

**MINUTES OF THE REGULAR MEETING ON THE HAILEY PLANNING AND ZONING COMMISSION HELD MONDAY, October 1, 2007 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 Chair, Stefanie Marvel. Commissioners Owen Scanlon, Michael Pogue, Nancy Linscott, and Elizabeth Zellers were present. Staff present included Planning Director Beth Robrahn, City Planner Diane Shay, and Planning Technician Mariel Platt.

**PUBLIC HEARINGS**

**MIX LOT LINE ADJUSTMENT**

An application by Mary Ann Mix for a lot line adjustment to a fraction of Lots 7-11, all of Lot 12 and 50'x120' of vacated Pine Street, Block 105, Hailey Townsite.

Brian Yeager, from Galena Engineering, gave an overview of the proposal. He explained the previous proposal involved three lots, but now Mix is requesting a lot line adjustment, changing the previous proposal to two lots. As a condition of approval, following the initial proposal of three lots, the city of Hailey (City) required her to eliminate the breezeway that straddled the lot line. Mix proposed not to eliminate the breezeway and instead eliminate the lot line, making a new proposal for two lots.

Yeager stated that the proposal conforms to zoning regulations for LR-1, Townsite Overlay. Access would be through the alley. The improvements required in the original proposal have already been installed.

Shay concurred with the information presented by Yeager, based on conversations she had with Kathy Grotto, the City's previous Planning Director.

Scanlon asked when the original house was built and Mix stated in 1980, but the breezeway was constructed in 1996.

Scanlon asked for clarification on the breezeway's placement. Mix responded, stating there were originally six lots, the street was vacated, and the breezeway was constructed across the lot line to adjoin the building she had purchased. She clarified it is not a breezeway it's an enclosed hallway. Discussion ensued regarding why the structure was originally allowed to straddle the lot line. It was determined that, at the time, it was not a violation given that Mix owned both lots and no ordinance was in place prohibiting her from doing so.

Pogue asked about the required building setbacks from power lines, which was one of the original conditions for approval, and whether or not that was an issue. Robrahn stated she

discussed the issue with the City Attorney who dismissed it; therefore, it was not carried over. Mix stated there are no power lines; the power is underground.

Linscott asked why there was a new application process for changing the initial request from three lots to two lots. Discussion ensued regarding the issue and it was determined that the ordinance had changed since her initial application, which now required a lot line adjustments within the Townsite Overlay to seek additional approval beyond administrative authorization.

Linscott asked for clarification regarding Townsite Overlay improvements and whether sidewalks are required before a Design Review application is submitted. Discussion ensued regarding the issue and City staff stated they would attempt to find an answer for Linscott.

Marvel commented on the eight foot-wide easement to the bike path, which is supposed to be accessed from Pine Street. Marvel assumed that the access was supposed to be located between Mix's fence and the neighboring house that was moved to the Pine Street vacated lot. Mix responded stating her fence is set 8 ft. from her property line to ensure that the access remains. Mix continued, stating that the property owner to the south does not have a fence; their deck ends eight feet from their property line, creating a 16 foot-wide easement to the bike path.

Marvel wondered if the City could request a sign alerting the public to public access somewhere in the easement. Mix agreed to install a sign.

### **Public Hearing Opened**

Geoff Moore, 1250 Woodside Blvd, asked if the vacated lot on Pine Street was owned by the applicant or by the City. Marvel clarified that the lot was already owned by the applicant.

### **Public Hearing Closed**

Shay followed up on the sidewalk improvement question previously posed by Linscott. Shay stated a letter written by Grotto, to Mix, dated August, 22 2006, described several conditions regarding the first proposal for three lots, which presumably would be similar to a proposal for two lots. Shay commented that the letter does not contain a condition requiring sidewalk improvements.

