racks and raised planters to encourage human interaction.* *The Commission found that this standard has been met.*

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

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.080(D)2a**	**a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures and colors to break up the bulk and mass of large multi-family buildings. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.**
			Staff Comments	*The proposed building design provides a transition to adjoining residential neighbors. Design features that reduce the mass of the building include:* - *This building is three stories in height - the total building along all frontages rises to a maximum of 35' allowing for the ground level to be dedicated purely to enclosed parking. The height varies along all frontages, bringing variety and interest to each elevation.* - *The rhythm of the building responds to the layout of the individual housing units, the articulation of exterior decks, roof lines and a material approach that grounds the project in the surrounding area. The roof line is articulated in a comparable manner with varying overhangs and parapets that give a human scale to the overall building massing and a visual identity to each individual residence.* - *The use of trellising, overhangs, and fenestration in the form of railings and siding provide shade, scale, and privacy.*

				- *The proposed open space and landscaping plan further separate the building from less intensive uses.* *The proposed residential use within the Business (B) Zoning District will create a strong transition from adjacent commercial uses, Albertsons, L.L. Greens (proposed), and the AmericInn. The proposed building will create a transition from commercial use to higher-density residential use, and in-turn, to less-dense residential use that is evident in the original Townsite.* *The Commission found that this standard has been met.*
☒	☐	☐	**17.06.080(D)2b**	**b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction.**
			Staff Comments	*The building achieves human scale using a prominent entrance, open space areas, pathway connections and various exterior materials. The landscaping also maximizes human scale and enhances the "sense of place". The large trees and landscape features provide screening for both residents and neighbors. Walkways framed by low level gabions provide wayfinding and exterior seating that encourages human activity. Green space and a parklet are proposed along McKercher Boulevard to further enhance pedestrian interaction.* *The Commission found that 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 Hailey Municipal Code, and City Standards.**

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

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

C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which

security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.

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

The following Conditions are placed on approval of this Application:

a) All applicable Fire Department and Building Department requirements shall be met.
b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Municipal Code at the time of the new use.
c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to, the following requirements and improvements:
    i. Install audible warning inserts at the crosswalks over the easement between the subject parcel and the neighboring parcel (Lot 1A - L.L. Greens).
    ii. Replace the existing asphalt path along McKercher Boulevard and the property's frontage with a new 10' wide multiuse asphalt path.
    iii. The drywell located within the 10'-wide asphalt multiuse path shall be relocated from the path. This revision shall be shown on the Building Permit submittal.
d) The Applicant shall be responsible for winter snow clearing and maintenance of the of the McKercher Boulevard multiuse path.
e) No winter parking will be permitted along McKercher Boulevard and First Avenue. Any issues that arise or towing expenses will be the responsibility of the owner.
f) The Applicant shall be responsible for the maintenance of all landscaping: perimeter, onsite, screening east of the easternmost easement, and street trees.
g) The building height shall be measured from record grade, not the finished floor. The Building Permit plans shall include the building height as measured from record grade.
h) Snow shall not be stored within proposed open space areas. All snow stored within these areas shall be relocated and/or hauled from the site.
i) The project shall be constructed in accordance with the Application or as modified by these Findings of Fact, Conclusions of Law, and Decision.
j) 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.

k) 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.
l) All new exterior lighting shall comply with the Outdoor Lighting Ordinance.
m) Construction parking shall be on private property and not within the City Right-of-Way nor the edge of the road.
n) All ground-mounted and roof-mounted equipment shall be screened from view of surrounding properties.

Signed this _____ day of _____, 2022.

_____
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_____
Jessie Parker, Community Development Assistant

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FINIDNGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 26, 2022, the Hailey Planning and Zoning Commission considered and approved a Text Amendment to the Hailey Municipal Code, submitted by Williams Family Trust and represented by Samantha Stahlnecker, to Title 17: Zoning Regulations, Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.02: Commercial, Professional, Service, Recreation, and Entertainment to change the parking requirement for theatres from one (1) parking stall per 4.5 persons to one (1) parking stall per one thousand (1,000) square feet of gross building area.

Notice:

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

Application & Background:

The Applicant owns Lots 1-2, Block 2 (105 Empty Saddle Trail & 801 North Main Street) in Hailey, as well as Lot 1, Block 1 (111 Empty Saddle Trail), of which, all three are a part of the Saddle River Subdivision and located within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts.

Lot 2, Block 2 of Saddle River Subdivision (801 North Main Street) has operated as a four-plex cinema with seating for a total of five hundred (500) persons. Under a Development Agreement and subsequent amendments (Instrument Numbers 507867 and 544996), the Applicant:

- dedicated a portion of the property to the City of Hailey as an extension of River Street,
- committed to and constructed curb, gutter, sidewalk, and utility improvements on the westside of Main Street, southside of Empty Saddle, and both sides of the River Street extension,
- contributed $6,000 for the installation of asphalt pavement along the River Street extension, and $25,000 for a credit of eight (8) parking spaces (the original Development Agreement stipulated a parking space credit of 29 spaces; the First Amended Development Agreement increased the parking credit to a new total of 37 spaces); and
- developed a total of 136 parking spaces, within the subdivision and for the movie theatre building. The breakdown of parking within Phase I is as follows:
    - 79 parking spaces off-site (on an adjacent lot, owned by the Applicant),
    - 20 on-street parking spaces, and
    - 37 parking spaces credit, as negotiated by the City Council in the First Amended Development Agreement.

Phase II of the project required a total of 172 parking spaces, or an additional 36 parking spaces onsite. However, Phase II included the construction of two (2) additional movie-plexes that were never constructed.

During the height of the COVID-19 pandemic, the movie theatre business was closed for an extended period, and upon reopening, experienced low attendance numbers. In hopes of attendance numbers increasing post-pandemic, the Applicant subsidized the movie theater business by renting the premises for less than market-rate. Unfortunately, the attendance numbers did not increase enough to support a return to market-rate rent, and the movie theatre business closed on August 31, 2022. As such, the building at 801 North Main Street is currently vacant.

Given the unique building layout and the shared value of the movie theatre as an important community

amenity, the Applicant and City Staff would like to maintain the movie theatre use at 801 North Main Street. When assessing the viability of a movie theatre business in downtown Hailey, the Applicant finds the following conditions to be challenging:

1. The current economy of reduced box-office revenue,
2. High labor costs, and
3. The high cost of land in downtown Hailey.

The Applicant contends that a movie theatre business under the aforementioned conditions is only viable if the required parking area footprint is not only reduced but minimized. Therefore, the Applicant is proposing a Text Amendment to the required parking for theatres— stating, "…a reduction in required parking would allow the existing movie theatre to remain as an amenity for the City of Hailey and its residents." In the Text Amendment Application, the Applicant elaborates on and justifies the proposed Text Amendment with the following considerations:

1. The previous movie theatre business found the parking lot to be underutilized;
2. The applicable Zoning Districts favor higher density, which could be achieved with in-fill development instead of parking; and
3. The City's Comprehensive and Master Transportation Plans prefer a) enriching activity centers (like movie theatres) and b) non-motorized transportation modes in Downtown Hailey.

Specifically, the Applicant proposes to change parking requirements for theaters from one (1) parking stall per four-and-one-half (4.5) persons to one (1) parking stall per 1,000 square feet of gross building area by removing "theatres" from the exception laid out in the table under **Section 17.09.040.02**. Below is the proposed modification:

17.09.040.02: COMMERCIAL, PROFESSIONAL, SERVICE, RECREATION, AND ENTERTAINMENT:
All commercial, professional, service, recreation and entertainment uses shall provide improved parking in the amount of one (1) parking space for every one-thousand (1,000) square feet of gross building area, except as follows:

Athletic fields and other outdoor sports facilities	1 space per 5,000 square feet of gross land area.
Auditoriums, ~~**theatres,**~~ sports arenas, and other assembly areas not otherwise regulated herein	1 space for each 4.5 persons at the rated maximum occupancy of the building.
Golf course	2 spaces per hole, 2 spaces per driving range and 2 spaces per putting green, plus space as required for any clubhouse.
Tennis courts	1 space per court.

(Ord. 1191, 2015}

Standards & Criteria for Review:
Section 17.14.060(A) of the Hailey Municipal Code provides "[w]hen evaluating any proposed

amendment under this chapter, the hearing examiner or commission and council shall make findings of fact on the following criteria:

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

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

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

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

1. The proposed amendment is in accordance with the Comprehensive Plan.

A Text Amendment to sustain and encourage the movie theatre use associated with the Applicant's property at 801 North Main Street meets several of the goals of the Comprehensive Plan. Below are the goals that Staff finds most relevant to this project.

- **<u>Section 5: Land Use, Population and Growth Management</u>**
  - **5.2 Maintain Downtown as the area containing the greatest concentration of commercial, cultural, civic activity and the priority area for encouraging higher density commercial and mixed use (commercial and residential) development.**

    The proposed Text Amendment supports maintaining an activity center-- the movie theatre-- in Downtown Hailey, adding to its concentration of commercial, cultural, and civic activity. The proposal may also encourage higher density. For example, if land is not required for parking it can be developed for high density commercial and mixed-use purposes.
  - **5.5 Lessen dependency on the automobile.**

    The Applicant's property is located on a public transit thoroughfare (Main Street) and adjacent to River Street, where walking and bicycling is the City's preferred mode of transportation. In accordance with the existing public transit services on Main Street and in-progress walking and infrastructure on River Street, the Applicant's request to lower the parking requirement for movie theatres aligns with the Comprehensive Plan's goal to lessen dependency (and use) of single-occupancy vehicles.
- **<u>Section 7: Demographics, Cultural Vitality, Social Diversity & Well-Being</u>**
  - **7.2 Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural, and educational enrichment.**

    The movie theatre use that the Applicant seeks to maintain and support, through this Text Amendment Application, may serve as an activity center that will provide cultural, cross-cultural, and educational enrichment.
- **<u>Section 10: Transportation</u>**
  - **10.1 Create and maintain a pedestrian and bicycle-friendly community that provides a safe, convenient and efficient multi-modal transportation system for all Hailey Residents.**

> By lessening dependency on automobiles and supporting non-motorized modes of transportation— for example, through the River Street Mobility Concept— the City of Hailey adheres to its goal of creating and maintaining a pedestrian and bicycle-friendly community with a safe, convenient, and efficient multi-modal transportation system. Shifting resources and land-use to favor walking and biking, rather than driving, will aid the City of Hailey in accomplishing the goals laid out in the Comprehensive Plan.

For additional examples of Comprehensive Plan goals that are relevant to this proposal, see the attached Test Amendment Application.

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

While the Text Amendment Application does not impose additional costs for public facilities and services, it proposes to reduce the amount of parking that the Applicant will provide for a future movie theatre business. Currently, Staff believes the amount of parking available on River Street is adequate, if not in excess. Furthermore, the proposed Text Amendment would allow for infill development that may create higher density uses, which overall would make more efficient use of public facilities and services.

3. The proposed uses are compatible with the surrounding area.

The proposed Text Amendment seeks to sustain and encourage movie theatre use in the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts, and would allow for a greater amount of high-density in-fill development. Both outcomes of the proposal— mixed-use and high-density infill development— are compatible with the existing uses and planning goals for the surrounding area.

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

As explained above, the proposed Text Amendment adheres to the goals of the Hailey Comprehensive Plan. By supporting plans for high-density infill development, multi-modal transportation, and cinematic arts in Downtown Hailey, the proposed Text Amendment supports the public health, safety, and general welfare of the Hailey Community.

