

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, JANUARY 3, 2005
IN THE UPSTAIRS MEETING ROOM WITHIN HAILEY CITY HALL**

The regular meeting of the Hailey Planning and Zoning Commission was called to order at 6:30 p.m. by Commission Vice Chair Kristin Anderson. Commissioners Trent Jones and Eddy Svidgal were present. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

OATHS OF OFFICE

Hyde administered the Oath of Office to Nancy Linscott and Elizabeth Zellers.

ELECTION OF OFFICERS

Svidgal moved to elect Anderson as Chair and Jones as Vice Chair. Jones seconded the motion and it carried unanimously.

PUBLIC HEARINGS

HAILEY BUSINESS PARK SOUTH

An application by Dave and Mark Dawson for design review of new buildings, to be known as Hailey Business Park South, located at 25 Broadford Road (Tax Lots 1807 and 6942), in the Technological Industry district. **(continued from 12/20/04 – to be continued to 1/18/05)**

Jones moved to continue the application to January 18, 2005, at the applicants' request. Zellers seconded and the motion carried unanimously.

HAILEY COMPREHENSIVE PLAN – PURPOSE, NATURAL RESOURCES AND RECREATION/PARKS AND LANDS SECTIONS

Proposed amendments to the Purpose section, the Natural Resources section and the Recreation, Parks and Lands section of the Hailey Comprehensive Plan. The Natural Resource element is an analysis of the uses of rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines. The Recreation, Parks and Lands section is an analysis of recreation areas including parks, parkways, trails, riverbank greenbelts, and other recreation areas and programs. A map is also proposed for each section.

Shay advised of the inclusion of conflict provision language added to the Purpose section of the Comprehensive Plan.

Becki Keefer, Parks and Lands Board Chair, gave an overview of the maps in context with the Natural Resources section. She suggested adding the following disclaimer to the maps, "...The map depicts broad community goals; site-specific data and circumstances should be balance with the overall goals depicted on the maps when considering land use applications..." Keefer said language added to the Natural Resources section addressed exploring the use of landscaping that is designed to be water/maintenance efficient. Language is also proposed addressing ridgelines and quality of life, recreational opportunities and community assets. Verbiage also added states that the Resource Map--showing wetlands, floodways and floodplains, green space and wildlife corridors—should be used as a tool for future land planning and is adopted as part of this plan.

Keefer stated language on the maps would be removed, leaving the legend information including "open space" and "green space". She advised that the Parks, Trails and Green Space map shows the Area of City Impact at the visible ridgelines. She added the greenway shown needed beefing up for pedestrian amenities and shows connection for pedestrian travel. The Resources map addresses wetlands, waterways, creeks, and hillside slopes; all of which are sensitive to development.

Keefer explained that the circles drawn around the parks are meant to show neighborhoods lacking in park area. Walkable distance and accessibility are standards used for parks in many areas. She added that many of the changes presented to these updates were from ideas and suggestions presented in 2004 meetings.

Linscott suggested City representative information should be made available to the public also, with regards to Section 1.3 Policy 2.

Anderson opened the public hearing.

Aaron Domini, 531 Aspen Drive, believed it important to require vacant lot holders to maintain landscaping on those lots, especially if those lots are to remain vacant for extended periods of time, to not allow takeover by noxious weeds.

Marty Flannes, 531 Robin Hood Drive, believed the current nuisance ordinance, section 8.08.020 of the Hailey Municipal Code, should handle the noxious weed problem, but he suggested adding language to give it teeth.

Jones added that current State Law requires landowners to handle noxious weeds on their properties.

There was discussion about Section 1.6.3.2, with Flannes suggesting use of the word "require" versus "encourage". It was also suggested that standards for drought tolerant or native plantings be included in 1.6.3.3.

Flannes suggested addition of the verbiage stating that "Hailey is committed to a process to establish a valley wide assessment of the water supply." He believed that if the City is looking at extending services beyond its borders it should be stated in the Comprehensive

Plan.

Because there was a representative of Fish and Game at the meeting to address migration corridors, Shay asked that migration issues be looked at first.

Stoney Burke, owner of Quigley Canyon, introduced Pat Cudmore. Mr. Cudmore is a retired Fish and Game officer who wrote the wildlife plan for the Quigley project, and he addressed wildlife as it is pertinent to Quigley. Mr. Cudmore addressed the 3 wildlife corridors shown on the Natural Resources map in Quigley Canyon, stating he did not know of any data requiring a 1000 foot wide wildlife corridor. Cudmore stated current Fish and Game officer, Roger Olson, researched Quigley today and found that the deer are crossing at one location farther up the canyon. Cudmore advised that Red Devil, Hangman and Deadmans Gulch south facing slopes are vital to elk migration.