Discussion ensued regarding the language of the subdivision ordinance, placement of sidewalks in the Townsite Overlay, Design Review requirements, and potential sidewalk improvement requirements for Mix's property. Robrahn stated that there is a waiver allowed for sidewalk requirements for Design Reviews in the Townsite Overlay for single family residences. Robrahn stated at this point nothing is being missed by not requiring sidewalk improvements.

Discussion ensued regarding the placement of a public access sign on Mix's property. Marvel mentioned she would like to see a sign on the property line as well as on the bike path indicating public access. Mix agreed to Marvel's recommendations

Scanlon asked why the application was called a replat and not a subdivision. After discussion, it was determined that a replat was appropriate and that the same standards are applied to a replat that are applied to a subdivision application

Scanlon commented on Section 5.1.1 and 5.1.2 of the City's Ordinance and the requirement for six copies, which he felt are redundant. He wanted the two paragraphs combined. Robrahn stated she would consider Scanlon's request when the next ordinance update occurs.

Shay mentioned in the future, the City would like to reexamine subdivision standards and make them more specific, similar to the design review standards.

Linscott questioned whether the conditions of approval should or shouldn't include anything about subsequent development for readjusting lot lines in terms of compliance for section 4.13 (Townsite Overlay) and for design review requirements in Section 6(a) of the Hailey Zoning Ordinance. After discussion by the Commission and City Staff, it was determined that it was not necessary to specifically subject the applicant to the other requirements.

Pogue questioned whether the City had the authority to require a sign. The City Attorney, Ned Williamson, felt certain that the city could in fact require Mix to post a sign. Yeager concurred. Mix proposed the signs placement be close to the property line, but on her side of the property and viewable on each side. Scanlon questioned whether the cost for the sign should be the responsibility of Mix or the City. Mix agreed to pay for the costs incurred.

Shay suggested the sign be similar to signs already approved by the Parks and Lands Board and that Mix contact Becky Keefer to determine the sign's design and to ensure its compatibility with similar signs currently placed in the City.

**Scanlon moved to approve the application for the replat of lot 7a and 12a, block 105, Hailey Townsite, with the conditions of a-g and adding h. Scanlon stated h required that a public access sign be placed at the corner of the adjacent property on the south side of Lot 12a.**

**Robrahn added to Scanlon's requirements stating, Mix's sign will follow Parks and Land's guidelines and will be approved by the planning director prior to the final plat.** Zellers seconded the motion. The motion was approved unanimously.

## **HAILEY/BLAINE COUNTY AREA OF CITY IMPACT (ACI) ORDINANCE**

Proposed draft Hailey/Blaine County Area of City Impact (ACI) Ordinance, establishing four ACI zones and associated general requirements, addressing annexations, Transfer of Development Rights, governing plans, notice and meetings between City and County **(continued from September 4, 2007).**

As requested by the Commission, Robrahn presented an overview of Transfer of Development Right (TDR) programs. Robrahn discussed the two main benefits. Firstly, in a receiving area, the property owner benefits by having the option to apply additional density to the development of the property, above what the underlying zoning allows. Secondly, the community benefits by offering a tool to direct growth closer to existing infrastructure as opposed to creating additional sprawl. She mentioned this was assuming the receiving areas are planned appropriately. In addition, she stated the receiving areas should be consistent with the City's Comprehensive Plan.

Robrahn stated a Blaine County (County) TDR program has been established and there is a corresponding ordinance. She mentioned its purpose is to preserve agriculture, open space, and sensitive areas, such as silver creek. In addition, she stated the Blaine County TRD program requires those that sell their property rights to create an easement on their property that preserves the land in perpetuity. Robrahn provided examples of other TRD programs in the country.

Robrahn covered the basics of a TDR program:

- **Incentives to buy and sell**
- **Market sets the price of the TDR (not set by jurisdiction)**
- **Voluntary program**
- **Complex, but many examples available to use as guidelines**
- **TDR bank (mechanism to facilitate the transfer of development rights)**

Jeff Adams, a representative from Blaine County, stated Blaine County does not currently have a TRD bank, but a feasibility study has been done by the Trust for Public Lands. He stated the report is not currently available. He mentioned many jurisdictions use a TDR bank to get a program going.

