

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2011

By _____ Clerk
Deputy Clerk

In Re SRBA)
PARTIAL DECREE PURSUANT TO)
I.R.C.P. 54(b) FOR)
Case No. 39576)
Water Right 37-02784A

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
C/O GREENFIELD PARTNERS
ATTN: BARRY P MARCUS
50 NORTH WATER ST
SOUTH NORWALK, CT 06854

RECEIVED
JUN 13 2011
DEPARTMENT OF
WATER RESOURCES

SOURCE: QUIGLEY CREEK TRIBUTARY: SINKS
QUANTITY: 16.00 AFY

Rights 37-2784A, 37-7693, 37-19736 and 37-20902 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate. Rights 37-2784A and 37-7693 when combined shall not exceed a total annual maximum storage volume of 30.0 af.

PRIORITY DATE: 01/03/1967

POINT OF DIVERSION: T02N R18E S10 SESWNE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	04-01 TO 11-01	16.00 AFY
	Irrigation from Storage	04-01 TO 11-01	16.00 AFY

PLACE OF USE:	Irrigation from Storage	Within Blaine County
T02N R18E S02 LOT 1	(NENE) 3.8 SWNE 31.0 NESW 8.7 SESW 31.0 SWSE 3.5	LOT 2 (NWNE) 4.8 SENE 19.0 SWSW 7.4 NWSE 21.0
S10	NENE 24.0 SWNE 37.0 NWSE 5.6	NWNE 3.9 SENE 24.0
S11	NENW 5.8 SWNW 13.0	NWNW 33.0
	276.5 Acres Total	

Right Nos. 37-2784A, 37-7693, 37-19736 and 37-20902 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUN 10 2011

Dianna Libbey
SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho

JUN 10 2011

By _____ Clerk
 _____ Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
 Case No. 39576)
 _____)

PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR
 Water Right 37-07693

RECEIVED
 JUN 13 2011
 DEPARTMENT OF
 WATER RESOURCES

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
 C/O GREENFIELD PARTNERS
 ATTN: BARRY P MARCUS
 50 NORTH WATER ST
 SOUTH NORWALK, CT 06854

SOURCE: QUIGLEY CREEK TRIBUTARY: SINKS

QUANTITY: 5.27 CFS
 900.00 AFY

This right when combined with all other rights shall provide no
 more than .02 cfs per acre nor more than 3.5 afa per acre for
 irrigation of the lands described below.

PRIORITY DATE: 12/16/1977

POINT OF DIVERSION: T02N R18E S02 LOT 2 (SEWNNE) Within Blaine County
 S10 SESWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	5.27 CFS 900.00 AFY
	Irrigation Storage	03-01 TO 09-30	30.00 AFY
	Irrigation from Storage	03-01 TO 09-30	30.00 AFY

PLACE OF USE:	Irrigation	Within Blaine County
T02N R18E S02 LOT 1	(NENE) 3.8 SWNE 31.0 NESW 8.7 SESW 31.0 SWSE 3.5	LOT 2 (NWNE) 4.8 SENE 19.0 SWSW 7.4 NWSE 21.0
S10	NENE 24.0 SWNE 37.0 NWSE 5.6	NWNE 3.9 SENE 24.0
S11	NENW 5.8 SWNW 13.0	NWNW 33.0
	276.5 Acres Total	

Irrigation from Storage Within Blaine County
 Same as Irrigation

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
 NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUN 10 2011

Degette Silvey
 SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

31 JUN 2011 10:00 AM
2011 JUN 08 10:00 AM

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2011

By _____ Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-19736

RECEIVED
JUN 13 2011
DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
 C/O GREENFIELD PARTNERS
 ATTN: BARRY P MARCUS
 50 NORTH WATER ST
 SOUTH NORWALK, CT 06854

SOURCE: QUIGLEY CREEK TRIBUTARY: SINKS

QUANTITY: 2.28 CFS

This right is for the entire flow of Quigley Creek, originally determined to be 2.28 cfs. Rights 37-2784A, 37-7693 and 37-19736 when combined shall not exceed a total diversion rate of 5.53 cfs, and a total annual maximum diversion volume of 967.7 af at the field headgate. Rights 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate.

