

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
MONDAY, NOVEMBER 5, 2007**

The meeting was called to order at 6:30 p.m. by Commission Assistant Chair Elizabeth Zellers. Commissioners present were Nancy Linscott, Owen Scanlon and Michael Pogue. Commission Chair Stefanie Marvel was absent. Planning Director Beth Robrahn, City Planner Diane Shay, and Planning Assistant Becky Mead were present.

Zellers stated she wanted to start with approval of the Findings of Fact and the Minutes.

Approval of Findings of Fact:

Mixed Lot Line Adjustment for Mary Ann Mix

Scanlon moved to approve as written. Pogue seconded, the motion passed unanimously.

Approval of Minutes:

October 1, 2007

Scanlon moved to approve as written. Pogue seconded, the motion passed unanimously.

Public Hearings:

A proposed draft has been prepared of the Hailey Blaine County Area of City Impact (ACI) Ordinance. This would establish an area of city impact, providing for an application of plans and ordinances for the area. It would be delineating four areas with the Area of City Impact; each with general requirements, and addressing annexation, Transfer of Development Rights, governing plans, notification and meetings between the City and County and a proposed draft ordinance adopting a map identifying the Area of City Impact within the unincorporated area of Blaine County delineating four areas within the Area of City Impact.

Robrahn stated this workshop was noticed for participation from the community. Robrahn explained an ACI ordinance between the city and the county is required Idaho state law.

Robrahn announced Regional Planner Jeff Adams from Blaine County was present to help with the workshop. Adams suggested the public and Commissioners get together into four groups, preferably with a Commissioner in each group.

Adams asked each group to write a list of what they would like to see saved or protected in Hailey for the future. Adams asked for each group to pick three.

The following were chosen from the groups:

1. Save and protect the down town core.
2. For the city to remain vibrant.
3. To maintain the Big Wood River corridor.
4. To protect the Old Hailey residential neighborhoods.

5. To maintain the community character.
6. To maintain parks, hillsides, open areas, the river and wetlands.

Adams asked the groups to write what changes or what they'd like to get rid of.

1. Consolidate the fire departments.
2. Add sidewalks.
3. Resolution of the airport issues.
4. Provide more pedestrian safety on Main St. /Hwy 75.

Adams asked each group to mark several different places on the ACI map, which were out laid out on each table, with the color coding dots provided. Adams asked to note how many of these places were in Hailey. Adams asked everyone to place a red dot to where they live on the map; place an orange dot where they work on the map; place a blue dot where their children go to school. Mark with a red pen their daily route to work. If they walk, place red dots where they walk. Mark where they eat and shop with a small red/orange dot. Adams asked them to place a yellow dot where the last place was where they bought groceries and gas.

Adams showed maps depicting the proposed Areas of City Impact and the proposed zones within the ACI. . Zellers asked what the advisory area meant. Robrahn stated that the city did not anticipate any annexations in the advisory area.

Adams stated that Marvel asked at the last meeting what are the different tools that can be kept sprawled out into the canyons. That process was in "Blaine County 2025" there was an estimated 25,000 units that could be built on private land throughout the County. Adams stated through the new County zoning they've tried to manage growth by cutting it down to 13,000 units. At that time the TDR ordinance was also created. The County feels they have tried to do some reduction of the sprawl and that is why they are asking for TDRs. The Mayor asked what if there was no PUD bonuses permitted. Adams stated that would represent 40 units that could be reduced from the PUD bonus that is presently available in the County.

Adams spoke about growth projections from various sources. There was further explanation and discussion of projections.

Adams asked that each group take their individual maps and discuss how much future growth they anticipate will be needed to be planned for and where do they want to see more density? How much should go into the airport? How much into the heritage area? How much should go to the west area? How much near Quigley?

The objective of the exercise was to address the following:

1. Growth: give a number 2025 in Hailey.
2. Where: give a direction boundary
3. Type: give a place shape
 - a. PUDs
 - b. TDRs

There were public comments from the following individuals:

1. A letter was received dated 10/31/07 from the Indian Creek Ranch Owners Association, Inc. stating it does not want Indian Creek to be included in the proposed Hailey/Blaine County Area of City Impact. Submitted by Risa Williams, General Manager of the Owners Association, Inc.
2. An email was received on 11/5/07 from Wendy Ivie Maher stating that she would like to learn more about this.
3. An email received by Joyce Pearson, 117 Homestead Dr. is not in favor of including any part of Indian Creek in the Hailey/BC ACI proposal.