During the September 4, 2007 meeting it was questioned what other tools can be used. Robrahn followed up on the question stating, down zoning can be used and is beneficial because it is often considered fair, but down zoning could also be considered a taking. She mentioned there is also no guarantee of long term preservation and zoning is easy to change. She stated down zoning has been used in Blain County through the 2025 plan, which did down zone a significant portion of property. She stated a TDR program can be used to ease the pain of down zoning by offering a property owner a way to recoup their development rights without actually building anything on their property. She mentioned a second tool is clustering, which is similar to a TDR; although, the transfer occurs within a single parcel. This concentrates the development in a portion of the property leaving the remaining area as open space. Clustering can create a patch work of development and open space, referred to as leap frog affect, which may not address infrastructure issues.

Lastly, Robrahn mentioned the purchase of development rights with public funds may be a viable tool. She stated a density transfer is a variation of a TDR program and the receiving areas are determined on a case by case basis.

Linscott followed Robrahn's presentation with a series of questions. Linscott questioned how to go about getting a TDR market started and who would administer its development. She wondered how the receiving and sending areas would be balanced in a way that drives the market and how would this be addressed within the framework of a city-county relationship. She questioned whether there could ever be special cases within open space track areas, which are already incorporated or could they be sending areas to other areas within the city. She asked who would administer restrictions on uses in receiving areas. She questioned if it was possible to increase density above underlining zoning or if areas would need to be rezoned to allow increases in density to a certain extent if that increase was inspired by the purchase of a TDR. Linscott worried there would be foreseeable problems and complaints.

Linscott questioned a Blaine County ordinance reading, "the transfers of additional density and uses to the proposed receiving area when considered in light the existing or likely accumulated affect of the residential development in the area will not materially change the character of agriculture land, agricultural uses, or the economic viability of the existing agricultural operations in that area." Linscott asked how that was possible while at the same time increasing the density of that area.

Marvel commented that the TRD program discussion be conducted at a different time. Marvel recommended the focus for tonight be on the ACI.

**Continued from the September 4, 2007 meeting, Robrahn gave an overview of the proposed ACI, referring to Exhibit 4.** She stated standards for each proposed zone within the ACI and said they would all be adopted as one. Robrahn referred to the black line on the proposed ACI plan, which designated the ACI boundary. Robrahn indicated that the red and yellow areas of the proposed ACI map are designated as the sending areas pertaining to the TRD program and therefore, will not be discussed at this time. There was confusion regarding the topography within the proposed ACI and where the ridge line would reside on the map. Yeager mentioned that one of the maps in exhibit 1-3 includes a depiction of the area's topography.

Robrahn explained the four proposed zones within the ACI boundary.

Robrahn recommended that the Commission discuss, with or without the inclusion of the TDR program, whether or not the boundary, zones, and supporting standards for each zone are satisfactory to the Commission.

Marvel suggested that each zone be addressed with comments and questions.

Pogue questioned why the H Zone was called the “Heritage Zone.” Robrahn answered, stating the name Heritage speaks to the open space that resides in the H Zone. Robrahn stated the name can be changed, if desired.

Zellers asked who owns the purple zone (referring to a portion of the H Zone) and what the property owners’ thoughts are regarding the proposed zoning. Shay stated the property of concern between Bellevue and Hailey was Spencer Eccles property. Zellers expressed concern for the property owner stating the owner should have a say in the way the property is zoned. Williamson stated we aren’t zoning. Zellers asked what the standards in the zone ultimately meant. Williamson stated the purpose of the meeting was to decide what standards to apply to the corresponding zone. He clarified, stating the standards would become a County ordinance.