PRIORITY DATE: 04/15/1880

POINT OF DIVERSION: T02N R18E S02 LOT 2 (SENWNE) Within Blaine County
 S10 SESWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.28 CFS

PLACE OF USE:	Irrigation	Within Blaine County	
	T02N R18E S02 LOT 1	(NENE) 3.8	LOT 2 (NWNE) 4.8
		SWNE 31.0	SENE 19.0
		NESW 8.7	SWSW 7.4
		SESW 31.0	NWSE 21.0
		SWSE 3.5	
	S10	NENE 24.0	NWNE 3.9
		SWNE 37.0	SENE 24.0
		NWSE 5.6	
	S11	NENW 5.8	NWNW 33.0
		SWNW 13.0	
	276.5 Acres Total		

Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUN 10 2011

Bridgette Selacy

SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 37-19736 File Number: 01159

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2011

By _____
Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
PARTIAL DECREE PURSUANT TO)
I.R.C.P. 54(b) FOR)
Case No. 39576)
Water Right 37-20902)

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
 C/O GREENFIELD PARTNERS
 ATTN: BARRY P MARCUS
 50 NORTH WATER ST
 SOUTH NORWALK, CT 06854

SOURCE: GROUND WATER

QUANTITY: 2.01 CFS
 340.20 AFY

RECEIVED
JUN 13 2011
DEPARTMENT OF
WATER RESOURCES

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
Rights 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 when combined shall not exceed a total annual maximum diversion volume of 967.7 af at the field headgate.

PRIORITY DATE: 07/21/1966

POINT OF DIVERSION: T02N R18E S10 NWNWE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	06-01 TO 10-01	2.01 CFS 340.20 AFY
	Stockwater	01-01 TO 12-31	0.12 CFS

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before June 1 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S10	NENE 24.0 NWNE 3.9 SWNE 37.0 SENE 24.0 NWSE 5.5
	S11	NWNW 16.0 SWNW 13.0
	123.4 Acres Total	
	Stockwater	Within Blaine County
	Same as Irrigation	

This right is limited to the irrigation of 113.4 acres within the place of use described above in a single irrigation season. Right Nos. 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 123.4 acres in a single irrigation season.
Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial

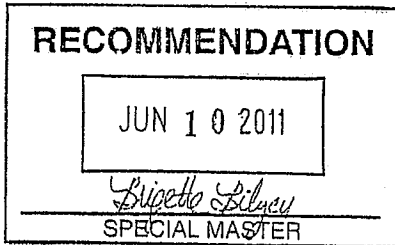
OTHER PROVISIONS (continued)

use.

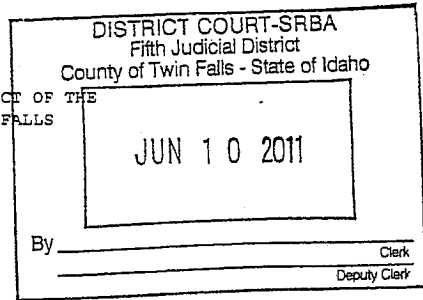
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment, and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 37-21348

RECEIVED

JUN 13 2011

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
 C/O GREENFIELD PARTNERS
 ATTN: BARRY P MARCUS
 50 NORTH WATER ST
 SOUTH NORWALK, CT 06854

SOURCE: GROUND WATER

QUANTITY: 0.16 CFS
 35.00 APY

Right Nos. 37-20902, 37-21348 and 37-21346 are limited to a
total combined diversion rate of 2.01 cfs.

PRIORITY DATE: 04/15/1985

This water right is subordinate to all water rights with a
priority date earlier than April 12, 1994, that are not decreed
as enlargements pursuant to Section 42-1426, Idaho Code. As
between water rights decreed as enlargements pursuant to Section
42-1426, Idaho Code, the earlier priority right is the superior
right.

POINT OF DIVERSION: T02N R18E S10 NWNWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.16 CFS 35.00 APY

PLACE OF USE:	Irrigation	Within Blaine County
	T02N R18E S10	NENE 24.0 NWNE 3.9
		SWNE 37.0 SENE 24.0
		NWSE 5.5
	S11	NWNW 16.0 SWNW 13.0
	123.4 Acres Total	

This right is limited to the irrigation of 10 acres within the
place of use described above in a single irrigation season.
Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and
37-21349 are limited to the irrigation of a combined total of
276.5 acres in a single irrigation season.
Right Nos. 37-20902, 37-21348 and 37-21349 are limited to the
irrigation of a combined total of 123.4 acres in a single
irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No.37-20902
pursuant to Section 42-1426, Idaho Code.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

JUN 10 2011

Bigetto Silvey
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2011

By _____ Clerk
Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-21349

RECEIVED
JUN 13 2011
DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: QUIGLEY GREEN OWNER LLC
C/O GREENFIELD PARTNERS
ATTN: BARRY P MARCUS
50 NORTH WATER ST
SOUTH NORWALK, CT 06854

SOURCE: GROUND WATER

QUANTITY: 2.01 CFS
56.70 APY

Right Nos. 37-20902, 37-21348 and 37-21346 are limited to a total combined diversion rate of 2.01 cfs.

