

**MINUTES OF THE REGULAR MEETING OF THE  
HAILEY CITY COUNCIL  
HELD MONDAY, SEPTEMBER 26, 2005  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The regular meeting of the Hailey City Council was called to order at 5:35 p.m. by Mayor Susan McBryant. Present were Council members Rick Davis, Martha Burke, Don Keirn, and Carol Brown. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

**OPENING REMARKS**

Mayor McBryant said she had, in the past several weeks, had the opportunity to travel outside of our valley, and found herself looking at communities differently because she is in a leadership position. Some small towns have done things so well, and others were asleep and find it is too late now to deal with issues such as massive drive-through traffic and the loss of downtown areas. There are some towns which haven't allowed funky little structures to be torn down, and those downtown cores have been kept thriving and have found a method of working with their traffic issues. She has returned refreshed instead of being down about the fact that Hailey can be improved with resolve. The towns that have done it right had a strong sense that what was dear to them was changing. We are at a pivotal point in time in the entire Wood River Valley. Hailey can be a town of big boxes; but we need to decide if that is what we want, and if we don't want that, how will we take action to keep our town unique? How do we prevent ourselves from becoming a town in which none of us can afford to live?

**CONSENT AGENDA**

Davis moved to approve the consent agenda as presented. Keirn seconded; the motion carried unanimously.

- CA 307 Motion to authorize signature accepting right of way to BLM land for Toe of the Hill Trail
- CA 308 Motion to authorize execution of contract with Transpo Group for Transportation Master Plan
- CA 309 Motion to authorize city officials to sign grant application for Hailey Historic Preservation Commission survey of Old Hailey Townsite
- CA 310 Motion to approve claims against the City for August invoices
- CA 311 Findings of Fact and Conclusions of Law for Lido Equities Group, LLC Final Plat of Copper Ranch Phase III
- CA 312 Findings of Fact and Conclusions of Law for Thomas Lynch/Inland Builders Final Plat of Winter Fox Townhomes
- CA 313 - A Motion to approve Findings of Fact and Conclusions of Law for BCSD PUD of Woodside Elementary
- CA 313- B Motion to approve PUD Agreement for BCSD Woodside Elementary
- CA314 Motion to approve Findings of Fact and Conclusions of Law for BCSD Preliminary Plat of Woodside Elementary
- CA 315 Motion to approve Findings of Fact and Conclusions of Law for rezone of

Tax Lot 5377 and portion of Tax Lot 7573 (Wastewater Treatment Plant)  
CA 316 Motion to authorize settlement of utility billing dispute on secondary residence  
CA 317 Motion to approve change order No 1. to Walton's contract from meter vault  
installation in Buttercup Subdivision

### **THIRD READING OF ORDINANCE 920 – MAILBOX ENCROACHMENTS**

Davis moved to authorize the third and final reading of ordinance 920 by title only. Keirn seconded; the motion carried unanimously.

### **EXECUTIVE SESSION**

Brown moved, Burke seconded to go into executive session. A roll call vote showed all in favor. The council went into executive session at 5:43 p.m. Following a motion and roll call vote, the council went out of executive session at 6:05 p.m.

Davis moved and Burke seconded to authorize a settlement agreement drafted in the Torres/Susa matter. The motion carried unanimously.

### **HOUSING SECTION OF COMPREHENSIVE PLAN**

City Planner Diane Shay introduced the changes to the housing section of the Hailey Comprehensive Plan. There is language which refers to other actions outside of the comprehensive plan, including adoption of inclusionary housing and development impact fees. Brown asked if density bonuses are necessarily a part of inclusionary housing. Is inclusionary housing a mandatory component of all development. Grotto said that would be for situations over and above.

Jan Edelstein of 720 Fourth Avenue South said she was in favor of inclusionary housing. She was concerned that this only applies, however, to new development. Housing isn't a problem of new development; it is a problem stemming from the fact that people of the local economy can't compete for housing. Those whose incomes aren't tied to the local economy are moving into the south valley as well. When a local economy person sells their house, they are not replaced by another same type dwelling. She hoped the city is looking more broadly. The only way to have people who work here live here, is to have a segment of housing outside the new market system. We'll never get ahead of the curve, and will continue to lose more people who are currently housed and of the local economy as they sell. She hoped the plan is written broadly enough.

Aaron Domini said it is important to think on a broad scale, and was grateful to see the inclusionary language. He said other methods to provide community housing need to be sought.

Jan Edelstein said every time property is annexed, and density goes from 1 lot to 10 lots per acre, there's a huge increase in value. She suggested that the council require half of those new lots to go to community, price restricted housing.