Scanlon asked if the ACI was similar to an overlay. Williamson replied it was not an overlay district, nor was it a zoning district. Under Idaho State Law they are sub zones and the Commission should decide what rules to apply to the sub zones. Williamson provided an example stating, if a property owner residing within the H zone wants to do a subdivision, both the H zone standards applicable to subdivisions and the Blaine County subdivision ordinance would provide guidance to the property owner.

Linscott asked if the ordinance has specific language stating what rules will apply. Williamson said yes. Adams stated from the City’s perspective the ACI will help ensure that the areas falling under County jurisdiction, residing within the proposed ACI, will allow the City to develop standards for areas outside of the City’s jurisdiction. He provided an example stating that if a PUD within the ACI was created it would be in agreement with the City’s street and other infrastructure standards determined by the City’s ACI standards for the pertinent zone. Williamson stated that that was the most important reason to consider the ACI.

Linscott asked for further clarification on the purpose of the ACI. It was stated by Williamson that an ACI allows the city to have further say on areas outside the City’s limits, as determined by Idaho State Law.

Linscott asked where the TDR comes into play. Robrahn responded the ACI could set up a framework for the TDR program; however, the ACI can be administered without the incorporation of the TDR. Williamson added that with the ACI the City will have a say in where the receiving areas will be located. Without an ACI the County will have the ability to designate receiving areas without City input.

Marvel asked if the city can refuse the designation of a receiving area without the adoption of an ACI. Williamson responded when the property resides on County land the County has jurisdiction to exercise their zoning authority, including the creation of receiving areas, without the consent of the City. Williamson stated if the City wants any authority over the surrounding land it has to be done in this agreement; otherwise the County has complete authority.

Discussion ensued regarding the County's ability or desire to enforce ordinances that are not favorable to the City. Adams stated that legally they could, but that is not and never has been the County's intent. Adams stated that the County wants the City to come to their own agreement on whether or not to create a TDR program.

Marvel recommended that the discussion stay focused on the ACI proposal and a decision be made prior to the consideration of TDRs.

Marvel commented on the October 1, 2007 Staff Report, referring to page 6, Section 14.02.090.02, B.) d.)i.). She questioned who would maintain the park or the productive agriculture. Linscott asked for how long it would be maintained.

Continuing on page 6, Marvel recommended amending B.) e.)i.). Marvel recommended adding "public" to "golf course."

Continuing on page six of the staff report Marvel questioned B.) e.)v.). Marvel asked who the "public entity" would be. Adams answered that he didn't have anyone in mind, but that it was originally written as the City of Hailey, but since it is referring to a PUD he believed it should include both the City and the County. Marvel agreed.

Scanlon questioned B.)e.)iv.) The Heritage Zone on page six. He expressed concerns of someone having heavily forested land, which could preclude them from developing a significant amount of their acreage compared to someone who had few trees on their land. He wondered if this was too burdensome. Zellers corrected Scanlon, reminding him that e.) Indicated each development shall provide one or more of the listed amenities, indicating that a development may not be subject to providing the specific amenity listed in subsection iv.). Pogue questioned who would determine the number of amenities provided by the development. He mentioned a scenario where an applicant may find a loophole based on the language used, which would not require them to provide an amenity and therefore, no public benefit. Adams commented on the questions and comments made stating the language refers to the H Zone only, which has only three parcels. Zellers recommends removing the corresponding section. Further discussion ensued regarding subsection iv.). Pogue suggested changing the language in subsection e.) To eliminate the loophole and provide greater specification. He recommended adding, "taking into account the nature of the amenity and its benefit" at the end of the paragraph on page 6 section e.) vi.). Zellers agreed with the addition of the language.