Public Hearing Closed

Zellers asked the Commission what needed to be worked on; such as boundaries, density, and the location of the future of growth.

Pogue stated that he'd like to look at the population studies.

Scanlon stated that density was an issue. Information needed to be gathered back in, either by a sending out questionnaires to the public, where they could mail back in their responses, to get some kind of consensus. He stated the information given was valuable but felt the people needed to be heard from.

Zellers stated at her table there was great discussion on the validity of the reports and the estimated growth. The consensus from the public participants in her group was very, very limited growth.

Linscott stated what became apparent was the restrictions on the available areas. She stated that it could be said that a population could grow to a certain point, but asked whether the City have the carrying capacity to support that. She suggested getting some input from some hydrologists and even some input from the water master. People have developed with lawns which takes a lot of water. She asks if we are making this more confusing than it is. She asked whether the cart was being put before the horse.

Robrahn stated that she spoke with the Mayor regarding caring capacity and suggested the issues could be compartmentalized. . She suggested there could be three steps.

1. Accept a population growth number that the City feels comfortable with. It doesn't have to be the number that is in the studies, it could be something else.
2. After identifying that number, to decide where that growth should occur.
3. Once the location is decided where the growth should occur then a decision would be made regarding growth thresholds.

Zellers asked if the number should be decided first or the boundary.

Robrahn stated that she is hearing that the Commission wanted to hear more about the population growth estimates. She noted that there are three different studies that have looked at for population growth estimates. She stated there is a standard methodology that is used to estimate the population growth.

Linscott asked if they were natural growth projections, taking in account the geography of the area.

Robrahn stated the population growth estimates are based on trends that have occurred in Hailey from the last ten or fifteen years. She stated that staff could bring back more information for the Commission if

needed. Robrahn suggested the Commission needed to talk more about the boundaries and if they would like to proceed and make a recommendation to the City Council.

Adams stated that is where he would start the discussion. The Commission decides amongst themselves about the ACI boundaries. He stated that this could be figured out. He thought these discussions should continue. He stated to the Commission that they could start making some decisions now. Ecology and economics need to be looked at also. He stated there can never be a perfect prediction, and there can never be perfect knowledge.

Zellers stated agreed the future cannot be predicted.

Scanlon asked what research he did to establish the ACI boundaries. Adams responded that he sat Hailey staff and officials and discussed where the boundaries could occur.

Scanlon asked what criteria was used to establish these boundaries. Adams stated former Planning Director Kathy Grotto initially did these studies.

Robrahn asked Carol Brown, Hailey City Council who worked on this project with Grotto, to explain how she and Grotto discussed how to identify the boundaries.

Carol Brown, Hailey City Council member, 830 Silverstar Drive, stated that she and Grotto looked at goals. They looked at the title of the ordinance, Area of City Impact, and concluded it wasn't about growth. It was about the Area of City Impact and their lines were drawn based on how they felt those impacts from the County when they develop out there would effect Hailey. She stated they weren't thinking where they were going to put future growth.

Brown continued that in thinking about impacts they especially wanted the advisory zone, the hillsides, so there would be some confidence of what was going on there. Looking at West Croy, they noticed some common goals out there that they wanted to see realized. One of those was a secure access; there is one bridge that is old and needs replacing. To see the developments out there, such as a senior center, a school, and residential in that area connected. She stated she wasn't talking density; she was talking about the look and feel out there. They were thinking about that area as being similar to the Warm Springs area in Ketchum which is also connected by a bridge. Warm Springs, like Croy, are also, at times; seem to be their own little community. The goals for the Near Proximity zone were that the infrastructure matched up to the City's infrastructure; so the streets matched up to city standards, sewer, and water. If anything were to get annexed in that area the infrastructure would be already match the city's infrastructure. The Bellevue City Planner named the Heritage area, the area between Hailey and Bellevue. The number one goal for the Heritage area was to maintain the separation between the two cities; allowing for development, growth between the east and west, leaving the open space between the two cities. She stated they looked at those goals and took their pens and drew the areas based on that.

Robrahn asked Brown what the goals were for the advisory zone. Brown stated they knew that they would never get to the point of annexing. But on the hillsides, under both county and city ordinances, there are still uses that occur that the city would still like to have a say in.

Robrahn asked about the subdivisions north of Hailey, which were not in the hillside area. Brown stated at the City Council they just didn't see Hailey going north. and they are definitely not going south, so that

leaves east and west is where they saw the growth occurring. There could be a little growth to the north, a little creep, but not a whole lot of growth.