Cudmore recommended a minimum on fencing, suggesting the use of pole and rail, 42 inches in height, to allow easy deer access. He discussed the possibility of grooming an area to allow easy access by the animals, as they will quite often use paths, e.g. snowmobile tracks, already in existence for ease of travel. He stated, with regards to Quigley, that there is no history of animals crossing in 3 locations, but instead, the main central corridor shown on the map is typically where the animals cross.

Roger Olson, Fish and Game officer, stated that the 1000 foot corridor depicted on the map was very specific and may not be valid. Language is needed to explain the intent of a corridor that is big enough to move animals through an area.

Linscott suggested that the corridor lines should be fuzzy.

Cudmore reiterated that there was no historical data showing the animals traveled all the corridors shown on the maps. He again recommended the Red Devil, Hangman and Deadman Gulch areas important for no disturbance to wildlife.

Anderson asked if absolute lines would need to be agreed on tonight. Grotto indicated the corridor lines should be as accurate as possible.

Linscott suggested labeling the corridors as “potential wildlife corridors” to allow review in the future, ensuring a review would happen.

Olson suggested removal of the lowest wildlife corridor line in Quigley, stating animals are not crossing at that location because there is no where to go with the development that has transpired. He suggested leaving the upper crossing, at the pond area, stating it was less critical, but many deer did cross there.

Jones believed there was too much focus being put on Quigley with regards to wildlife, asking the Commission to remember that the entire valley is a migration corridor for animals because the Big Wood River, which is an essential corridor, runs through the valley. Anderson agreed the importance of all the corridors should be recognized.

John Gaeddert, 1 Quigley Road, suggested the map should reflect the east/west migration patterns also.

Burke stated that human intervention has changed migration patterns.

Terry Hogue, attorney at Hogue and Dunlap, suggested removing corridor width as referenced in 1.4.1.3, and checking with Fish and Game for site specifics when working with a property.

Linscott suggested that 1.4.1.3 state, "Identify and map wildlife migration corridors, in consultation with appropriate experts." Flannes suggested the next sentence read, "...Require adequate development to mitigate or protect such corridors, especially along the Big Wood River and in all canyons to the east and west of Hailey prior to development of open space."

Stoney Burke indicated he was uncomfortable with leaving the lines as drawn.

Roger Olson was also not comfortable with being locked into a line of a wildlife corridor. He suggested it would be better to make those corridor lines fuzzy.

Keefer suggested not tying a concept to a spot on the map. She said the maps depict broad community goals. Each applicant would need to prove locations and mitigation upon submission of an application to the City.

Pat Cooley, 3040 Woodside Blvd., expressed no concern with the Deadman Gulch corridor lines. He did not believe the wildlife corridor shown by the high school was used much anymore, although until a couple of years ago many animals used that route. He believed the corridor issue should be addressed through text instead of an exact line on the map. He did not believe the corridors should be tied to a specific width at this time. Shay advised she would work on language to give latitude to the corridor areas.

Jones indicated concern that language addressing the location of wildlife corridors could be used as a tool to squelch development. He preferred to recognize broad wildlife migration areas and identify "pinch points".

There was some discussion about using 2 lines to delineate corridor areas.

Linscott suggested generally depicting and verbally acknowledging the corridors on the map, and making it incumbent on future developers to prove exact location of the corridors. Svidgal was in agreement. Anderson also agreed more language was needed to address the wildlife corridors.

Cudmore reiterated he did not like the lines used to denote the corridors.

Hogue added that the new annexation procedure required wildlife studies be turned in

with an application.

There was further discussion about removing the corridor lines from the map, with Keefer and Domini believing the lines indicated general guidelines for guiding policies, ordinances and the overall direction of the community. Keefer added the lines make a quick reference for someone who might not have the time to read the full Comprehensive Plan. Anderson believed the lines would red flag someone to the fact there might be an issue.

Svidgal suggested the addition of a bulleted red note to address wildlife migration. Cudmore said it was too premature to draw the lines on the map, especially to depict 1000 foot crossings. He suggested a caveat was needed if lines were used on the map.

Gaeddert referenced the wetlands, floodplain and floodways, stating that the canyons don't particularly encompass floodways. He suggested looking at what was truly being mapped.