CONCLUSIONS OF LAW AND DECISION

Based on the above Findings of Fact, Conclusions of Law and Decision, the Commission, on a unanimous vote, concluded that adequate notice, pursuant to Title 17, Section 17.09.040.02 was given, and is proper. The Commission makes the following recommendations:

a) An Ordinance amending Title 17: Zoning Regulations, Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.02: Commercial, Professional, Service, Recreation, and Entertainment to change the parking requirement for theatres from one (1) parking stall per 4.5 persons to one (1) parking stall per one thousand (1,000) square feet of gross building area.

The Commission thereby recommends approval to the Hailey City Council of Hailey Ordinance No. _____, amending Title 17: Zoning Regulations, Chapter 17.09: Parking and Loading Spaces, Section 17.09.040.02: Commercial, Professional, Service, Recreation, and Entertainment.

Signed this _____ day of _____, 2022.

_____
Janet Fugate, Chair

Attest:

_____
Jessica Parker, Community Development Assistant

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STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of October 3, 2022

To:	Hailey Planning and Zoning Commission
From:	Cece Osborn, Community Development City Planner
Overview:	Consideration of a Preliminary Plat Application by Elevation Builders to subdivide the Duplex Lot at 550 Doc's Hickory Drive (Lot 4,Block 6, Old Cutters Subdivision Duplex Lot) into two (2) Townhouse Sublots, each comprising of 0.115-acre. The existing Duplex Lot contains two (2) built Townhouses, which cannot be sold separately until the lot is subdivided. The project is located within the General Residential (GR) Zoning District.
Hearing:	October 3, 2022

Applicant:	Elevation Builders, Inc. represented by Bruce Smith, PLS of Alpine Enterprises
Location & Size:	Lot 4, Block 6, Old Cutters Subdivision Duplex Lot (550 Doc's Hickory Drive); 0.23 acres
Zoning:	General Residential (GR) Zoning District
Notice:	Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners within 300 feet on the same day, September 14, 2022.

Background: Throughout the development of the Old Cutters Subdivision, the City and Developers have sought to create diverse housing opportunities by platting lots for single-family residences, cottages, and townhouses/duplexes. As such, the project parcel in this application was platted as a Duplex Lot.

As it is stated in Section 16.01, the term Duplex is broadly defined as "a multiple-family dwelling containing two (2) dwelling units." As such, a Townhouse Development of two (2) Townhouse Units may qualify as a Duplex. The definitions for Townhouse Units, Sublots, and Developments are more specific and applicable to the structures on the project parcel (see Section 17.02 of the Hailey Municipal Code).

Given the aforementioned terms and definitions, the Applicant adheres to the intended density for the Duplex Lot— two (2) dwelling units have been built on the project parcel.

Standards of Evaluation for a Subdivision

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**17.06.050**	**Complete Application**
☒	☐	☐	**Department Comments**	**Engineering:** *No comments*
				Life/Safety: *No comments*
				Water and Wastewater: *No comments*
				Building: *No comments*
				Streets: *No comments*
☒	☐	☐	**16.04.010 Development Standards**	**Applicability: The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Title, the Zoning Title and any other applicable Ordinance or policy of the City of Hailey and shall be in accordance with general provisions of the Comprehensive Plan.**
			Staff Comments	*This project accords with the goals of the Old Cutters Subdivision and Hailey's Comprehensive Plan.*

16.04.020: Streets:

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**16.04.020**	**Streets: Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.**
☐	☐	☒	**A.**	**Development Standards: All streets in the subdivision must be platted and developed with a width, alignment, and improvements such that the street is adequate to safely accommodate existing and anticipated vehicular and pedestrian traffic and meets City standards. Streets shall be aligned in such a manner as to provide through, safe and efficient access from and to adjacent developments and properties and shall provide for the integration of the proposed streets with the existing pattern.**
			Staff Comments	*N/A – The public streets are existing.*
☐	☐	☒	**B.**	**Cul-De-Sacs; Dead-End Streets: Cul-de-sacs or dead-end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. Where allowed, such cul-de-sacs or dead-end streets shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Street rights-of-way extended into un-platted areas shall not be considered dead end streets.**
			Staff Comments	*N/A*
☐	☐	☒	**C.**	**Access: More than one access may be required based on the potential for impairment of a single access by vehicle congestion, terrain, climatic conditions or other factors that could limit access.**
			Staff Comments	*N/A*
☐	☐	☒	**D.**	**Design: Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty (80) degrees. Where possible, four-way intersections shall be used. A recommended distance of 500 feet, with a maximum of 750 feet, measured from the center line,**

				shall separate any intersection. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer. Three-way intersections shall only be permitted where most appropriate or where no other configuration is possible. A minimum distance of 150 feet, measured from the center line, shall separate any 2 three-way intersections.
			Staff Comments	*N/A*
☐	☐	☒	**E.**	**Centerlines: Street centerlines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.**
			Staff Comments	*N/A*
☐	☐	☒	**F.**	**Width: Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.**
			Staff Comments	*N/A*
☐	☐	☒	**G.**	**Roadways: Roadway, for the purpose of this section, shall be defined as the area of asphalt from curb face to curb face or edge to edge. Roadway includes areas for vehicle travel and may include parallel or angle in parking areas. The width of roadways shall be in accordance with the adopted City Standards for road construction.**
			Staff Comments	*N/A*
☐	☐	☒	**H.**	**Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope.**
☐	☐	☒	***Staff Comments***	*N/A*
			I.	**Runoff: The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm water Discharge from Construction Activity" for all construction activity affecting more than one acre.**
☐	☐	☒	***Staff Comments***	*N/A*
			J.	**Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards.**
☐	☐	☒	***Staff Comments***	*N/A*
			K.	**Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private)**

				shall not be the same or similar to any other street names used in Blaine County.
☐	☐	☒	***Staff Comments***	*N/A*
			L.	**Private Streets:**
☐	☐	☒	**L. 1.**	**Private streets may be allowed (a) to serve a maximum of five (5) residential dwelling units, (b) within Planned Unit Developments, or (c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, and Service Commercial Industrial districts. Private streets are allowed at the sole discretion of the Council, except that no Arterial or Major Street, or Collector or Secondary Street may be private. Private streets shall have a minimum total width of 36 feet, shall be constructed to all other applicable City Standards including paving, and shall be maintained by an owner's association.**
			Staff Comments	*N/A*
☐	☐	☒	**L. 2.**	**Private streets, wherever possible, shall provide interconnection with other public streets and private streets.**
☐	☐	☒	***Staff Comments***	*N/A*
			L. 3.	**The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C below. The plat shall clearly indicate that the parcel is unbuildable except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat.**
			Staff Comments	*N/A*
☐	☐	☒	**L. 4.**	**Private street names shall not end with the word "Road", "Boulevard", "Avenue", "Drive" or "Street". Private streets serving five (5) or fewer dwelling units shall not be named.**
			Staff Comments	*N/A*
☐	☐	☒	**L. 5.**	**Private streets shall have adequate and unencumbered 10-foot-wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty-five percent (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on-site snow storage areas.**
			Staff Comments	*N/A*
☐	☐	☒	**L. 6.**	**Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (*e.g.*, between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10'x20') if angle parking, or ten feet by twenty-four feet (10'x24') if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.**
			Staff Comments	*N/A*
			M.	**a) Driveways:**
☐	☐	☒	**M. 1.**	**Driveways may provide access to not more than two (2) residential dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single-family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (*e.g.*, no driveway already**

				exists), both lots shall share access via a single driveway. Driveways shall not be named.
			Staff Comments	*The Old Cutters Subdivision requires that all driveways come from the alley, where existing. Two separate driveways provide vehicular access to the duplex lot/sublots via the existing alley.*
☐	☐	☒	**M. 2.**	**Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:** **a) Accessing one residential unit: twelve feet (12')** **b) Accessing two residential units: sixteen feet (16')** **No portion of the required fire lane width of any driveway may be utilized for parking, above ground utility structures, dumpsters or other service areas, snow storage or any other obstructions.**
			Staff Comments	*N/A – Driveways are in place and have been constructed with an all-weather surface. The minimum roadway widths above have been met.*
☐	☐	☒	**M. 3.**	**Driveways longer than 150 feet must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department.**
			Staff Comments	*N/A*
☒	☐	☐	**M. 4.**	**Driveways accessing more than one residential dwelling unit shall be maintained by an owner's association, or in accordance with a plat note.**
			Staff Comments	*It appears that the driveways will be maintained by the property owners; however, the Applicant Team can confirm.*
☒	☐	☐	**M. 5.**	**a) The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback.**
			Staff Comments	*N//A*
☒	☐	☐	**M. 6.**	**No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots.**
			Staff Comments	*N/A*
☐	☐	☒	**N.**	**Parking Access Lane: A parking access lane shall not be considered a street but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.**
			Staff Comments	*N/A*
☐	☐	☒	**O.**	**Fire Lanes: Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.**
			Staff Comments	*N/A*

16.04.030: Sidewalks and Drainage Improvements

Compliant			**Standards and Staff Comments**	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**A.**	**Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable City standards, except as otherwise provided herein.**
			Staff Comments	*All adjacent streets have sidewalks. The sidewalk widths comply with the*

				standards noted in Section 18.06.012.C: Mobility Design.
☒	☐	☐	**B.**	**The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.**
			Staff Comments	*See Section 16.04.030(A).*
☐	☐	☒	**C.**	**New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.**
			Staff Comments	*See Section 16.04.030(A).*
☐	☐	☒	**D.**	**Sites located adjacent to a public street or private street that are not currently through streets, regardless of whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.**
			Staff Comments	*See Section 16.04.030(A.*
☐	☐	☒	**E.**	**The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.**
			Staff Comments	*N/A*

16.04.040: Alleys and Easements

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
			A.	**Alleys:**
☐	☐	☒	**A. 1.**	**Alleys shall be provided in all Business District and Limited Business District developments where feasible.**
			Staff Comments	*N/A*
☒	☐	☐	**A. 2.**	**The minimum width of an alley shall be twenty-six (26') feet.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
☐	☐	☒	**A. 3.**	**All alleys shall be dedicated to the public or provide for public access.**
			Staff Comments	*There is an existing 26'-wide alley adjacent to the proposed sublots. All access will remain from the alley.*
☒	☐	☐	**A. 4.**	**All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.**
			Staff Comments	*N/A – The alley is existing, and all infrastructure has been installed. This standard has been met*
☐	☐	☒	**A. 5.**	**Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the City Engineer. The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.**
			Staff Comments	*N/A*
☐	☐	☒	**A. 6.**	**Dead-end alleys shall not be allowed.**
			Staff Comments	*N/A – This is not a dead-end alley, and no additional alleys are proposed.*
☐	☐	☒	**A. 7.**	**Where alleys are not provided, easements of not less than ten (10) feet in width may be required on each side of all rear and/or side lot lines (total width = 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of**

				utilities.
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
☐	☐	☒	**B.**	**Easements. Easements, defined as the use of land not having all the rights of ownership and limited to the purposes designated on the plat, shall be placed on the plat as appropriate. Plats shall show the entity to which the easement has been granted. Easements shall be provided for the following purposes:**
☒	☐	☐	**B. 1.**	**To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot-wide fisherman's access easement, measured from the Mean High-Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman's access.**
			Staff Comments	*Though the proposed subdivision does not border the Big Wood River, the following easements are shown on the proposed plat:* 1. *A 10'-wide Public Utility Easement along the property frontage of proposed Sublot 1 and Sublot 2.* 2. *A 4'-wide Snow Storage Easement along the property frontage of proposed Sublot 1 and Sublot 2.* 3. *A 5'-wide Snow Storage Easement along the rear property lines of proposed Sublot 1 and Sublot 2, and adjacent to the existing alley.* *City Staff recommends that the following be added as a plat note to the proposed plat:* 10. Recorded Documents that may apply also include; 317964 – Notes, Easements and Restrictions on Plat of Drexler Ranch Subdivision 423951 – Notes, Easements and Restrictions on Plat of A Replat of Drexler Ranch Subdivision 534732 – Hailey Ordinance No. 939, Annexing 534733 – Annexation, Services, and Development Agreement 557818, 567326, 622285, & 623363 – Amended Annexation, Services, and Development Agreement 546901 – Easement Agreement 546902 – Phasing Agreement 548869, 548870 – Hiawatha Canal/Old Cutters Subdivision Maintenance Agreement 549327 – Old Cutters North Entrance Agreement 553633 – Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments & liens 607932, 608314, 623217, 629902 553634 – Notes, Easements, Restrictions on Plat of Old Cutters Subdivision 623363 – Release of Plat note No. 22 556970 – Water Delivery System Maintenance 630142 – Water Delivery System Maintenance and Cost Sharing Agreement *This has been made a Condition of Approval.*
☐	☐	☒	**B. 2.**	**To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High-Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big**

				Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision. The project is not near the Big Wood River, City Staff does not see a need for a new riparian preservation nor river access easement on the project site.*
☒	☐	☐	**B. 3.**	**To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.**
			Staff Comments	*Snow storage easements have been delineated on the Civil Plans. The plat shows a 4'-wide Snow Storage Easement along all property frontages of the proposed sublots, as well as a 5'-wide Snow Storage Easement to the rear of the property and adjacent the existing alley.*

16.04.050: Blocks

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**16.04.050**	**Blocks: The length, width and shape of blocks shall be determined with due regard to adequate building sites suitable to the special needs of the type of use contemplated, the zoning requirements as to lot size and dimensions, the need for convenient access and safe circulation and the limitations and opportunities of topography.**
			Staff Comments	*All existing and/or proposed blocks are shown on the Preliminary Plat.*

16.04.060: Lots

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**16.04.060**	**Lots: All lots shown on the subdivision plat must conform to the minimum standards for lots in the District in which the subdivision is planned. The City will generally not approve single-family residential lots larger than one-half (1/2) acre (21,780 square feet). In the event a single-family residential lot greater than one-half (1/2) acre is platted, irrigation shall be restricted to not more than one-half (1/2) acre, pursuant to Idaho Code §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.**
☒	☐	☐	**A.**	**If lots are more than double the minimum size required for the zoning district, the Developer may be required to arrange lots in anticipation of future re-subdivision and provide for future streets where necessary to serve potential lots, unless the plat restricts further subdivision.**
			Staff Comments	*N/A – This standard does not apply to sublots.*
☐	☐	☒	**B.**	**Double frontage lots shall be prohibited except where unusual topography, a more integrated street plan, or other conditions make it undesirable to meet this requirement. Double frontage lots are those created by either public or private streets, but not by driveways or alleys. Subdivisions providing a platted parcel of 25 feet or more between any street right-of-way and any single row of lots shall not be considered to have platted double frontage lots. The 25-foot-wide parcel provided must be landscaped to provide a buffer between the street and the lot(s).**
			Staff Comments	*N/A*
☐	☐	☒	**C.**	**No unbuildable lots shall be platted. Platted areas that are not buildable shall be**

				noted as such and designated as "parcels" on the plat. Green Space shall be clearly designated as such on the plat.
			Staff Comments	*N/A*
☐	☐	☒	**D.**	**A single flag lot may be permitted at the sole discretion of the Hearing Examiner or Commission and Council, in which the "flagpole" projection is serving as a driveway as provided herein, providing connection to and frontage on a public or a private street. Once established, a flag lot may not be further subdivided, but a lot line adjustment of a flag lot is not considered a further subdivision. The "flagpole" portion of the lot shall be included in lot area but shall not be considered in determining minimum lot width. The "flagpole" shall be of adequate width to accommodate a driveway as required by this ordinance, fire and other applicable codes. Flag lots within the Townsite Overlay District are not allowed, except where parcels do not have street access, such as parcels adjacent to the ITD right-of-way.**
			Staff Comments	*N/A*
☒	☐	☐	**E.**	**All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Section 16.04.020 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.**
			Staff Comments	*The proposed Townhouse Sublots have frontages greater than 12 feet, the required driveway width for one (1) residential unit. Additionally, they have frontage on a public street, Doc's Hickory Drive.*
☐	☐	☒	**F.**	**In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.**
			Staff Comments	*N/A*

16.04.070: Orderly Development

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**A.**	**Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.**
			Staff Comments	*N/A – A phasing plan is neither proposed nor required for the proposed short plat.*
☒	☐	☐	**B.**	**<u>Agreement:</u> Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.**
			Staff Comments	*N/A*
☒	☐	☐	**C.**	**<u>Mitigation of Negative Effects:</u> No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:** **a) Provision of on-site or off-site street or intersection improvements.** **b) Provision of other off-site improvements.** **c) Dedications and/or public improvements on property frontages.** **d) Dedication or provision of parks or green space.** **e) Provision of public service facilities.**

				f) Construction of flood control canals or devices. **g) Provisions for ongoing maintenance.**
			Staff Comments	*The proposed short plat will not influence any of the aforementioned considerations (a-g), primarily because two (2) townhouses are already built on the project parcel. The division of the project Duplex Lot into two (2) Townhouse Sublots will not change the density nor the traffic projected for the neighborhood.*
☐	☐	☒	**D.**	**When the developer of contiguous parcels proposes to subdivide any portion of the contiguous parcels, an area development plan shall be submitted and approved. The Commission and Council shall evaluate the following basic site criteria and make appropriate findings of fact:** ***1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.*** ***2. Non-vehicular circulation routes shall provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.*** ***3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.*** ***4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.*** ***5. Park land shall be most appropriately located on the Contiguous Parcels.*** ***6. Grading and drainage shall be appropriate to the Contiguous Parcels.*** ***7. Development shall avoid easements and hazardous or sensitive natural resource areas.*** **The commission and council may require that any or all contiguous parcels be included in the subdivision.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision. The project Duplex Lot specifically addresses the Community Housing goals for the neighborhood.*

16.04.080: Perimeter Walls, Gates and Berms

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**16.04.080**	**The City of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The City shall also not allow any perimeter landscape berm more than 3' higher than the previously existing (original) grade.**
			Staff Comments	*N/A – The proposed project does not include any type of perimeter wall nor gate.*

16.04.090: Cuts, Fills, Grading and Drainage

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**A.**	**Plans Required: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*

☐	☐	☒	**A. 1.**	**A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
☐	☐	☒	**A. 2.**	**A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information:** **b) Proposed contours at a maximum of two (2) foot contour intervals;** **c) Cut and fill banks in pad elevations;** **d) Drainage patterns;** **e) Areas where trees and/or natural vegetation will be preserved;** **f) Location of all street and utility improvements including driveways to building envelopes; and** **g) Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
			B.	**Design Standards: The proposed subdivision shall conform to the following design standards:**
☐	☐	☒	**B. 1.**	**Grading shall be designed to blend with natural land forms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, and the construction of the existing townhouses.*
☐	☐	☒	**B. 2.**	**Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, during which the project site was identified as beneficial for Community Housing.*
☐	☐	☒	**B. 3.**	**Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, and the construction of the existing Townhouses.*
☐	☐	☒	**B. 4.**	**Where cuts, fills or other excavation are necessary, the following development standards shall apply:** **b) Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.** **c) Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing & Materials (ASTM).** **d) Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.** **e) Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet**

				horizontally of the top of existing or planned cut slope. **f) Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, and the construction of the existing Townhouses.*
☐	☐	☒	**B. 5.**	**The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the City engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Storm-water Discharge from Construction Activity" for all construction activity affecting more than one acre.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, and the construction of the existing Townhouses.*

16.04.100: Overlay Districts

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
			A.	**Flood Hazard Overlay District:**
☐	☐	☒	**A. 1.**	**Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.**
			Staff Comments	*N/A – The proposed short plat is not located within the Flood Hazard Overlay District.*
☐	☐	☒	**A. 2.**	**Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.**
			Staff Comments	*N/A – The proposed short plat is not located within the Flood Hazard Overlay District.*
☐	☐	☒	**A. 3.**	**Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.**
			Staff Comments	*N/A – The proposed short plat is not located adjacent to the Big Wood River or its tributaries.*
☐	☐	☒	**B.**	**Hillside Overlay District:**
☐	☐	☒	**B. 1.**	**Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 17.04N, of the Hailey Municipal Code.**
			Staff Comments	*N/A – The proposed short plat is not located within the Hillside Overlay District.*
☐	☐	☒	**B. 2.**	**Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.**
			Staff Comments	*N/A – The proposed short plat is not located within the Hillside Overlay District.*
☐	☐	☒	**B. 3.**	**All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.**
			Staff Comments	*N/A – The proposed project site already contains two (2) built Townhouses.*

16.04.110: Parks, Pathways and Other Green Spaces

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☐	☐	☒	**A.**	**Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.**

			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
			A. 1.	**Parks:**
☐	☐	☒	**A. 1. a.**	**The developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sub-lots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for Parks. Parks shall be developed within the City of Hailey and set aside in accordance with the following formula:** **P = x multiplied by .0277** **"P" is the Parks contribution in acres** **"x" is the number of single-family lots, residential townhouse sub-lots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, "x" is maximum number of residential lots, sub-lots, and units possible within the subdivision based on current zoning regulations.**
			Staff Comments	*See Section 16.04.110(A).*
☐	☐	☒	**A.1.b**	**In the event the subdivision is located in the Business (B), Limited Business (LB), Neighborhood Business (NB), or Transitional (TN) zoning districts, the area required for a Park shall be reduced by 75%, but in no event shall the area required for a Park/Cultural Space exceed 17.5% of the area of the lot(s) being developed.**
			Staff Comments	*N/A – The proposed short plat is located in the General Residential (GR) Zoning District.*
☐	☐	☒	**A. 2.**	**Pathways: The developer of any subdivision, or any part thereof, shall provide pathways for all trails and paths identified in the master plan that are located on the property to be subdivided or on City property adjacent to the property to be subdivided, and sidewalks required by this ordinance.**
			Staff Comments	*See Section 16.04.110 (A).*
☐	☐	☒	**B.**	**Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly:** **a) By the same individual(s) or entity(is), including but not limited to corporation(s), partnership(s), limited liability company(is) or trust(s), or** **b) By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where a) such individual(s) or entity(is) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or b) the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),** **c) Multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sub-lots or condominium units, are subject to the provisions of this ordinance, and shall provide the required improvements subject to the required standards at or before the platting or development of the lots, sub-lots or units.** d) **Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.**