Linscott addressed Zone N, referring to Section 14.02.09.03 B.) d.)ii.), on page seven of the staff report. She asked if there would be a formula administered by the County or the City that would determine an appropriate size. Adams stated he did not agree with the one or more language and commented that it was for the Commission to decide the answers. Marvel mentioned the County doesn't have any parks and Adams concurred. Marvel recommended adding "according to City of Hailey parks' standards" to the ordinance, to address who will determine the size appropriate to the needs of the development. Adams mentioned the County doesn't want to preclude the idea of a park and he will look over the parks' standards. Adams mentioned the area referred to is the

Common Usable Green Space, which is the closest thing the County has to parks. He will look at the standard and determine if it's agreeable with the County.

Robrahn stated that the Common Usable Green Space language could be clarified. Marvel recommended it be clarified and that it use language similar to the City's language. Robrahn stated that was something her and Adams had discussed.

Marvel recommended that the language referring to the public entity on page eight, Section 14.02.090.03, B.) d.)1.)viii.) Specify the County and the City.

Pogue asked who was responsible for deciding whether one or more of the criteria have been met. Zellers and Robrahn responded the County Commissioners. Marvel stated that if an application came through to the County the City would have the opportunity to comment on it and vice versa. Adams and Robrahn concurred. Marvel continued stating that if the City was undergoing an annexation, the County would comment. Zellers asked who would decide on these types of decisions. Ned stated it would be for an annexation; therefore, it would be the City Council or the Planning and Zoning Commission. Zellers asked what would happen if it wasn't an annexation. Linscott asked if the comments solicited for any action, whether designating a receiving area or approving a development, would only require administrative comments or would the City Council or the Commission have an opportunity to comment. Williamson responded he had not given it much thought. The City would give the comment, but he hadn't gone as far as designating a specific entity from the City of Hailey. Scanlon suggested there be consistency in who does the commenting. Ned stated he would not suggest a public hearing and it would not be necessary. Linscott mentioned the County may already have a public hearing process for the types of scenarios that the City would be commenting on. Shay stated in her experience at the City of Bellevue she recalls requesting comments from the department heads and then using those comments to form a letter sent to the County. Further discussion ensued and it was determined that the language could be clarified to specify who would comment and the process that would take place. It was decided that language would be added to allow the City an internal review of County decisions that would affect the ACI.

Scanlon requested clarification on contribution to bridge improvements of the Big Wood River. Adams responded no framework was been developed to determine what the contributions would be, but he said the County uses a mitigation fee analysis to determine the contribution. Discussion ensued regarding the specifications of the contribution to bridge improvements. Williamson stated standards would be developed, but the amount would be addressed on a case by case basis.

### **Public Hearing Opened**

Linda Haavik, 608 3<sup>rd</sup> Ave, questioned the three out of the four zones. She stated if a person within one of the zones is developing under County standards, is the ACI an additional layer of requirements or does it replace the County subdivision rules. Robrahn stated the ACI does entail additional requirements. Haavik felt that property owners

should receive notice of a public hearing when additional requirements are created and adopted if it is affecting their property. Haavik stated concern that the property owners within the ACI zones may not be aware of the proposed ACI standards. Haavik could see City benefits by adopting the ACI, but she thinks residents should be notified.

Peter Lobb, 403 E. Carbonate, stated many more people need to be aware of the ACI and what its implications will be for those effected by its adoption. Lobb stated many people will be unhappy. He also expressed concern that the City can only comment on the County decisions that take place within the ACI, but ultimately the County has the authority to not act on the City's preferences or comments. Lobb stated by passing the ACI the City is trying to pass restrictions that can't be enforced. He stated the County is implying the City will have more control, but in his opinion it is really the County's way of promoting TDRs. Lobb expressed concern of infrastructure costs being passed on to the individual and requested that the adoption of an ACI be a public process and for it to continue slowly.

Marvel recognized the importance of ACI public hearings and asked Adams if the County has undergone any public hearings related to the ACI. Adams stated the County has not undergone any public hearings related to the ACI, but the County will in the future.