There being no further public comment, the Mayor closed the public hearing.

Davis was satisfied with the way this comprehensive plan section has been written. Keirn was concerned with language about waivers. Because it is in the comprehensive plan, perhaps waiver of certain standards won't carry much weight and his concerns could be addressed in the ordinances. He didn't like the term "community housing", and preferred "workforce housing."

Burke asked if we want to address interspersing community housing not only throughout the community, but throughout itself as well. No component should be isolated.

Brown wanted to add some language that the safety and health of our residents will be in jeopardy if we continue to lose our emergency service workers. She wanted to actually call out the PUD process where waiver of certain standards is mentioned. After a question from McBryant as to why PUDs shouldn't be required to achieve the same goal, Brown and Keirn agreed that B and C should be pulled. Grotto said there may have to be concessions in order to make the ordinance legally defensible. Brown said she would want to discuss that in the ordinance stage, then, not the comprehensive plan stage. She suggested adding language to encourage other creative ways to achieve our goal other than inclusionary housing.

McBryant said it has always bothered her that the terms don't seem to fit. If it is called community housing, she is a member of the community but the housing is not available to her and if it is called workforce housing, she too is part of the valley workforce but the housing is not available to her. She said it is, however, clearly "deed restricted" housing. Brown was fine with "community housing" if it is defined as deed restricted.

**Keirn moved to continue the comprehensive plan section to the next meeting with instructions to the staff to make changes as directed by the council.** Davis seconded; the motion carried unanimously.

## **PARKING AND LOADING SPACES ZONING & SUBDIVISION ORDINANCE AMENDMENTS**

City Planning Director Kathy Grotto said the purpose of these ordinances is to amend parking requirements which are creating a sea of parking that is not necessary. The other change affects multi family housing parking.

The zoning ordinance amendments allow parking credits to a project under certain circumstances. When a facility has peak hours off-peak from the rest of the business areas, they will be allowed to have parking further away. The joint-use section has been eliminated entirely and replaced by a shared-use parking section. In the past, a fraction of a parking space was rounded up, and now, if 10 or more spaces are needed, we will now round down rather than up. The question that storage area in a basement is not included in the gross square footage is clarified. Mixed use projects that may be proposed downtown will be subject to calculations of one parking space for each small residential unit. Parking requirements for parks is addressed by stating that the city will go with the recommendation of the parks and lands board. No parking will be allowed in front of buildings in the business district. A different mix of uses with different peak times can share parking spaces, which may allow an overall decrease in the parking spaces, by 20%. If businesses are not more than 300 feet apart and there is a written agreement between the two entities, this option would be

allowed. As business uses changes, the parking would be re-evaluated. There are three different examples given within the staff report.

Brown had questions about business changes. Grotto said the agreement would have to be amended with all parties, including the city. Keirn asked if Prescott, Arizona, after which this draft ordinance is modeled, would do their ordinance again, or what would they do differently? McBryant wasn't sure why we are limiting the reduction when we are trying to reduce parking.

Mayor McBryant opened the public hearing. Keith Sanborn said a better use of parking throughout the day may allow lower cost housing in general. These parking amendments may offer a better chance of providing housing.

Michael David of 222 Galena complimented staff on its incredible work on the inclusionary zoning. He preferred the term community housing. He said developers are often stymied by parking requirements, and these changes allow for more flexibility.

Domini said there are many examples of shared parking ordinances around the country, and Prescott's is one highlighted by the American Planning Association. Next to Silver Street Place is a big dirt lot that's the Liberty Theater's parking lot. It is never used.

Taylor Walker of 200 First Avenue South said he is trying to figure out a development plan for property between Bullion and Carbonate Streets. Multifamily housing would be created on the second floor, if underground parking is not required. This ordinance is an incentive for developers such as himself. The multi-family formula is tied to the acreage formula, but the parking requirement is unilateral.

The mayor closed the public hearing.

Davis said it is refreshing to see these requirements loosened. He felt this would promote the retention of older buildings. Keirn said the 2 most contentious issues in Boise were parking and signage. He thought staff had done a great job of taking very broad parking requirements and scaling them down. Burke said the bad example used to be parking in Ketchum. Enough of the dynamics of the community has changed that we don't need to look at parking in such a narrow way. We've made some parking concessions that make sense. Brown said there was not enough off-street parking in Ketchum for downtown residents. She hoped Hailey residents would not be put into the same position. McBryant said we may achieve a more pedestrian friendly community, but we are testing the retailers to have a fine product, because people may have to park a block away from the business they want to patronize. If we are able to provide housing, then it's not unreasonable to think they may be able to ride their bikes or walk to work. She hoped the ordinance amendment would allow the opportunity to retain an eclectic mix of buildings to add charm to our funky old town.