Keefer advised waterways were left off the legend. She stated Quigley shows up on the FEMA maps. There was discussion about the cfs flows from Quigley Canyon. Burke advised the wetlands delineation of Quigley is only above the reservoir. Keefer stated future development or redevelopment of an area would need to be sensitive to water resources. There was discussion about using the term "water resources" instead of "wetlands, floodplain and floodway."

Shay advised that FEMA is looking at redoing the Quigley study, recognizing it is in error.

Hogue suggested making broad statements versus adding lines to a map, because lines concern developers. He believed issues "lined" on the maps could be addressed through individual applications.

Grotto stated the Comprehensive Plan sets forth the vision and goals for the City, and if a goal is to restore water resources to an area, that should be set forth in the Comprehensive Plan.

Grotto said that suggestions from tonight would be incorporated, with the documents reworked and presented to the Commission in the future.

Denise Jackson Ford, 421 Eureka, a landscaper, appreciated the broad look of the goals, stating it gave her a red flag to read further on an area if she was working on a job in a particular location.

Svidgal moved to continue the application to the February 7, 2005 meeting. Linscott seconded and the motion carried unanimously.

SUBDIVISION ORDINANCE TEXT AMENDMENTS

Proposed city-initiated text amendments to Subdivision Ordinance No. 821, adding references to Hillside and Avalanche Overlay Districts, and providing for in-lieu contributions for sidewalk improvements.

Grotto advised this conversation may be putting the cart before the horse due to future Avalanche and Hillside ordinance discussions. She advised the Hillside Overlay, Avalanche Overlay and these Subdivision Ordinance text amendments would go to the Council as a package. She advised that these text amendments would require subdivisions to comply with Hillside Overlay and Avalanche Overlay provisions, generally prohibiting the creation of new lots within those hazardous areas.

Grotto referenced section 4.2, which clarifies that sidewalks are required within and adjacent to all subdivisions and allows a provision for waiving by the Council if so recommended by the Commission. She reminded that the requirement for sidewalks/curb/gutter in the Business district cannot be waived.

Section 4.2.4 allows for voluntary in-lieu contributions by a developer for sidewalk improvements elsewhere should it be recommended by the Commission and approved by the Council that a sidewalk would lead to nowhere. These voluntary contributions can only be addressed for sidewalks in residential zoning.

Anderson opened the public hearing.

Aaron Domini, 531 Aspen Drive, asked why any exceptions were being allowed, stating his belief that the City would benefit from all in-lieu contributions.

Marty Flannes, 531 Robin Hood Dr, agreed with Domini, that if sidewalks are not required to be constructed in a particular area, in-lieu fees should be collected and the funds used in conjunction with other projects. He suggested the use of “latecomer agreements”, explaining that first developer in an area installs infrastructure to the whole block and no additional building permits are issued until the new incoming developer/builder pays their part of the original cost. He believed that in-lieu fees should be more than the cost of constructing sidewalks, using 150% as an example, giving an added incentive for developers to construct the sidewalks in their development.

Anderson closed the public hearing.

Svidgal referenced page 2, starting at “a contour map at no more than a 2’ contour interval...”; and suggested changing the word “more” to “less”.

Zellers suggested including a formula to decide the dollar amount tied to in-lieu contributions and clarifying that in the ordinance. Grotto suggested a formula could be included and revised annually if needed.

Linscott liked Flannes comments addressing “latecomer agreements”, and suggested staff pursue those comments before locking an ordinance in.

Jones believed sidewalks should be in scale with a project size and that the installation of them should be an absolute. He added that a goal of the community is to be pedestrian friendly, and that there is a responsibility for meeting that goal.

Linscott agreed a developer should not be off the hook for providing sidewalks. Anderson also agreed sidewalk requirements should not be waived.

The Commission was in agreement that sidewalks should be of concrete instead of asphalt, for longevity as recommended by the Street Department.

Linscott moved to continue the application to February 7, 2005. Jones seconded and the motion carried unanimously.

FINDINGS OF FACT

Higginbotham Condominiums Preliminary Plat - **Jones moved to approve as written,** Svidgal seconded and the motion carried with Zellers and Linscott abstaining.

COMMISSION REPORTS

There was discussion about filling Svidgal’s position on the Commission. He advised staff he had spoken to a couple of architects about filling the position.

Jones moved to adjourn, Svidgal seconded and the motion carried unanimously.

The meeting adjourned at 9:25 p.m.