			Staff Comments	*N/A, as these issues were covered in the full development of the Old Cutters Subdivision and does not apply specifically to the subject parcel.*
☐	☐	☒	**C.**	**Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
			D.	**Minimum Requirements:**
☐	☐	☒	**D. 1.**	**Private Green Space: Use and maintenance of any privately-owned green space shall be controlled by recorded covenants or restrictions which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the council.**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, the proposed short plat does not add to nor change any private green space in the Old Cutters Subdivision.*
☐	☐	☒	**D. 2.**	**Neighborhood Park: A neighborhood park shall include finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), dog station(s), bike racks, park bench(es), parking as required by ordinance, and two or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. Neighborhood Parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation. A neighborhood park shall be deeded to the City upon completion, unless otherwise agreed upon by the developer and City.**
			Staff Comments	*N/A*
☐	☐	☒	**D. 3.**	**Mini Park: A mini park shall include finished grading and ground cover, trees and shrubs, picnic table(s), trash container(s), dog station(s), bike racks and park bench(es). All mini parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation.**
			Staff Comments	*N/A*
☐	☐	☒	**D. 4.**	**Park/Cultural Space: A park/cultural space shall include benches, planters, trees, public art, water features and other elements that would create a gathering place. Connective elements, such as parkways or enhanced sidewalks may also qualify where such elements connect two or more parks or park/cultural spaces.**
			Staff Comments	*N/A*
☐	☐	☒	**D. 5.**	**Pathway: Pathways shall have a minimum twenty-foot (20') right-of-way width and shall be paved or improved as recommended by the Parks and Lands Board. Construction of Pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the Council otherwise allows when deemed beneficial for the project. The Developer shall be entitled to receive a Park dedication credit only if the Developer completes and constructs a Pathway identified in the Master Plan or completes and constructs a Pathway not identified in the Master Plan where the Pathway connects to existing or proposed trails identified in the Master Plan. The City may permit easements to be granted by Developers for Pathways identified in the Master Plan, thereby allowing the Developer to include the land area in the determination of setbacks and building**

				density on the site, but in such cases, a Park dedication credit will not be given. A Developer is entitled to receive a credit against any area required for a Park for every square foot of qualified dedicated Pathway right-of-way.
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision.*
☒	☐	☐	**E.**	**Specific Park Standards: All Parks shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):**
☒	☐	☐	**E. 1.**	**Shall meet the minimum applicable requirements required by Subsection D of this section.**
			Staff Comments	*N/A*
☒	☐	☐	**E. 2.**	**Shall provide safe and convenient access, including ADA standards.**
			Staff Comments	*N/A*
☒	☐	☐	**E. 3.**	**Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. If a Park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.**
			Staff Comments	*N/A*
☒	☐	☐	**E. 4.**	**Shall be configured in size, shape, topography and improvements to be functional for the intended users. To be eligible for Park dedication, the land must, at a minimum, be located on slopes less than 25 degrees, and outside of drain ways, floodways and wetland areas. Mini Parks shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.**
			Staff Comments	*N/A*
☒	☐	☐	**E. 5.**	**Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.**
			Staff Comments	*N/A*
☒	☐	☐	**E. 6.**	**Shall require low maintenance or provide for maintenance or maintenance endowment.**
			Staff Comments	*N/A*
☒	☐	☐	**F.**	**Specific Pathway Standards: All Pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):**
☒	☐	☐	**F. 1.**	**Shall meet the minimum applicable requirements required by Subsection D of this section.**
			Staff Comments	*N/A*
☒	☐	☐	**F. 2.**	**Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.**
			Staff Comments	*N/A*
			G.	**Specific Green Space Standards: If green space is required or offered as part of a subdivision, townhouse or condominium development, all green space shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):**
☒	☐	☐	**G. 1.**	**Shall meet the minimum applicable requirements required by subsection D of this section.**
			Staff Comments	*N/A*

☒	☐	☐	**G. 2.**	**Public and private green spaces on the same property or adjacent properties shall be complementary to one another. Green space within proposed developments shall be designed to be contiguous and interconnecting with any adjacent Green Space (both existing and potential future space).**
			Staff Comments	*N/A – This standard was addressed in the development of the Old Cutters Subdivision, the proposed short plat does not add to nor change any private green space in the Old Cutters Subdivision.*
☒	☐	☐	**G. 3.**	**The use of the private green space shall be restricted to Parks, Pathways, trails or other recreational purposes, unless otherwise allowed by the City.**
			Staff Comments	*N/A*
☒	☐	☐	**G. 4.**	**The private ownership and maintenance of green space shall be adequately provided for by written agreement.**
			Staff Comments	*Maintenance shall be managed and funded by the Subdivision's HOA, if private space is proposed.*
			H.	**In-Lieu Contributions:**
☐	☐	☒	**H. 1.**	**After receiving a recommendation by the Parks and Lands Board, the Council may at their discretion approve and accept voluntary cash contributions in lieu of Park land dedication and Park improvements.**
			Staff Comments	*N/A*
☐	☐	☒	**H. 2.**	**The voluntary cash contributions in lieu of Park land shall be equivalent to the area of land (*e.g.*, square footage) required to be dedicated under this ordinance multiplied by the fair market value of the land (*e.g.*, $/square foot) in the development at the time of preliminary plat approval by the Council. The City shall identify the location of the property to be appraised, using the standards in subsections E4 and E5 of this section. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.**
			Staff Comments	*N/A*
☐	☐	☒	**H. 3.**	**Except as otherwise provided, the voluntary cash contribution in lieu of Park land shall also include the cost for Park improvements, including all costs of acquisition, construction and all related costs. The cost for such improvements shall be based upon the estimated costs provided by a qualified contractor and/or vendor. In the Business (B), Limited Business (LB), Neighborhood Business (NB) and Transitional (TN) zoning districts, in-lieu contributions will not include the cost for Park improvements.**
			Staff Comments	*N/A*
☐	☐	☒	**H. 4.**	**In-lieu contributions must be segregated by the City and not used for any other purpose other than the acquisition of Park land and/or Park improvements, which may include upgrades and replacement of Park improvements. Such funds should be used, whenever feasible or practicable, on improvements within walking distance of the residents of the subdivision.**
			Staff Comments	*N/A*

16.05: Improvements Required:

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**16.05.010**	**Minimum Improvements Required: It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be**

				recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.
			Staff Comments	*The Applicant intends to construct all necessary infrastructure, according to City Standards.*
☒	☐	☐	**A.**	**Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.**
			Staff Comments	*This standard will be met.*
☒	☐	☐	**B.**	**Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.**
			Staff Comments	*This standard will be met.*
☒	☐	☐	**C.**	**Term of Guarantee of Improvements: The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City engineer, except that parks shall be guaranteed and maintained by the developer for a period of two years.**
			Staff Comments	*This standard will be met.*
16.05.020: Streets, Sidewalks, Lighting, Landscaping				
☐	☐	☒	**16.05.020**	**Streets, Sidewalks, Lighting, Landscaping: The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix and shall chip-seal streets and alleys within one year of construction.**
			Staff Comments	*N/A – All mobility and utility infrastructure, which is required for the project site, exists in place.*
☐	☐	☒	**A.**	**Street Cuts: Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)**
			Staff Comments	*See Section 16.05.020.*
☐	☐	☒	**B.**	**Signage: Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standard, and the street name signs and traffic control signs shall thereafter be maintained by the City.**
			Staff Comments	*See Section 16.05.020.*
☐	☐	☒	**C.**	**Streetlights: Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required**

				improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIIIB of the Hailey Zoning Ordinance.
			Staff Comments	*See Section 16.05.020.*
16.05.030: Sewer Connections				
☐	☐	☒	**16.05.030**	**Sewer Connections: The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the City engineer for review and approval. At the City engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.**
			Staff Comments	*N/A – All sewer infrastructure, which is required for the project site, exists in place.*
16.05.040: Water Connections				
☐	☐	☒	**A.**	**Requirements: The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards or other equipment as may be approved by the City engineer, for each and every developable lot within the development. The developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the City engineer for review and approval. At the City Engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.**
			Staff Comments	*N/A – All water infrastructure, which is required for the project site, exists in place.*
☐	☐	☒	**B.**	**Townsite Overlay: Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.**
			Staff Comments	*N/A*
16.05.050: Drainage				
☐	☐	☒	**16.05.050**	**Drainage: The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the City engineer or his authorized representative. (Ord. 1191, 2015)**
			Staff Comments	*N/A – All drainage infrastructure, which is required for the project site, exists in place.*
16.05.060: Utilities				
☐	☐	☒	**16.05.060**	**Utilities: The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.**
			Staff Comments	*N/A – All utility infrastructure, which is required for the project site, exists in place.*
16.05.070: Parks, Green Space				
☐	☐	☒	**16.05.070**	**Parks, Green Space: The developer shall improve all parks and green space areas**

				as presented to and approved by the hearing examiner or commission and council.
			Staff Comments	*Please refer to Section 16.04.110 for further detail.*
16.05.080: Installation to Specifications; Inspections				
☐	☐	☒	**16.05.080**	**Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the City engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.**
			Staff Comments	*N/A – All installations that are required for the project site exist in place.*
16.05.090: Completion; Inspections; Acceptance				
☒	☐	☐	**A.**	**Installation of all infrastructure improvements must be completed by the developer and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the City engineer, and appropriate City departments to determine a punch list of items for final acceptance.**
			Staff Comments	*This standard shall be met.*
☐	☐	☒	**B.**	**The developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)**
			Staff Comments	*N/A*
16.05.100: As Built Plans and Specifications				
☒	☐	☐	**16.05.100**	**As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of "as-built plans and specifications" certified by the developer's engineer shall be filed with the City engineer. (Ord. 1191, 2015)**
			Staff Comments	*As built drawings will be required. This standard will be met.*

16.08: Townhouses:

Compliant			Standards and Staff Comments	
Yes	**No**	**N/A**	**City Code**	**City Standards and *Staff Comments***
☒	☐	☐	**16.08.010**	**Plat Procedure: The developer of the townhouse development shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control (including billing, where applicable) and maintenance of all common utilities, commonly held facilities, garages, parking and/or green spaces. Prior to final plat approval, the developer shall submit to the city a final copy of the party wall agreement and any other such documents and shall record the documents prior to or at the same time of the recordation of the plat, which plat shall reflect the recording instrument numbers thereupon. (Ord. 1191, 2015)**
			Staff Comments	*This standard shall be met.*
☒	☐	☐	**16.08.020**	**Garages: All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is appurtenant to specific townhouse units on the townhouse plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse**

				development. (Ord. 1191, 2015)
			Staff Comments	*No garages have been shown on the plat. That said, it is expected that all garages, if proposed, be located on the same sublot as the principal dwelling. This standard shall be met.*
☒	☐	☐	**16.08.030**	**Storage, Parking Areas: Residential townhouse developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015)**
			Staff Comments	*At this time, no onsite parking has been delineated. Upon further development of a site plan, this standard shall be met.*
☒	☐	☐	**16.08.040**	**Construction Standards: All townhouse development construction shall be in accordance with the IBC, IRC and IFC. Each townhouse unit must have separate water, sewer and utility services, which do not pass through another building or unit. (Ord. 1191, 2015)**
			Staff Comments	*This standard shall be met.*
☒	☐	☐	**16.08.050**	**General Applicability: All other provisions of this title and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse developments. (Ord. 1191, 2015)**
			Staff Comments	*This standard shall be met.*
☒	☐	☐	**16.08.060**	**Expiration: Townhouse developments which have received final plat approval shall have a period of three (3) calendar years from the date of final plat approval by the council to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the council. If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the council. Further, if construction on any townhouse development or phase of any development ceases or is not diligently pursued for a period of three (3) years without the prior consent of the council, that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. (Ord. 1191, 2015).**
			Staff Comments	*This standard will be met.*
☐	☐	☒	**16.08.070**	**Conversion: The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)**
			Staff Comments	*N/A*
☒	☐	☐	**16.08.080**	**Density: The maximum number of cottage townhouse units on any parcel shall be twelve (12), and not more than two (2) cottage townhouse developments shall be constructed adjacent to each other. (Ord. 1191, 2015)**
			Staff Comments	*The proposed parcel is zoned General Residential (GR), which allows for ten (10) units per one (1) acre. Two (2) sublots and only one (1) dwelling unit per sublot is proposed.*
☐	☐	☒	**16.11.010**	**Exceptions: Whenever the tract to be subdivided is, in the shape or size, or is surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the council may vary or modify such requirements by making findings for their decision so that the developer is allowed to develop his property in a reasonable manner, while ensuring that the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of this title are preserved. As used in this section, the phrase "real difficulties and substantial hardships or injustices" shall apply only to situations where strict application of the requirements of this title will deny to the developer the reasonable and beneficial use of the property in question, and not in situations where the developer establishes only that exceptions will allow more financially feasible or profitable subdivision. (Ord.**

				1191, 2015).
			Staff Comments	*N/A*

Summary and Suggested Conditions:
The Commission shall review the proposed Preliminary Plat and continue the public hearing, approve, conditionally approve, or deny the Preliminary Plat. If approved, the Plat Application will be forwarded to the City Council. If the Short Plat process is used, only the Final Plat is required for Council review.

