

**MINUTES OF THE MEETING OF THE
HAILEY PLANNING AND ZONING COMMISSION
Monday, May 9, 2016
5:30pm**

Present: Richard Pogue, Janet Fugate, Dan Smith, Jeff Engelhardt
Absent: Owen Scanlon
Staff: Lisa Horowitz, Robyn Davis

Call to Order

[5:30:49 PM](#) Chair Fugate called the meeting to order.

Public Comment

None

Consent Agenda

No Comments

[5:32:09 PM](#) Dan Smith moved to approve all consent agenda items. Jeff Engelhardt seconded and the motion passed unanimously.

New Business and Public Hearings

NB1 *Consideration of an application by Les Schwab, represented by Kimley Horn Architects, for a conditional use permit application for a new 3,500 square foot tire storage facility to be located adjacent to the existing Les Schwab building at 520 N. River Street (Lots 11-20, Block 65, Hailey Townsite) in the Business (B) and Townsite Overlay (TO) Zoning Districts.*

[5:33:01 PM](#) Chair Fugate opened the item for public hearing. No comments were made. Chair Fugate closed item for public hearing and brought item back to the Commission. Dan Smith inquired about whether or not a conditional use permit was already in place? Lisa Horowitz clarified that current permit was issued for the purpose of new tire building. Horowitz mentioned that when and if Les Schwab files for an amendment to their project, this amendment will include current building.

[5:36:25 PM](#) Chair Fugate believes project was completely discussed at last meeting and recommends motion to approve a conditional use permit.

[5:37:16 PM](#) Chair Fugate motioned to approve the application by Les Schwab, represented by Kimley Horn Architects, for a conditional use permit, for a new 3,500 square foot tire storage facility to be located adjacent to the existing Les Schwab building at 520 N. River Street (Lots

11-20, Block 65, Hailey Townsite) in the Business (B) and Townsite Overlay (TO) Zoning Districts. Dan Smith seconded and the motion carried.

NB2 *Consideration of an application by Scott Miley, represented by Galena Engineering, for a Lot Line Adjustment located at 215 and 219 N. First Avenue, Lots 1-5, Block 45, Hailey Townsite to consolidate five existing lots and create three lots, Lot 1A, 2A and 3A in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.*

[5:38:28 PM](#) Lisa Horowitz introduced and made corrections to the Staff Report. Horowitz presented revised plat to the Commissioners and the Public showing corrected plat.

[5:40:40 PM](#) Chair Fugate opened the meeting for public comment. Brian Yeager of Galena Engineering noted the attempt to adjust the current lot lines, to create three lots, with an opportunity to create four of five lots in the future. Horowitz included a Google Earth image of the house that will be retained. Chair Fugate inquired about the water and sewer hookups for 6 lots. Scott Miley noted that the property currently holds three water and sewer hookups.

[5:45:45 PM](#) Chair Fugate noted that drainage should be addressed prior to building. Lisa Horowitz confirmed that drainage would be addressed at the time of building.

[5:49:48 PM](#) Brian Yeager noted that having rounding provisions in place would be a good idea for future use. Chair Fugate agreed would like to address issue prior to another similar scenario.

[5:54:40 PM](#) Richard Pogue motioned to approve the application by Scott Miley, represented by Galena Engineering, for a Lot Line Adjustment located at 215 and 219 N. First Avenue, Lots 1-5, Block 45, Hailey Townsite to consolidate five existing lots and create three lots, Lot 1A, 2A and 3A in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. Dan Smith seconded and the motion carried.

NB3 *Continuation of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to clarify: Restaurants, including Drive-through and Restaurants which may or may not include the sale of alcoholic beverages; Parcel Delivery and Shipping Services; Dance, Martial Arts and Fitness Facilities, Recreational Facility, Indoor and Outdoor, Performing Arts Center, Studio Artist, and amendments to Title 17, Section 17.02, Definitions to add or modify definitions related to the above. Work Session to also include discussion of a variety of implementation issues and questions regarding Title 17, Section 17.5, District Use Matrix and Title 17, Section 17.02, Definitions.*

[5:55:39 PM](#)

Lisa Horowitz suggested that the Commission postpone NB3 until 6:30pm, as representation has not yet arrived. Commissioners agreed. Chair Fugate recommended that the Commissioners move forward to NB4. All Commissioners were in agreement.

NB4 *Consideration of a City-initiated text amendment to Title 16, Chapter 16.06, Section 16.06.030, clarifying the application and review for Lot Line Adjustment in Townsite Overlay.*

[5:57:39 PM](#) Lisa Horowitz clarified the details of a lot line adjustment and addressed how hosting a public forum is beneficial for community members. Horowitz noted that it allows people to comment and express concerns, if present. Horowitz also noted her attempts to

reword the language and remove any implications regarding lot line adjustments. The Commissioners agreed and believe language to be clearer and more concise regarding lot line adjustments and the subdivision process.

[6:02:15 PM](#) Tony Evans, Idaho Mountain Express, noted that he finds the language confusing, in part due to definitions. Tony Evans inquired about the differences between a subdivision and a lot line adjustment. Dan Smith clarified what a subdivision and lot line adjustment were.