Burke moved that city council read the first reading of Ordinance 922 to amend the parking requirements of the zoning ordinance by title only. Keirn seconded; the motion carried unanimously. Davis moved to read Ordinance 923 by title only, amending the subdivision ordinance as it affects parking requirements. Keirn seconded; the motion carried unanimously.

## **COX COMMUNICATIONS**

Williamson said he had met with Cox representatives, and we are waiting to hear back from them and have not. **Keirn moved that the matter be continued to October 10, 2005.** Davis seconded; the motion carried unanimously.

## **SUBDIVISION MORATORIUM AMENDMENT**

Grotto said the council had given staff direction to amend the moratorium to exclude commercial condominium applications.

The mayor opened the matter for public hearing, but there was no public comment. Davis moved that the council waive the three readings, read by title only, and authorize the mayor to sign. Burke seconded; the motion carried unanimously.

## **PEAK BUS ROUTE CHANGES**

Jim Finch presented proposed changes to the Peak Bus route, and other expansions of bus service, including higher fares. More stops were proposed, only one of which would be in the right lane of traffic (at the post office). He said Woodside Boulevard is the key to the transit system for this entire valley. He said 6 minutes are lost trying to get out onto the highway at Countryside, so the bus would be routed from Balmoral up to Fox Acres road for egress onto the highway. He wanted approval for the long term route, approving the stops, and asked for some labor forces to help install some of the physical components, such as stop signs and bench shelters. Brown noted that in the draft master plan there was a major bus route and a circulator route. Finch explained this is phase 1 of the master plan. It is not intended to replace the internal circulation plan. Hellen said some buy-in from the city should be discussed by the council. Finch said his plan is modeled after Aspen, where the richer communities paid for many years by themselves, and now the smaller communities are beginning to make payments. Brown clarified that in this discussion with Finch there is no commitment to a joint powers agreement. McBryant asked if there has been any dialogue with the business owners where bus parking is planned. She was concerned that we may be moving more quickly than the community is ready. She wanted some dialogue with the business owners. Brown agreed, but otherwise, in general, liked seeing the additional stops. McBryant was concerned that municipal power may be given over to the county, because Finch is an employee of the county. Mayor directed that the matter be placed on the next meeting agenda, allowing some time for a dialogue with the business community. Hellen said a loading zone ordinance may be required. Davis volunteered to work with the business owners.

**Brown moved to allow the extension of Peak Bus service from Airport Way south to take effect immediately.** Keirn seconded; the motion carried unanimously.

## **LIBRARY BOARD APPOINTMENT**

McBryant said April MacLeod is up for re-appointment to the library board. She said April fights hard for the library, and **Keirn moved that her appointment be approved.** Brown seconded; the motion carried unanimously.

## **CONSENT AGENDA REVISITED**

CA 312 – Williamson asked the council to reconsider it's approval earlier of the findings of fact for Winterfox, because he needed the proposed findings amended to eliminate condition I, regarding the easement for access and parking for lot 10B

Davis moved to rescind approval of CA 312 from consent agenda approval. Keirn seconded. The motion carried unanimously.

Brown moved to authorize findings for Winterfox, eliminating condition I. Burke seconded; the motion carried unanimously.

## **AIRPORT REPORTS**

Burke was concerned that crowd control may be needed for the airport authority meeting of September 28, 2005. McBryant suspected a well controlled crowd with succinct comments made. People will look foolish if deliberately try to violate the protocol that's been established. Burke said the presentation is on Friedman's website.

## **COUNCIL REPORTS**

Brown pointed out that the BLM had given right of way approval to connect the Toe of the Hill Trail. October 5, 2005 is the next regional transportation meeting.

Keirn said the SEIDO group is sending representatives around to look at sites for economic development.

Davis noted that a grant application for historic commission had been authorized on tonight's consent agenda, and a meeting is set up for tomorrow evening. Christopher Simms had erroneously taken credit in a recent editorial for historic preservation, and some bad information was disseminated which Davis felt should be corrected.

## **STAFF REPORTS**

Hellen said Mary Ann Mix is again interested in filing an Idaho Community Development Block Grant of \$500,000, asked if council was comfortable with city staff administrating the contract. McBryant said Hailey Ice, the Blaine County School District, and the City of Hailey would be applicants. The council discussed shared funding between these entities for the project money.

There being no further business, the mayor adjourned the meeting at 8:24 p.m.