The following Conditions are suggested to be placed on approval of this Application:

a) All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements: None.
b) All City infrastructure requirements shall be met as outlined in Title 16, 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department approval and shall meet City Standards where required.
c) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the Final Plat.

d) The Final Plat must be submitted within three (3) calendar years from the date of approval of the Preliminary Plat, unless otherwise allowed for within a phasing agreement.
e) Any Subdivision Inspection Fees due shall be paid prior to recordation of Final Plat.
f) Any Application Development Fees shall be paid prior to recordation Final Plat.

g) The Applicant shall add the note, as referenced in Section 16.04.040.B., as a plat note.

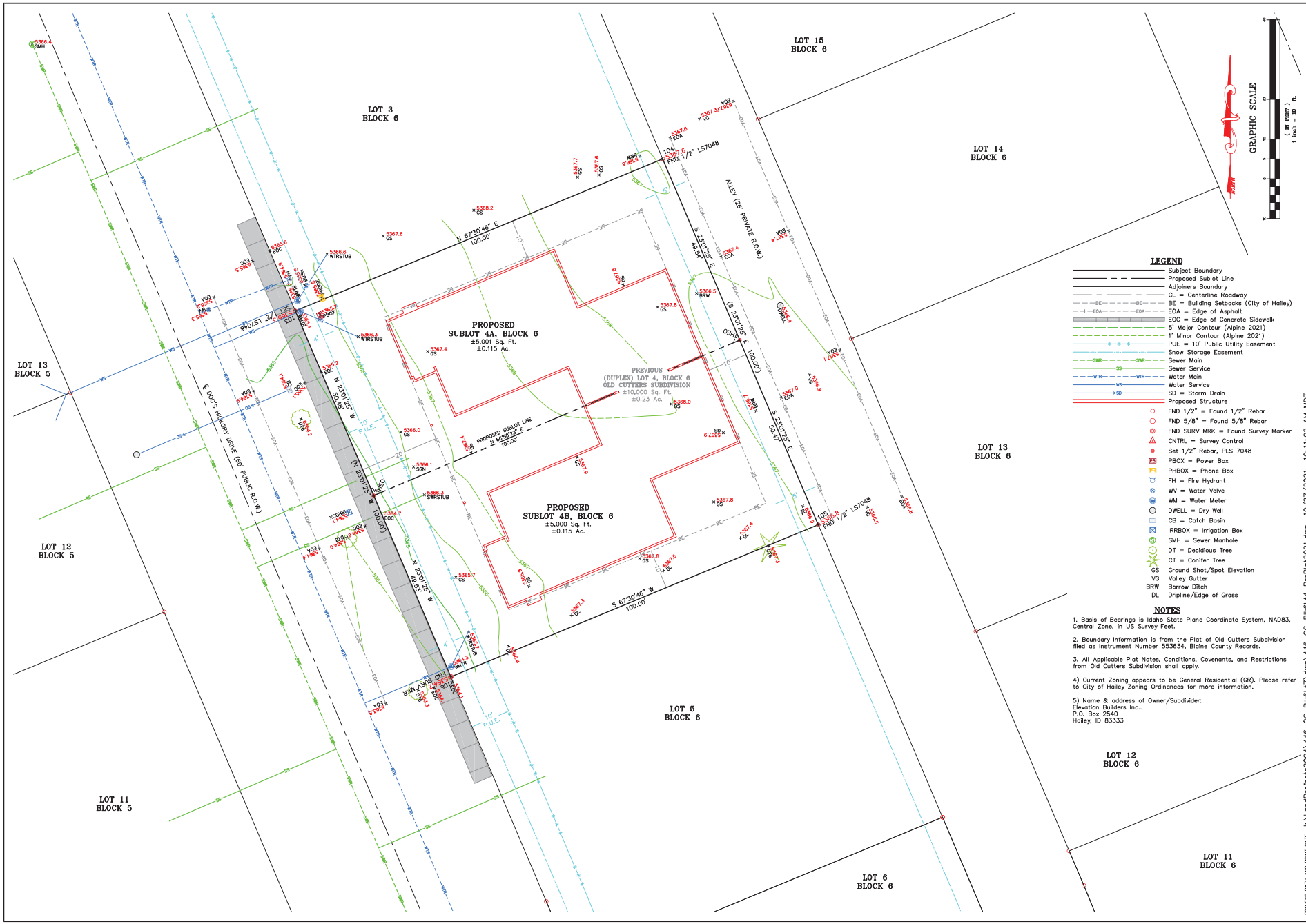
Motion Language:

Approval:
Motion to recommend approval to the Hailey City Council, the Preliminary Plat Application to subdivide the Duplex Lot at 550 Doc's Hickory Drive (Lot 4, Blk 6, Old Cutters Subdivision Duplex Lot) into two (2) 0.115 acres Townhouse Sublots (Sublots 4A and 4B), finding that the application meets all City Standards and conditions (a) through (g) are met.

Denial:
Motion to recommend denial to the Hailey City Council, the Preliminary Plat Application to subdivide the Duplex Lot at 550 Doc's Hickory Drive (Old Cutters Sub Lot 4 Blk 6 Duplex Lot) into two (2) 0.115 acres Townhouse Sublots (Sublots 4A and 4B), 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].



LEGEND

- Subject Boundary
- Proposed Sublot Line
- Adjoiners Boundary
- CL = Centerline Roadway
- BE = Building Setbacks (City of Hailey)
- EOA = Edge of Asphalt
- EOC = Edge of Concrete Sidewalk
- 5' Major Contour (Alpine 2021)
- 1' Minor Contour (Alpine 2021)
- PUE = 10' Public Utility Easement
- Snow Storage Easement
- SWR = Sewer Main
- SS = Sewer Service
- WTR = Water Main
- WS = Water Service
- SD = Storm Drain
- Proposed Structure
- FND 1/2" = Found 1/2" Rebar
- FND 5/8" = Found 5/8" Rebar
- FND SURV MRK = Found Survey Marker
- CNTRL = Survey Control
- Set 1/2" Rebar, PLS 7048
- PB PBOX = Power Box
- PH PHBOX = Phone Box
- FH = Fire Hydrant
- WV = Water Valve
- WM = Water Meter
- DWELL = Dry Well
- CB = Catch Basin
- IRRBOX = Irrigation Box
- SMH = Sewer Manhole
- DT = Decidious Tree
- CT = Conifer Tree
- GS Ground Shot/Spot Elevation
- VG Valley Gutter
- BRW Borrow Ditch
- DL Dripline/Edge of Grass

NOTES

1. Basis of Bearings is Idaho State Plane Coordinate System, NAD83, Central Zone, in US Survey Feet.

2. Boundary Information is from the Plat of Old Cutters Subdivision filed as Instrument Number 553634, Blaine County Records.

3. All Applicable Plat Notes, Conditions, Covenants, and Restrictions from Old Cutters Subdivision shall apply.

4) Current Zoning appears to be General Residential (GR). Please refer to City of Hailey Zoning Ordinances for more information.

5) Name & address of Owner/Subdivider:
Elevation Builders Inc.,
P.O. Box 2540
Hailey, ID 83333

A PRELIMINARY TOWNHOUSE PLAT SHOWING
LOT 4 TOWNHOMES
WHEREIN (DUPLEX) LOT 4, BLOCK 6, OLD CUTTERS SUBDIVISION
IS DIVIDED INTO TOWNHOUSE SUBLOTS AS SHOWN
WITHIN S4, T.2N., R.18E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO
PREPARED FOR VITAL INK ARCHITECTURE & ELEVATION BUILDERS

Alpine Enterprises Inc.
Surveying, Mapping, Civil Engineering, and Natural Hazards Consulting
660 Bell Dr., Unit 1
P.O. Box 2537, Ketchum, ID 83340 USA
Cell: 208-720-7027 fax: 208-726-9282
email: bsmith@alpineenterprisesinc.com

PROFESSIONAL LAND SURVEYOR
BRUCE SMITH
PLS 7048
STATE OF IDAHO

NO	DATE	BY

REVISIONS

PROJECT PATH AND PRINT DATE U:\LandProjects2004\446_OC_Blk6L17\dwg\446_OC_Blk6L14_PrePlat2021.dwg 10/27/2021 10:11:02 AM MDT

Sheet 1 of 1

Return to Agenda

STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of October 3, 2022

To: Hailey Planning and Zoning Commission

From: Paige Nied, Community Development City Planner / Resilience Planner

Overview: Consideration of a City-initiated Zone Change Application for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending Lots 1-3, Block 69, Hailey Townsite to be located within the Downtown Residential Overlay (DRO). This change also includes amending Lots 4-7, and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite to be located within the Downtown Residential Overlay (DRO). No changes to the underlying zoning districts are proposed.

Hearing: October 3, 2022

Application Contact: City of Hailey

Location and Size: Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue); .248 acres
Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite; .371 acres
Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street); .206 acres

Current Zoning: General Residential (GR) and Townsite Overlay (TO) [Lots 1-3]; Limited Business (LB) and Townsite Overlay (TO) [Lots 4-10]

Proposed Zoning: General Residential (GR), Townsite Overlay (TO), and Downtown Residential Overlay (DRO); Limited Business (LB), Townsite Overlay (TO), and Downtown Residential Overlay (DRO)

Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 14, 2022, and mailed to property owners and agencies within 300 feet on September 14, 2022. Notice was posted on the property on September 26, 2022.