[6:07:24 PM](#) **Richard Pogue motioned to approve the consideration of a City-initiated text amendment to Title 16, Chapter 16.06, Section 16.06.030, clarifying the application and review for Lot Line Adjustment in Townsite Overlay. Jeff Engelhardt seconded and the motion was carried.**

NB3 *Continuation of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to clarify: Restaurants, including Drive-through and Restaurants which may or may not include the sale of alcoholic beverages; Parcel Delivery and Shipping Services; Dance, Martial Arts and Fitness Facilities, Recreational Facility, Indoor and Outdoor, Performing Arts Center, Studio Artist, and amendments to Title 17, Section 17.02, Definitions to add or modify definitions related to the above. Work Session to also include discussion of a variety of implementation issues and questions regarding Title 17, Section 17.5, District Use Matrix and Title 17, Section 17.02, Definitions.*

[6:15:33 PM](#) Lisa Horowitz introduced the errors found in the currently adopted District Use Matrix. Previous discussion included restaurants and the various classifications of the types of restaurants, including restaurants which may or may not include the sale of alcoholic beverages. Dan Smith believed NB3 to be redundant. Smith stated that the Restaurants and Bars category should include the serving of food and alcohol, without delineating between the two. Chair Fugate believed matter to be conditional. Horowitz: believes bar to be not allowed and food to be conditional. Dan Smith noted otherwise and would like eliminate the delineation.

[6:19:33 PM](#) Chair Fugate recommended that the Commissioners address this issue sooner than later and put something in place for future use. Commissioners agreed.

[6:21:27 PM](#) **Lisa Horowitz recommend a motion to modify this particular portion of District Use Matrix. Chair Fugate motioned to approve Section One of the Staff Report. Dan Smith seconded and the motion was carried.**

[6:22:40 PM](#) Chair Fugate addressed Section Three of the District Use Matrix regarding Dance, Martial Arts, and Fitness Facilities. Lisa Horowitz would like to clarify and simplify categories for future use.

[6:26:11 PM](#) Lisa Horowitz suggested that the Commission review the remaining categories and permit what is already in place. Richard Pogue noted that he would like to revisit definitions of each category listed. Lisa Horowitz mentioned that a new graph, with larger print, will be printed for the next P&Z Meeting. Horowitz suggested that the Commissioners revisit topic after matrix has been reformatted.

[6:36:03 PM](#) At a previous meeting, Section Two of the District Use Matrix was discussed. The Commission suggested a 'not permitted' for Parcel Delivery and Shipping Services. Lisa

Horowitz noted this to be an odd grouping of categories and suggested categorizing them differently. The Commissioners debated on whether or not to delete the term, 'Courier'.

[6:42:36 PM](#) Chair Fugate suggested that the Matrix could read Truck Transportation, Parcel Deliveries and Passenger Services. Chair Fugate recommended that the Commissioners address this issue sooner than later and put something in place for future use. Commissioners agreed.

[6:59:17 PM](#) Chair Fugate opened the item for public hearing. Tony Evans, from the Idaho Mountain Express, noted that he finds the language confusing. Chair Fugate noted that she would like to streamline the language to better understand the intent of the Matrix. Tony Evans inquired about the impact the UPS separation would have in the neighborhood and on the business district. Chair Fugate noted that currently, this issue is about the matrix and would like to streamline the language and clarify definitions before any decisions are made. Tony Evans stated his concerned about the changing or striking of language in these zones.

[7:04:31 PM](#) Chair Fugate noted that the Commissions has been advised to do what is most reflective of the current situation.

[7:07:19 PM](#) Julie Cord noted that River Street is somewhat industrial, in that several businesses complete distribution on River Street. Cord also noted that lots of activity takes places on River Street and she encouraged the Commissioners to favor a Conditional Use approach.

[7:10:26 PM](#) Chair Fugate closed the item for public hearing. Chair Fugate suggested that the Commission revisit this subject after the categories have been refined and definitions redefined.

[7:14:11 PM](#) Lisa Horowitz suggested that like items be lumped together and where distinction needs to be made, the Commission can review and respond accordingly. Dan Smith noted that molding the community through clear zoning ordinances would be beneficial to the community in the future.

[7:17:48 PM](#) Richard Pogue posed several questions: "What is the highest and best use for the City of Hailey?" "What is our goal with these zoning ordinances and restrictions?" Pogue noted that UPS is valuable to our community; however, Pogue suggested that UPS will better serve the City of Hailey in another location. Lisa Horowitz suggested that the Commission revisit conversation regarding City-initiated Text Amendment at a later date. Commissioners agreed.

[7:27:07 PM](#) **Dan Smith motioned to continue the conversation regarding City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix on July 11, 2016. Richard Pogue seconded and the motion carried.**

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR1 *Discussion of current building activity, upcoming projects, and zoning code changes.
(No documents)*

[7:28:39 PM](#) City staff updated the Commission on building permit activity.

SR2 *Discussion of the next Planning and Zoning meeting: Monday, June 13, 2016.*
(No documents)

Adjourn

7:32:32 PM Jeff Engelhardt motioned to adjourn. Richard Pogue seconded and the motion carried.