Shay addressed Lobb's comment stating the City Staff is aware of the process and it will be months before the ACI Ordinance would go before the Council.

Zellers asked if the County was working with other cities within the County Adams said he was working with Ketchum, Bellevue, and Sun Valley on different parts of the TDR. Linscott questioned if the ACI ordinance would be easier to understand and more comfortable to adopt with the removal of section 14.02.06 on page three, which refers to TDRs. Linscott stated the TDR is not necessarily a bad thing, but it should not be included and more public comment needs to happen prior to moving forward with TDRs.

Williamson stated the City can remove the TDR language, but that will preclude the City from having a say in the receiving areas. Marvel asked for clarification about the ability of the County to override the City's decision on TRDs. Ned responded it is an agreement between both the City and the County Williamson stated it is unlikely for the County to agree to not allow receiving areas. Adams and Robrahn concurred that the County will probably not agree to eliminating receiving areas altogether. Robrahn stated the City is left with two options: the first option being to not allow TDRs, which will give the County the sole decision making authority, the second option is to come to an agreement with the County on TDRs and proceed accordingly. She mentioned it is a matter of weighting the risks.

Adams stated from the 2025 process, it became apparent that the citizens wanted TDRs in the city. He stated it has been his mission to implement TDRs. He commented that he is not hiding anything and that he believes this should be a long, thought-out process. He said the County is only asking for the TDR element; the remaining ACI ordinance is not

of interest to the County. Adams believed there is flexibility in a TDR program. Scanlon mentioned that he is interested in TDRs and he believes the advantage is cooperation between the County and the City to make sure there is some overlap in circumstances that require it and that it can be done seamlessly. Scanlon thought TDRs are a vehicle to control growth.

Discussion ensued regarding the number of parcels within the various zones proposed by the ACI. Areas within certain zones would have lesser amounts of sending units because of the increased slope in the mountain overlay. Scanlon asked if the sending units transcend zone boundaries. Adams stated it could or could not, depending on the Commission's preference. Scanlon asked if there are greater advantages to one versus the other. Adams stated whichever scenario would maintain more flexibility.

Marvel favored saving open space and thinks it is more appropriate for cities to have greater density, but she is concerned that the City will lose the ability to determine the density and that determination will be given to developers.

Adams stated the City will still be able to determine its density. The County is asking that part of that density be TDRs. Adams went on to address Linscott's questions. In response to how one gets a TDR established, Adams stated some jurisdictions do it through assessors. In Blaine County it is not done that way because, according to Adams, it doesn't work well. Adams mentioned getting a Land Bank established is one option. Historical and cultural places could be preserved through an intergovernmental agreement. By designating sending and receiving zones through a public process those living within a certain zone will have the ability to express their concerns and consider them accordingly. None of the receiving areas are zoned agricultural; therefore, the City does not need to be concerned with compatible uses with agriculture in the receiving areas.

Linscott mentioned that it could create a potential layer that may make it prohibitive to enter into a TDR program. If the restrictions are already prohibitive, it may create an incentive not to enter into a TDR program to avoid further restrictions.

John Duval, from Idaho Mt. Express Newspaper, asked what the incentive is to a developer if the City can determine their own density and the City creates zoning standards for an area that has already met its maximum density. Adams responded the City can control their density within any area annexed in the city; it is the county PUDs that increase in density under a TRD program. It is those areas that would be of interest to a developer.

Haavik asked how the sending areas are determined. Adams responded he gave the Hailey planning staff various scenarios and it was determined that the three mile buffer scenario was the most agreeable. Haavik asked about the ordinance and stated it mentions that an annexation over five acres shall purchase TDRs. Haavik asked for clarification because she thought it was a voluntary purchase; however, the language sounds like it is a requirement. Marvel responded the sellers are not required to sell, but the developer is

required to buy upon annexation. Haavik asked the Commission to carefully plan the area and take into consideration how large they want the City to become. Haavik expressed concern that the character of the City could change dramatically if it were to significantly grow.