Background: On August 22, 2022, a Zone Change Application by 525, LLC, for Lots 1-4, Block 69, Hailey Townsite (525 N 1st Avenue) from General Residential (GR) and Townsite Overlay (TO), to General Residential (GR), Townsite Overlay (TO), and located within the Downtown Residential Overlay (DRO) was approved by the Hailey City Council. The 525 N 1st Ave rezone to be included in the DRO created an isolated extension of the DRO within the area. Council recommended that the northern block parcels, across Myrtle Street, also be included within the DRO to create consistency in the zoning district. Staff contacted the property owners of the two (2) adjacent northern parcels (Lots 1-3, Block 69, Hailey Townsite; Lots 4-7, and N. ½ of 8, Block 69, Hailey Townsite; and Lots S. ½ of 8, 9-10, Block 69). The owners expressed support of the 525 N 1st Ave Rezone Application and were also in favor of a City-

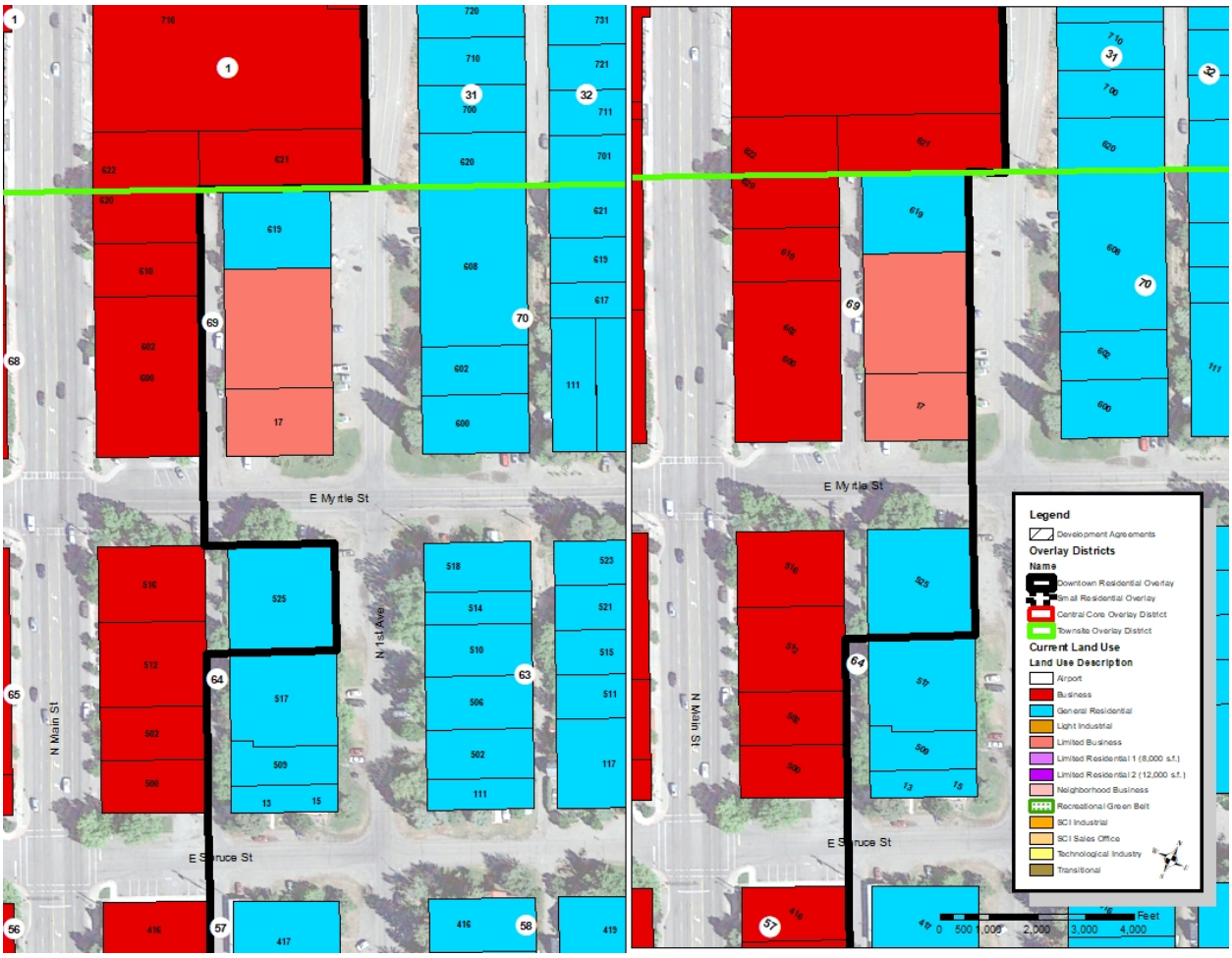
Initiated Rezone of their parcels to be included within the DRO so long as the underlying zoning districts, of Limited Business (LB) and General Residential (GR), remain. Staff feels these parcels are compatible with the DRO and will create a cohesive zoning district, if rezoned.

Application: The City of Hailey is requesting a Zone Change Application with an amendment to the City's Zoning District Map, Section 17.05.020. The proposed zone changes would rezone Lots 1-3, Block 69, Hailey Townsite from General Residential (GR) and Townsite Overlay (TO) to General Residential (GR) and Townsite Overlay (TO) and within the Downtown Residential Overlay (DRO); and Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street) from Limited Business (LB) and Townsite Overlay (TO) to Limited Business (LB) and Townsite Overlay (TO) and within Downtown Residential Overlay (DRO).

Current Zoning is as follows:

Property Owner	Address	Current Zone	Requested Zone
Penelope Pickens	Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue)	General Residential (GR) and Townsite Overlay (TO)	General Residential (GR) and Townsite Overlay (TO) and within the Downtown Residential Overlay (DRO)
Edward Uhrig	Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite	Limited Business (LB) and Townsite Overlay (TO)	Limited Business (LB) and Townsite Overlay (TO) and within Downtown Residential Overlay (DRO)
Edward Uhrig	Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street)	Limited Business (LB) and Townsite Overlay (TO)	Limited Business (LB) and Townsite Overlay (TO) and within the Downtown Residential Overlay (DRO)

As described in the table above and shown in the image below, there are three (3) subject parcels the City is requesting a zone change for.



Analysis and Discussion: The subject parcels are located on the northern edge of downtown, on the east side of Main Street. The most northern parcel (Lots 1-3, Block 69, Hailey Townsite), zoned General Residential (GR) and Townsite Overlay (TO), is developed as multifamily residential and contains six (6) residential units. The adjacent parcel to the south (Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite), zoned Limited Business (LB) and Townsite Overlay (TO). The corner lot is developed as commercial (Uhrig Fencing), and the middle lot is vacant. The surrounding area is a mix of zoning districts and uses. Properties to the north are zoned Business (B) and are located within the Downtown Residential Overlay (DRO). The abutting northern parcel has been developed as a residential use and is a grandfathered use. Adjoining that parcel farther north is a commercial use, containing a grocery store. Properties to the west are zoned Business (B) and within the Townsite Overlay (TO) and Downtown Residential Overlay (DRO). These parcels are developed as commercial and contain a coffee shop and gas station/car wash. The property directly to the south (525 N 1st Ave) is zoned General Residential (GR) and within the Townsite Overlay (TO) and Downtown Residential Overlay (DRO) and is developed as multifamily residential and contains four (4) units. Properties to the east are zoned General Residential (GR) and within the Townsite Overlay (TO) and are a mix of vacant lots and single-family homes.

In cohesion with the previously approved Rezone Application for 525 N 1st Avenue, the proposed zone

change for the subject parcels would create linear, congruent extension of the Downtown Residential Overlay (DRO) zoning district.

1. **Purposes of Zoning Districts. Downtown Residential Overlay (DRO): The purpose of the DRO District is to promote the health, safety and welfare of current and future residents of the City of Hailey; to modify the density, bulk and parking requirements of certain areas of the Business, Limited Business and General Residential Zoning Districts in order to encourage the development of mid-density residential housing to help meet the housing needs of the community; to encourage infill while retaining neighborhood character; to create sufficient flexibility to allow for desirable development; to conserve building resources; and to enhance neighborhoods with increased pedestrian orientation, all in accordance with the City of Hailey Comprehensive Plan, for the desirable future development of the City of Hailey.** The City of Hailey is proposing that the subject parcels, zoned General Residential (GR), Limited Business (LB), and Townsite Overlay (TO), be zoned within the Downtown Residential Overlay (DRO).
    - **Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue)**
    - **Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite**
    - **Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street)**

    All properties to the north and west of the subject parcels are within the DRO. The southern adjacent parcel (525 N 1st Ave) is also within the DRO; however, as it stands is an isolated extension of the DRO. Staff believes the proposed rezone of the parcels, to be located within the DRO, would provide consistency within the northeast boundary of the DRO, creating a eurythmic zoning district.

    Located near the northern entrance of the city, the subject parcels are currently utilized as multifamily and commercial. The change in zoning would allow for mid density development in the future.

    The proposed rezone would allow for developments of greater density, with flexibility in parking and other bulk requirements. There is a documented need for housing within Hailey and the Wood River Valley. By including the subject parcels in the DRO, Staff believes the rezone could fulfill an unmet need if the parcels are redeveloped in the future – providing housing in an area within walking distance to many town services.

Summary of Uses: The proposed zone change could increase the range of uses permitted on the subject parcels. Rezoning the parcels to be within the DRO would also be consistent with the zone districts of the neighboring parcels to the north and west. Additionally, the rezone would provide greater flexibility with density, parking, and other bulk requirements.

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

Address/Parcel/Use		**Existing Zone District**	**Proposed Zone District**
Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue)		**GR/TO**	**GR/TO/DRO**
Setbacks	Minimum front yard setback (feet)	20	20
	Minimum side yard setback (feet)	8[7, 19, 20, 24]	8[7, 19, 20, 24]
	Minimum rear yard setback (feet)	10[7, 19, 20]	10[7, 19, 20]
Height	Maximum building Height	35'[21,22]	35'[21,22]
Notes	7.	Townhouse unit shall be allowed 0 setbacks from the lot lines created by a townhouse sublot and the separation of the building containing townhouse units in a townhouse development parcel shall be not less than 6 feet as measured between any wall or any projection of a building, including, but not limited to, eaves, cornices, canopies, or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.	
	19.	See also subsections 17.07.010F and G of this title.	
	20.	See also subsections 17.07.010F and G of this title.	
	21.	For a building with any portion of the building footprint within the special food hazard area, building height shall be measured 2 feet above the base flood elevation (BFE).	
	22.	For buildings in the Limited Residential (LR) Zone Districts, buildings shall in no instance exceed a building height of 32 feet from record grade. For buildings in the General Residential (GR) Zone Districts, buildings shall in no case exceed a building height of 35 feet from record grade.	
	24.	Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (21/2')	

		of wall height (see section 17.04M.090, Diagram 1, of the Hailey Municipal Code), but not less than the base setback for the GR Zone District. This shall apply to walls on the side yards of properties, but shall not apply to sublots within a development.

Address/Parcel/Use		**Existing Zone District**	**Proposed Zone District**
Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite; Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street)		**LB/TO**	**LB/TO/DRO**
Setbacks	Minimum front yard setback (feet)	20	20
	Minimum side yard setback (feet)	10[7, 19, 20]	10[7, 19, 20]
	Minimum rear yard setback (feet)	10[7, 19, 20]	10[7, 19, 20]
Height	Maximum building Height	35’	35’
Notes	7.	Townhouse unit shall be allowed 0 setbacks from the lot lines created by a townhouse sublot and the separation of the building containing townhouse units in a townhouse development parcel shall be not less than 6 feet as measured between any wall or any projection of a building, including, but not limited to, eaves, cornices, canopies, or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.	
	19.	See also subsections 17.07.010F and G of this title.	
	20.	See also subsections 17.07.010F and G of this title.	

The subject parcels have the following lot size:

Address	Lot Size
Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue)	.248 acres
Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite	.371 acres
Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street)	.206 acres

The parcels are currently zoned GR and TO and LB and TO. The addition of the DRO would offer greater flexibility with density, parking, and bulk requirements. Within the DRO, the use and bulk requirements shall meet those of the underlying zoning district; however, some have been amended to allow for no maximum residential percentage on the ground level, and no provisions for residential units per acre applies. Additionally, density is limited by required open space, parking, landscaping, and the Design Review Standards.