Robrahn asked if, in general, they tried to follow in their section lines, or subdivision boundaries. Brown stated they tried not to split up a property. It sounds like they may have, but it wasn't their intention.

Scanlon asked how the other Commissioners felt about the ACI boundaries.

Linscott was comfortable with the ACI boundaries as proposed at this point. She's concerned if it is being made too much right now. Running into growth, running into water; all these things came up and she wondered how much of this was relevant. She wondered if the city was biting off too much and if they were creating Hailey's own 2025.

Zellers stated she was comfortable with the boundaries. She stated it would be nice not to cut up the properties. She suggested cleaning the boundaries up a little, because some of the properties have been cut in half.

Pogue stated he was fine with them as well.

Brown asked the Commission what they thought about the zones that they did and the goals that they envisioned.

Zellers and Linscott stated they were fine with them. Zellers stated that there are comments to be had and Marvel needed to hear what was being said.

Pogue stated he didn't think they needed to launch into that right now. He thought the layout was good.

Linscott replied yes there are comments to be had but in general it all seems to be logical.

Robrahn stated it sounded like the Commission was moving into a comfort level with the boundaries as proposed; but that staff needs to make sure that some parcels or subdivisions weren't invariably cut in half. She asked the Commission what they would like to do at the next meeting. Scanlon asked Robrahn what she would recommend. Robrahn stated the other issue that is still out there is TDRs. She suggested continuing the public hearing to the next meeting. She stated that they've already had a good discussion regarding the standards for the different zones. She stated that the standards still needed to be cleaned up from their last meeting. The boundaries don't seem to need additional discussion, which leaves the bulk of the session on the TDR aspects. For the next meeting Robrahn suggested wrapping up some of the smaller items, launch into the TDRs or just reserve the whole meeting for TDR discussion; with a final wrap up of everything. Robrahn asked Adams what he preferred. Adams stated that the Commission seemed comfortable with the ACI boundaries. He suggested recapping the ACI boundaries first and then the TDRs could be discussed as a presentation. He stated that he'd prefer that the TDRs didn't hijack the boundary discussion because he didn't think the TDRs had too much to do with the ACI boundaries.

Linscott stated that seemed to help a lot because that would be too many topics at once. The TDR aspect is more of the filler.

Zellers asked if they have to do the ACI zones, with or without the TDRs. She asked Robrahn if that had to be agreed upon. Robrahn stated yes. Zellers suggested the Commission clean up the language on the zones and clean up the boundaries and come up with some consensus on that at the next meeting and then launch into the TDR aspects.

Robrahn concurred.

Public Hearing Opened

Peter Lobb stated that he couldn't see how the commission could agree to the map without any public consensus that the boundaries are acceptable. He stated what he has heard tonight were many different views and confusion. He stated the public needed to have a say on this and to agree to this. Lobb asked Adams if the ACI ordinance could be done without the TDRs and did he think the county would go for that, or are the TDRs the most important thing. Lobb questioned Adams if the Council decided to accept this without TDRs, would the County Commissioners accept that.

Adams stated he didn't know and couldn't say. Adams stated that he didn't think that was the whole thing and added that they are moving forward down in Bellevue with TDRs as a separate item. TDRs may go back in to the Bellevue ordinance. Adams stated that he couldn't say if there is consensus from the board on the issue. Adams stated the County welcomes input and wants to hear from the public. Adams asked Lobb if he thought there was no consensus on the boundaries or just the growth projections they were looking at.

Lobb stated he didn't see any consensus on anything. He stated if any person on the street were asked, they wouldn't know what was being talking about. They found out with changing the zoning regulation in Old Hailey that it could lead to real problems. Lobb stated if the Commission sends something to the City Council that hasn't been properly discussed by the people and the county that would be a big mistake and would lead to trouble. There are going to be a lot of people who will be afraid of down zones in this area. There is the issue of does the city really want to increase the density on the boarder. These are going to be the new boarders of Hailey some day, and that is what the Commission is doing. That means Hailey's infrastructure for water, sewer, police, schools, everything, the citizens will be paying for all that. It is a huge impact. Lobb asked, does the City want to do any of this. He stated to let the County perhaps develop, because they can do TDRs on the land without the city's approval and he thinks what the county wants is for Hailey to be on board with the TDR program, on the city's boundary. Lobb stated the Commission needed to look at this very carefully before jumping into the zone changes that are made and he was very suspicious. He suggested for a public meeting to be arranged. This is a huge impact on the city.