PRIORITY DATE: 10/28/1969

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T02N R18E S10 NWNWE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.01 CFS 56.70 APY

PLACE OF USE:	Irrigation		Within Blaine County
	T02N R18E S10	NENE 24.0	NWNE 3.9
		SWNE 37.0	SENE 24.0
		NWSE 5.5	
	S11	NWNW 16.0	SWNW 13.0
	123.4 Acres Total		

This right and right no. 37-20902 are limited to the irrigation of 113.4 acres in a single irrigation season. Water Right Nos. 37-20902, 37-21348 and 37-21349 are limited to the irrigation of 123.4 acres in a single irrigation season. Right Nos. 37-2784A, 37-7693, 37-19736, 37-20902, 37-21348 and 37-21349 are limited to the irrigation of a combined total of 276.5 acres in a single irrigation season.

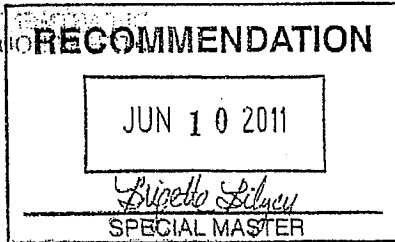
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 37-20902 pursuant to Section 42-1426, Idaho Code.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

State of Idaho
 Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08283

Priority: September 23, 1986 Maximum Storage Volume: 41.7 AF

This is to certify, that DBA QUIGLEY RANCH PARTNERSHIP
 FREDERICK E JUDD
 JOHN A BURKE

PO BOX 326
 SUN VALLEY ID 83353

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 12, 1986; and has submitted Proof of Beneficial Use on February 10, 1997. An examination indicates that the works have a storage capacity of 41.700 af of water from:

QUIGLEY CREEK tributary to BIG WOOD RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
RECREATION STORAGE	01/01 to 12/31		35.0 AF
AESTHETIC STORAGE	01/01 to 12/31		35.0 AF
Totals			41.7 AF

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 2, Township 02N, Range 18E
 SENE , Sec. 10, Township 02N, Range 18E
 BLAINE County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
02N	18E	1	NENE	NWNE	NENW
		2	NWNW	SWNW	
			NENE	SENE	

PLACE OF USE: RECREATION STORAGE AND AESTHETIC STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
02N	18E	2	NENE	NWNE	
		10	SWNE	SENE	NESE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

MICROFILMED

SEP 28 1999

State of Idaho
Department of Water Resources

Water Right License

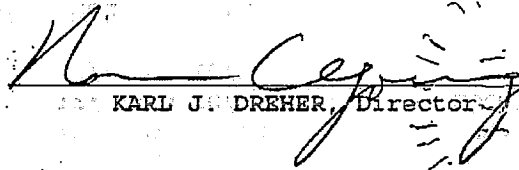
WATER RIGHT NO. 37-08283

CONDITIONS OF APPROVAL AND REMARKS

- 3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- 4. Recreation storage is for fishing.
- 5. Aesthetic storage is for two ponds.
- 6. Stockwater use under this right is for instream stockwatering.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 23rd day of