An additional requirement for useable open space shall be provided if the parcel were to be included in the DRO, as noted below. The useable open space requirement is not required in either the GR, LB, or TO Zoning Districts.

1. Useable open space of not less than ten percent (10%) of the total lot area shall be included in the project design. Useable open space shall not include private decks, patios, or rooftop gardens.

3. **Existing Land Uses:** The subject parcels are located on the northern edge of downtown, on the east side of Main Street, and are developed as residential and commercial. The surrounding area is a mix of zoning districts and uses. Properties to the north are zoned Business (B) and within the Downtown Residential Overlay (DRO) and are developed as commercial and residential (grandfathered use). Adjacent properties to the east are zoned General Residential (GR) and within the Townsite Overlay (TO) and are a mix of vacant properties and single-family homes. The adjacent property to the east (525 N 1st Ave) is zoned General Residential and within the Townsite Overlay and the Downtown Residential Overlay (DRO) and is developed as multifamily residential. Properties to the west are zoned Business (B) and located within the Townsite Overlay (TO) and the Downtown Residential Overlay (DRO) and are developed as commercial. The adjacent properties to the northwest and southwest are developed commercial uses, which include a grocery store, coffee shop, gas station/carwash, and fast-food restaurant.

Criteria for Review:

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

1) The proposed amendment is in accordance with the Comprehensive Plan;

The Comprehensive Plan Land Use Map reflects suitable projected land uses for the city. It considers existing conditions, trends, and desirable future situations, the objective being a balanced mix of land uses for the community. The Map establishes a basis and direction for the expansion and/or location of business, residential, industrial, institutional, and green space areas within and adjacent to the City. The area in question sees varied land use opportunities given its location and size, and the Land Use Map

purposefully does not demarcate between land uses that are specific to property boundaries, allowing for decision-making processes such as this to determine actual zoning boundaries.

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

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

The subject parcels are located is within a '1/4 Mile Service Area.' It is within walking distance of businesses that provide products and services. It is also within walking distance of other uses and activities not found within the Downtown Core. The parcels are not located near any waterways, floodplains, wildlife migration corridors, or near any avalanche or wildfire hazards. The proposed rezone would allow for higher-density residential developments at the current location.

The City of Hailey is proposing to rezone the parcels to be within the Downtown Residential Overlay (DRO). The purpose of the DRO Zone District is to – **Modify the density, bulk, and parking requirements of certain areas of the Business, Limited Business, and General Residential Zoning Districts in order to encourage the development of mid-density residential housing to help meet the housing needs of the community.** The rezone request of the subject parcels would create consistency in the DRO by extending the zoning district from the southern parcel's isolated extension.

The Comprehensive Plan further states:

> **A Land Use Map is a required element of the Land Use component of the Comprehensive Plan. Pursuant to Idaho Code requirements, the Land Use Map reflects suitable projected land uses for the city. The creation of a land use map establishes general direction for projected land uses within and adjacent to the city. The Land Use Map depicts broad community goals. When considering land use applications, site-specific data and circumstances should be balanced with the overall goals depicted on the map.**

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

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

- **a) Main Street Corridor – area of high density commercial, mixed-use and residential development.** The proposed rezone provides the opportunity for higher-density residential development located in close proximity to Main Street. This zone change supports the goal aimed to increase density within the High Density and Residential Buffer, as noted in the Comprehensive Plan and on the Land Use Map.

5.5 **Lessen the dependency on the automobile.** The proposed rezone allows for higher density residential development adjacent to Main Street, located near schools, downtown amenities, and public transit opportunities, which reduces dependency on the automobile.

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

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

While no plans are proposed at this time, the subject parcels could be redeveloped as larger multifamily project. The subject parcel could potentially address the housing shortage in the community and could serve as a transitional buffer between commercial and the adjacent single-family residential.

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

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

5.6 **Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.** Although there are no plans to redevelop the parcels at this time, the subject properties would be able to provide higher density housing in Hailey.

8.1 **Encourage development that provides opportunities for home ownership and rental houses for individuals of all socio-economic levels.** The proposed rezone provides opportunities for the development of smaller scale in close proximity to Main Street amenities.

By rezoning parcels Lots 1-3, Block 69, Hailey Townsite; Lots 4-7, and N. ½ of 8, Block 69, Hailey Townsite; and Lots S. ½ of 8, 9-10, Block 69, the change would be compatible with the Comprehensive Plan, as it would allow for the development of high-density residential infill within the downtown corridor.

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

It is anticipated that public facilities and services are available to support the full range of uses permitted by the zone district under consideration. Though no plans to redevelop the subject parcels are proposed at this time, development would be compliant with the most recently adopted IBC, IRC and IFC (currently constructing under the 2018 code). Depending on the building heights and total number of residential units, buildings may require a full sprinkler suppression system, include elevators, and meet other code requirements. Development of the site, streets, sidewalks, landscaping, and other onsite improvements would be required as part of the Design Review process.

Changing the zoning districts to be located within the DRO would encourage higher density residential projects. Within the DRO, the use and bulk requirements shall meet those of the underlying zoning district; however, some have been amended to allow for no maximum residential percentage on the ground level, and no provisions for residential units per acre applies. Additionally, density is limited by required open space, parking, landscaping, and the Design Review Standards.

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

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

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

City Staff notes a strong basis in the Hailey Comprehensive Plan for this type of amendment. The southernmost parcel is developed as commercial, the middle parcel is vacant, and the northern most parcel is residential, which contains six (6) residential units. The proposed zone change would enable higher density development of the site, providing additional housing opportunities where needed. There is a documented need for housing valley-wide, and the Comprehensive Plan calls for housing initiatives. The current changes under consideration would allow for larger multifamily housing developments in an area within walking distance to many town services.

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

17.14.040(B) Recommendation.

1. **Following the hearing, if the Commission or Hearing Examiner makes a substantial change from what was presented at the hearing, the Commission or Hearing Examiner may either conduct a further hearing after providing notice of its recommendation, or make its recommendations to the Council, provided the notice of the Commission's or Hearing Examiner's recommendation shall be included in the notice of the hearing to be conducted by the Council**.
2. **The Commission or Hearing Examiner shall recommend, with reasons therefore, to the Council that the proposed amendment be granted or denied, or that a modified amendment is granted.**
3. **If the proposal initiated by an Applicant is not in accordance with the Comprehensive Plan, the Commission or Hearing Examiner shall notify the Applicant of this finding and inform the Applicant that the Applicant must apply for an amendment to the Comprehensive Plan before the Hailey Municipal Code or Zoning Map can be amended.**

A. The Hearing Examiner or Commission and Council shall make findings of fact on the following criteria:

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

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

1. Vacancy rates of existing buildings and land within the existing business (B), limited business (LB) or transitional (TN) zoning districts. A lower vacancy rate will favor a rezone, while a higher vacancy rate will not favor a rezone.

2. The distance of the parcel proposed for rezone from the central core overlay district boundary. A shorter distance from the central core overlay district boundary will favor a rezone, while a longer distance from the central core overlay district boundary will not favor a rezone. (Ord. 1191, 2015).

Summary and Suggested Conditions of Approval: The Commission shall recommend approval or denial to the Hailey City Council the City-initiated Rezone Application for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue) to remain General Residential (GR) and Townsite Overlay (TO) to be within the Downtown Residential Overlay (DRO) and Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street) to remain Limited Business (LB) and Townsite Overlay (TO) to be within the Downtown Residential Overlay (DRO), finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.14, Amendment, additional applicable requirements of Title 17, Title 18, and City Standards.

Motion Language:

Approval: Motion to recommend for approval by the Hailey City Council a City-initiated Rezone Application for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue) to General Residential (GR) and Townsite Overlay (TO) and located within the Downtown Residential Overlay (DRO) and Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street) to Limited Business (LB) and Townsite Overlay (TO) and located within the Downtown Residential Overlay (DRO), finding that the changes are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, the proposed uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare.

Denial: Motion to deny the approval of a City-initiated Rezone Application for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending Lots 1-3, Block 69, Hailey Townsite (619 N 1st Avenue) to General Residential (GR) and Townsite Overlay (TO) and located within the Downtown Residential Overlay (DRO) and Lots 4-7 and N. ½ of 8, Block 69, Hailey Townsite and Lots S. ½ of 8, 9-10, Block 69, Hailey Townsite (17 E Myrtle Street) to Limited Business (LB) and Townsite Overlay (TO) and located within the Downtown Residential Overlay (DRO), finding that the changes are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, the proposed uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare.

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

E Myrtle St
E Spruce St
N Main St
N 1st Ave
Legend
Development Agreements
Overlay Districts
Name
Downtown Residential Overlay
Small Residential Overlay
Central Core Overlay District
Townsite Overlay District
Current Land Use
Land Use Description
Airport
Business
General Residential
Light Industrial
Limited Business
Limited Residential 1 (8,000 s.f.)
Limited Residential 2 (12,000 s.f.)
Neighborhood Business
Recreational Green Belt
SCI Industrial
SCI Sales Office
Technological Industry
Transitional
0 500 1,000 2,000 3,000 4,000 Feet

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STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of October 3, 2022

To: Hailey Planning and Zoning Commission

From: Robyn Davis, Community Development Director
Brian Yeager Public Works Director/City Engineer

Overview: Consideration of a City-Initiated Text Amendment to Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.012: Street and Drainage, to add the River Street Concept Design as a Standard Drawing within the Hailey Municipal Code. This addition would create a new item, item 18.14.012.F.3. River Street Typical Section. This also includes the revision of the Index in Section 18.14.000.0.

Hearing: October 3, 2022

Applicant: City of Hailey

Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 14, 2022 and mailed to public agencies on September 14, 2022.

Background: The City of Hailey is seeking to include the River Street Concept Design as a Standard Drawing in Title 18, Chapter 18.14: Standard Drawings, Section 18.14.012: Street and Drainage. This addition would create a new item, item 18.14.012.F.3. River Street Typical Section. This also includes the revision of the Index in Section 18.14.000.0.

Through grant awards, the Urban Renewal Agency, the Capital Improvement Plan, and the general operations budget, the City of Hailey has been prioritizing non-motorized improvements throughout the River Street Corridor for several years. In preparation to fully construct and implement the River Street Concept Design along River Street, Staff has requested that all new development along this corridor construct the typical section (attached) adopted within various plans, as well as the Concept Development efforts for the Local Highway Technical Assistance Council (LHTAC) project. This multimodal transportation concept includes the development of parking, raised curb, a separated bike lane at sidewalk-level, street trees, landscaping, and irrigation, electrical, and a sidewalk or pathway leading to the development.

The multimodal transportation concept design, intended for River Street, is an evolution of the City's long-term goals. The tenets of this concept date back to the 2007 Master Transportation Plan, which has evolved, and has been reiterated within additional plans over the years (e.g., 2014 Blaine County Bicycle and Pedestrian Plan (pg. 57-58)). This concept was also most recently articulated in Hailey's 2020 update of the Master Transportation Plan. The 2020 Master Transportation Plan Update (page 14) restates and supports the goals for River Street, which include:

- only two low-speed vehicle travel lanes;
- angled parking (to discourage back-in parking);
- dedicated bike lanes separated from the vehicle travel lanes;
- street trees; and
- sidewalks.