Linscott asked for clarification, that developing the ACI boundary does not establish zoning districts. She stated they are not determining density at our perimeter; what she understood this was to establish a zone where upon the city and county will establish what will happen there. Linscott asked Adams if that was correct or not.

Adams stated she is correct. Adams stated he felt there is a lot of misconception about the ACI. The ACI is giving the people a say as to what they want planned for the future. Adams stated the county cannot tell the city what to do with any land in an annexation. If Deercreek wanted to annex, which is on the city's boarder, the city would have discussion after discussion regarding to annex and the county would not

have any pull on that. The way the ordinance is written if someone wanted to buy 20% added bonus to a PUD, under the county's PUD ordinance, it would be zoned an R5 and to get any kind of bonus, they would have to buy TDRs from the county.

Kimberly Rogers, 960 Buttercup Road, believes this is an absurd amount of area of city impact. She thinks by just identifying this, the city is going to do something about it later; that's the whole point otherwise there is no reason to do it. She thought the Commission was looking at the surrounding areas as a way to fix the city's problems. She thought the Commission needed to fix their own problems before they go out into the county. She stated she didn't want to see this happen and thought the city was totally mismanaged. There is a substandard Fire Department that self proclaims its inability to respond. They can't consolidate it? There are water problems, pipe issues that need to be replaced. She stated, "Fix your own house first".

Becki Keefer, 1221 Green Valley Drive, Hailey, was a former member of the Planning & Zoning Commission for six years beginning in 1996 and during that time the city had a moratorium on building permits so the Commission was able to concentrate on planning for future growth. She stated that the Commission looked at a number of studies that were available then, and interesting enough, they were the same studies that were being quoted tonight. A lot of this was written into the Comprehensive Plan. Since then (she referred to the Comprehensive Planning Map), there are four maps that are part of the Comprehensive Plan, which were drafted and adopted through a great number of public hearings in 2005. Those public hearings addressed growth, land use, park trails and green space and natural resources. If the city wanted to grow, where the city does want the development to happen and where the city does want to save areas that they don't want to grow into were discussed in the Comprehensive Plan process. The Area of City Impact came from the series of public hearings in 2004 and 2005. Those public hearings went on and on and on. She stated she was sorry that the people here tonight weren't engaged with those series of public hearings then. She would like to recommend to everyone to review the Growth Management section of the Comprehensive Plan that was originally drafted in probably 1999 or 2000. It has been redrafted and updated within the last two years. Growth Management talks about future population and how they came to those numbers. In 1999 the Commission was asked what they thought and where they wanted to go. They had all of these studies then and it came down to an emotional number, 14,500 people. Interesting enough later studies supported that 14,500 number. Now it is a whole different ball game and this is a constantly changing scenario. Keefer concluded her comments stating she thought they were approaching this in a thoughtful and considerable manner and she commends all of them for that.

Public Hearing Closed

Robrahn stated she did receive written public comment and would have it entered into the minutes. Public comments were received from the following:

1. A letter dated October 31, 2007 from Risa Williams, General Manager of Indian Creek Ranch Owners Association, Inc., stating that the 214 property owners do not want to be included in the proposed Hailey/Blaine County Area of City Impact.
2. A facsimile received November 2, 2007 from Ulrich Reiss, 309 Dakota Drive, Hailey, stating that he is a homeowner within the Indian Creek Subdivision and is opposed to the ACI plan.

3. An email received November 2, 2007 from Deb Rosen, 205 Bannock Road, Hailey is opposed to the inclusion of any portion on Indian Creek to the Hailey ACI.
4. An email received November 3, 2007 from Joyce Pearson, 117 Homestead Drive, Hailey is not in favor of including any part of Indian Creek in the Hailey/Blaine Co. ACI proposal.
5. An email received November 5, 2007 from Wendy Ivie Maher, 101 and 105 Aleut Lane stated she was under the impression that her properties are trying to be annexed into the city of Hailey. She hoped that there will not be a vote on this until all the property owners have a chance to read all the information.

Pogue made a motion to continue the public hearing of the ACI ordinance and map to a date certain of November 19th, 2007.

Scanlon seconded, the motion passed unanimously.

Commission Reports:

Linscott asked what amendments were made to the amended Subdivision Ordinance. Robrahn stated they were all minor housekeeping changes. Linscott asked Robrahn to email the redline version to her.

Zellers will not be present on November 19th, 2007.

Staff Reports:

None

Adjourn:

Pogue moved to adjourn at 9:10 p.m. Scanlon seconded, the motion passed unanimously.