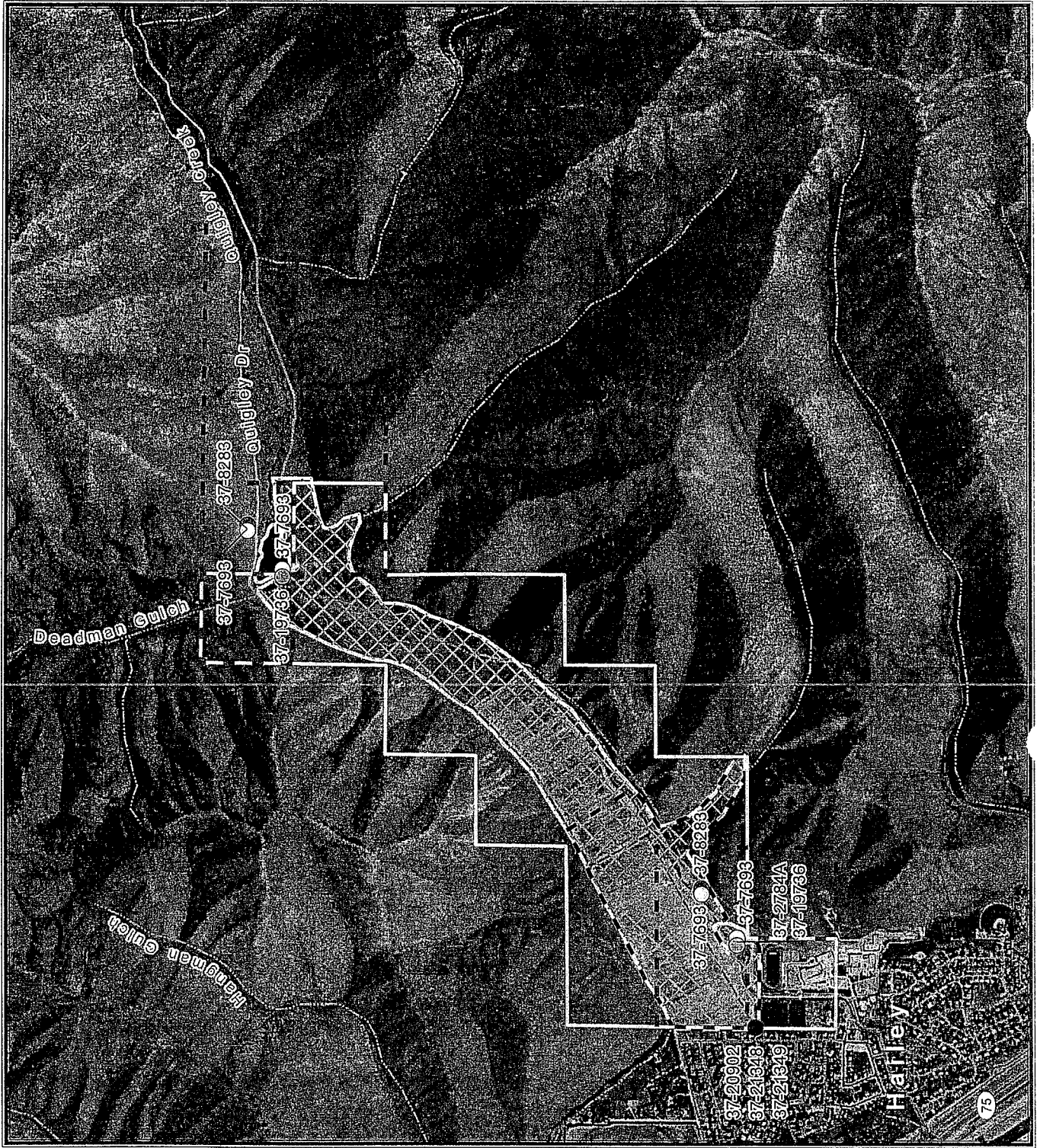
September, 1979.