The River Street Concept has been a central piece in Hailey's bicycle and pedestrian planning for more than ten (10) years. The infrastructure improvements required to actualize the vision are costly. They involve years of plan-making, grant seeking, and participation. The city has asked those Applicants who seek to develop along the River Street Corridor, to collaborate in actualizing our multimodal transportation plans, as without this cooperation, the city's goals for improved pedestrian activity and related infrastructure become less attainable.

While an adopted concept within various plans and policy documents of the City of Hailey, this concept has not been codified as a Standard Drawing within Hailey's Municipal Code, Title 18: Mobility Design, and thereby, gives way to discretionary participation of the implementation of said design. The intent of this text amendment is to officially adopt the River Street Concept Design, to continue to take actionable measures in committing to, and fully developing an operational street equipped with the necessary vehicular and pedestrian improvements, as so desired by the City of Hailey and its citizenry.

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

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

1. The proposed amendment is in accordance with the comprehensive plan;
The Comprehensive Plan articulates the merits of effective transportation and recognizes the importance of safe vehicular and pedestrian connections between the city and its neighborhoods. The Comprehensive Plan also emphasizes efficient movement of people, not just cars.

Staff finds that by codifying the River Street Concept Design, this gesture directly supports the city's goals of implementing a multimodal transportation plan along River Street, further offering safe access from one point to another, and is most desirable to ensure the safety of Hailey's citizenry.

2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;
The proposed amendments will not create excessive additional requirements at public cost for services. The amendments are intended to provide clarity for future development along the River Street Corridor by codifying the Standard Drawing of the River Street Typical Section.

3. The proposed uses are compatible with the surrounding area; and
The proposed text amendment to codify the River Street Concept Design is compatible with the surrounding area, as well as Hailey's long-term goals, Comprehensive Plan, and other policy documents adopted by Council previously (e.g., 2020 Update to Master Transportation Plan; 2014 Blaine County

Bicycle and Pedestrian Plan, etc.). This amendment would further facilitate and ensure safe pedestrian and vehicular movement within this corridor – the catalyst in actualizing this plan.

4. The proposed amendment will promote the public health, safety and general welfare.
The amendments recommended are consistent with the Hailey Comprehensive Plan, and will promote the public health, safety and general welfare of the community.

Motion Language:
Approval: Motion to recommend approval by the Hailey City Council an Ordinance amending Hailey Municipal Code, Title 18: Mobility Design, Section 18.14.012: Street and Drainage, to include new F.3. River Street Typical Section, which adds the River Street Concept Design as a Standard Drawing within the Hailey Municipal Code. This also includes the revision of the Index in Section 18.14.000.0, 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 the recommendation of the attached revisions to Hailey Municipal Code, Title 18: Mobility Design, Section 18.14.012: Street and Drainage, new F.3. River Street Typical Section, as a Standard Drawing within the Hailey Municipal Code, 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.

DRAWING INDEX

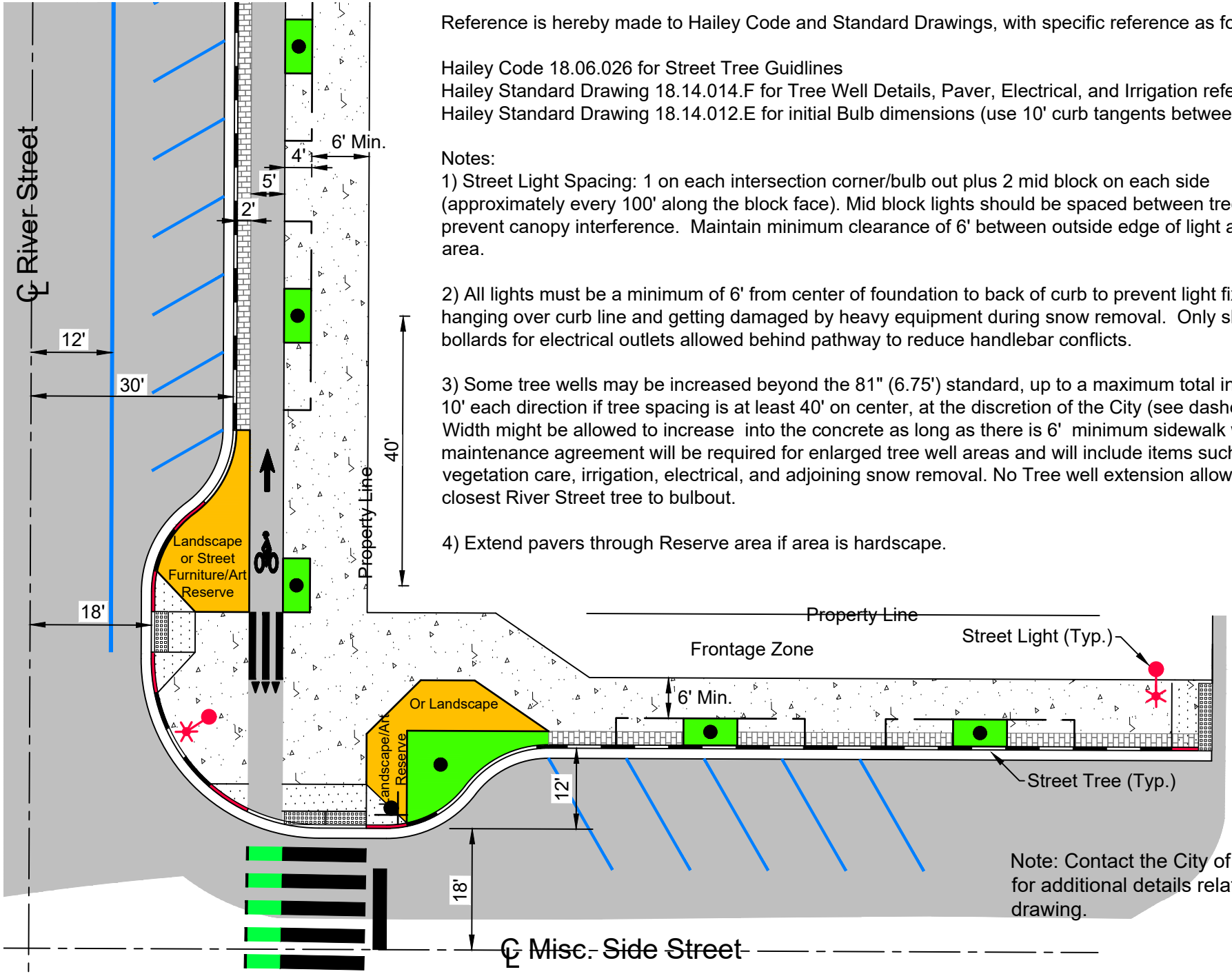
TITLE	DRAWING NO.
TRENCHING	
Trench & Surface Repair	18.14.010.A.1
Typical Trench Section	18.14.010.A.2
WATER	
Fire Hydrant (Option 1)	18.14.010.B.1 with ISPWC SD-406
Fire Hydrant (Option 2)	18.14.010.B.2 with ISPWC SD-406
Water Service Connection	18.14.010.B.3
Thrust Blocking	ISPWC SD-403
Typical Water & Sewer Layout	18.14.010.B.5
Water Pipe Laying	18.14.010.B.6
Non-potable Water Line Separation	ISPWC SD-407
Typical Water Irrigation Layout	18.14.010.B.11
SEWER	
Sewer Manhole Type A	ISPWC SD-501 plus Note 2 hereon
Special Sewer Manholes	ISPWC SD-504 & 505 plus Note 2 hereon
Manhole Cover & Frame	ISPWC SD-507 plus Note 2 hereon
Sewer Service Connection	18.14.010.C.4
Sewer Backflow Valve	18.14.010.C.5
Sewer Pipe Laying	ISPWC SD-302
Pipe Support Across Trench	18.14.010.C.7
STORM	
Primary Catch Basin	18.14.010.D.1
Satellite Catch Basin	ISPWC SD-601 or SD-603 with SD-609
(precast catch basins may be used with prior approval of the City Engineer)	
Inlet Grate Detail	ISPWC SD-609
Typical Drywell	18.14.010.D.4a
Direct Entry Drywell	18.14.010.D.4b
Grease & Sand Trap	18.14.010.D.5
CONCRETE ***SEE NOTE 1 HEREON*	
Curb and Gutter	ISPWC SD-701 OR SD-703
Sidewalk	ISPWC SD-709
Driveway Approaches	18.14.012.B
Pedestrian Ramps	18.14.012.C
Valley Gutter	ISPWC SD-708
Sidewalks at Intersections	18.14.012.E

DRAWING INDEX

TITLE	DRAWING NO.
ROADS	
Curbed Street Section	18.14.012.F.1
Typical Street Section	18.14.012.F.2
River Street Typical Section	18.14.012.F.3
Street Widening	18.14.012.G
On - Street Parking Standards	18.14.012.H.1
On - Site Parking Standards	18.14.012.H.2
Typical Shared Use Path	18.14.012.J
Typical Driveway Approach	18.14.012.K
Street Radius	18.14.012.L
MISCELLANEOUS	
Typical Utility Locations	18.14.014.C
Street Signs	18.14.014.D
Light Pole Pedestal Details	18.14.014.E.1
Light Pole Detail	18.14.014.E.2
Light Control Detail	18.14.014.E.3
Tree Well Details	18.14.014.F
STORM WATER MANAGEMENT	
Details	See BMP's / SWPPP

NOTES

1) All Concrete shall be class 4000 with a minimum of 1.5 lbs/C.Y. fiber reinforcement. Contractor shall provide the following written submittals prior to inspection:
   a) Mix Design
   b) Curing & Protection Plan (ISPWC 703.3.5)
   c) Post pour Cure Sealing Compound Type & application plan
2) Prefabricated base required unless otherwise approved by City. Fiberglass dustpan required on all manholes that are not on paved streets. WhirlyGIG form required between manhole cone and Cast Iron Frame with 12" max height.



Reference is hereby made to Hailey Code and Standard Drawings, with specific reference as follows:

Hailey Code 18.06.026 for Street Tree Guidlines
Hailey Standard Drawing 18.14.014.F for Tree Well Details, Paver, Electrical, and Irrigation references
Hailey Standard Drawing 18.14.012.E for initial Bulb dimensions (use 10' curb tangents between curves)

Notes:

1) Street Light Spacing: 1 on each intersection corner/bulb out plus 2 mid block on each side (approximately every 100' along the block face). Mid block lights should be spaced between trees to prevent canopy interference. Maintain minimum clearance of 6' between outside edge of light and planter area.

2) All lights must be a minimum of 6' from center of foundation to back of curb to prevent light fixture from hanging over curb line and getting damaged by heavy equipment during snow removal. Only short bollards for electrical outlets allowed behind pathway to reduce handlebar conflicts.

3) Some tree wells may be increased beyond the 81" (6.75') standard, up to a maximum total increase of 10' each direction if tree spacing is at least 40' on center, at the discretion of the City (see dashed lines). Width might be allowed to increase into the concrete as long as there is 6' minimum sidewalk width. A maintenance agreement will be required for enlarged tree well areas and will include items such as vegetation care, irrigation, electrical, and adjoining snow removal. No Tree well extension allowed on closest River Street tree to bulbout.

4) Extend pavers through Reserve area if area is hardscape.

Note: Contact the City of Hailey for additional details related to this drawing.

REVISIONS	2022 CITY OF HAILEY STANDARD DRAWINGS	RIVER STREET TYPICAL SECTION	18.14.014.F.3
			DRAWING NO.

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