Geoff Moore, 1250 Woodside Blvd, gave a hypothetical scenario where a property owner has 100 acres zoned R-5, 75 acres that fall within the Hillside Ordinance, and five acres in a riparian area. He asked if that owner would have four or 20 transferable rights. Moore questioned if the incorporated area is part of the ACI and if it is, is it a sending or receiving area. Adams responded currently it is stated as a per-unit number or underlying density number. He stated the City could change that with whatever language they felt appropriate.

Adams questioned Williamson, who was no longer present at the meeting. He wanted clarification on the Advisory (A) Zone. It was his understanding that it would not be annexed, but would like to speak to Williamson for further clarification.

### **Public Hearing Closed**

Marvel asked Robrahn for direction. Robrahn stated the City needs to renote the map and the text amendments to the ordinance as well as notice all property owners within the ACI and within 300 feet of the ACI boundary. She stated another public hearing will need to be scheduled. She mentioned Zone A needs standards developed and other standards need to be revised. She asked the Commission if they want to include TDRs in the ACI ordinance. Marvel stated there are numerous questions that still need to be addressed before including TDRs in the ACI ordinance. Robrahn stated the City will want to look at using a facilitator, possibly a TDR bank or some mechanism to get buyers and sellers together. Robrahn stated the same bank utilized by the County can be used. Marvel stated it seemed to her that the TDR examples given in the staff report did not work well. Robrahn stated in the beginning, no program will be perfect; modifications will need to be made. Adams addressed the Commission, stating at this point there are a few questions the Commission needs to answer. He stated the Commission needs determine if map and the standards for the different zones are agreeable. Adams mentioned it is important to know the County's PUD ordinance because those are the standards that will guide decisions made to the areas annexed. Currently, the ACI ordinance isn't much different from the County's PUD ordinance. Adams stated if the TDR ordinance is to be considered further; the Commission may want to replace "shall" with "may" in the TDR ordinance. Adams stated it should be as voluntary and discretionary as possible.

Linscott suggested facilitating a community workshop to discuss whether or not the City should adopt TDRs. Marvel agreed and questioned whether an ACI map should be adopted prior to including greater public comment. Linscott commented the maps are a good starting point, but it should be displayed in greater detail, with a topographic depiction. Marvel suggested developing the standards for Zone A, revising the existing standards, and writing out some questions and answers, so the public can be better

informed. Robrahn stated there would not likely be much public participation unless it was formally noticed. Marvel asked for a meeting date. It was decided that on November 5<sup>th</sup>, 2007 the Commission would continue the discussion on the ACI and TRDs.

Haavik asked if the City would post the next version of the ACI on the website. Robrahn agreed to do so.

**Zellers motioned to continue the ACI to a date certain of November 5, 2007.** All were in favor, the motion passed unanimously.

## **COMPREHENSIVE PLAN AMENDMENTS – ADDITION OF ENVIRONMENT SECTION**

**A recommendation was made by the Commission to amend the Hailey Comprehensive Plan to add a new section on the environment.**

Shay stated she made all the changes the Commission had requested. She mentioned Williamson has voiced the same concerns as in the past, but without putting it to use, it is hard to determine if those concerns are legitimate. Shay briefly touched on the different sections and mentioned the green building conference the City was attending later this month.

The Commission expressed approval of the “Environment” section.

### **Public Hearing Opened**

No public comment.

### **Public Hearing Closed**

**Pogue motioned to approve the amendment.** The motion was approved unanimously.

### **Approval of Findings of Fact:**

There were none to address.

### **Approval of Minutes:**

**Marvel moved to approve the September 4, 2007 minutes.** Scanlon seconded and the motion was carried.

### **Staff Reports:**

There will be no meeting on October 15, 2007.

### **Adjourn:**

**Pogue moved to adjourn, Zellers second, motion carried.**