 KARL J. DREHER, Director

MICROFILMED
SEP 28 1999

Appendix B: Maps





Point of Diversion

Surface Water

- 37-7693
- 37-8283
- ⊙ 37-2784A; 37-19736

Groundwater

- 37-20902; 37-21348; 37-21349

Place of Use

Surface Water

- 37-7693
- 37-8283
- 37-2784A; 37-19736

Groundwater

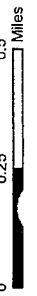
- 37-20902; 37-21348; 37-21349

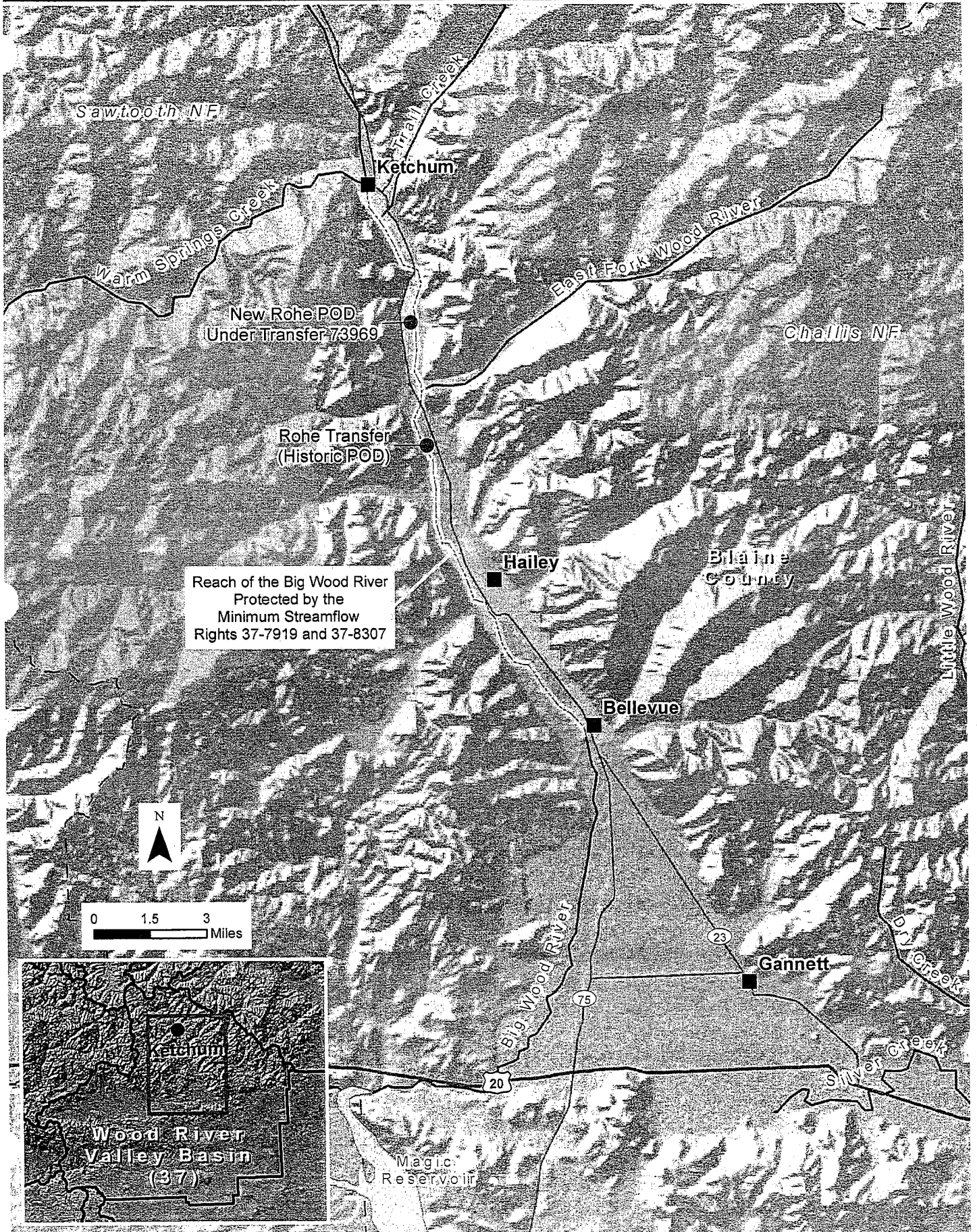
— Perennial Stream

— Intermittent Stream

Notes:

1. Base Image: 2011 NAIP
2. Water right data was downloaded from IDWR website on December 8, 2011.





● City

Point of Diversion

Status

☒ Decreed

☒ Recommended

— Highway

— Major Road

— Stream

— Intermittent Stream

— Canal

□ Quigley Ranch

▭ Admin. Basin Boundary

Notes

1. Base image: 2011 NADP
2. Point of diversion locations were downloaded from the statewide water rights database located on the Idaho Department of Water Resources website (12/6/2011)
3. Selected water rights represent decreed and recommended surface water rights whose sources are the Big Wood River or tributary thereof, and have a priority of 1886 or earlier.



**HAILEY PLANNING AND ZONING COMMISSION
FINDINGS OF FACT AND RECOMMENDATION TO CITY COUNCIL**

On October 3, October 17, 2011 and November 7, 2011, the Hailey Planning and Zoning Commission considered changes to the application by Quigley Green Owners LLC for annexation of Quigley Canyon east of Hailey. The Commission, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following recommendation to City Council.

FINDINGS OF FACT

Notice

Notice for the public hearings on October 3, 2011 was published in the Idaho Mountain Express on September 14, 2011. The notice was mailed to property owners within 300 feet and to public agencies and to area media on September 14, 2011. Notice was posted on the subject property on September 26, 2011. The public hearing was continued on October 3 to October 17, 2011 and on October 17 to November 7, 2011.

Council Request of Commission

On August 29, 2011 the Council requested the Planning and Zoning Commission review the changes to the proposal and make a recommendation to the Council regarding land use issues and compliance with the Comprehensive Plan. While the Planning and Zoning Commission reviews the changes to the proposal and considers the land use related implications within the context of the Comprehensive Plan, the Council will continue to consider the off-site and fiscal impacts of the annexation, including the value of the water rights.

Procedural History

The Planning and Zoning Commission held hearings on April 7, June 18, June 19, June 24, June 25, June 26, July 7, July 21, August 4, and August 19, 2008. The Planning and Zoning Commission recommended approval of the original proposal with 54 recommended conditions. The City Council received the Commission's Findings of Fact, Conclusions of Law and Recommendations on September 22, 2008.

The Council held nine public hearings between January 2009 and August 2009. At the last public hearing, Council indicated the need for a more complete fiscal analysis before making findings on Comprehensive Plan compliance and to that end directed staff to negotiate a draft annexation agreement with the applicant to bring back to the Council for review. Thereafter, the City Administrator, Engineer and Attorney had several meetings with the developer. Over the course of discussion of the potential terms of an annexation agreement the applicant drafted a proposed agreement that reflected several changes to the original plan. Given the changes staff thought it was prudent to ask the Council for direction regarding the changes prior to continuing discussion of an agreement with the applicant. Council was introduced to the changes on July 25, 2011 and scheduled a public hearing for August 29, 2011 to gather public input on the changes and decide how to move forward with the application.

The procedure for review of annexation application is found in Title 14 of the Hailey Municipal Code. In the case changes are made to an original annexation proposal the process set forth in Title 14 does not procedurally require the proposal be sent back to the Planning and Zoning Commission. On August 29, 2011, the Council requested the Planning and Zoning Commission review the changes to the proposal and make a recommendation to the Council regarding land use issues and compliance with the Comprehensive Plan.

On September 19, 2011, the Commission was given copies of as background information in preparation for the October 3, 2011 public hearing. On October 3, the Commission held a public hearing and then continued the public hearing to October 17. The Commission's discussion on October 17, 2011 resulted in agreement to produce a list of the Commission's specific concerns related to the changes to the proposal to forward to the Council for consideration. On November 7, 2011, the Commission reviewed their list of concerns and discussed changes to the conditions to address their concerns and then ultimately decided to recommend denial by a 3 to 2 vote.

Background

There are three components of the Commission's assessment of the changes to the Quigley application:

1. the changes to the proposal compared to the original proposal (pgs 8-15)
2. assessment of the applicability of each condition previously recommended (pgs 16-26)
3. 2007 Comprehensive Plan polices related to land use issues including amount and location of development, community housing, traffic, recreation and wildlife (pgs 27-34).

During the Commission's original review in 2008, the Commission did not attempt to address the fiscal issues of the annexation given Title 14 directs the Council to address fiscal impact. The approach used to formulate the original recommendation was a list of conditions that would have to be met in order to the annexation to be consistent with the Comprehensive Plan. The same approach was used to evaluate the changes to the proposal. The Comprehensive Plan policies the Commission called out on October 3, 2011 as being of concern given the changes to the proposal are highlighted in these findings. On November 7, 2011, the Commission discussed whether the conditions previously recommended address the concerns with the changes to the proposal and made recommendations for modification of conditions.

While, for procedural purposes, the past Comprehensive Plan is required to be used to assess this annexation, staff noted that the past Comprehensive Plan had inconsistencies between various policies and that the city has developed at relatively low densities. The dispersed nodal concept was adopted in the new Comprehensive Plan because the principle of development occurring in one concentric circle from the center (dense at center with decreasing density farther out from the center) cannot realistically be applied to the city as a whole, but rather is best applied to strategic areas of the city that are connected by streets, sidewalk, bikeways and transit.

The analysis provided by staff also noted that one of the purposes of land use planning is to establish a framework to best manage future growth; the ability to predict the exact amount of growth or how long it takes for the growth to occur does not negate the need to plan for how the city should grow. Even modest growth projections point to the expansion of Hailey's boundaries in the range of 400 to 700 acres over the next 30 or more years (depending on density and rate of infill); refer to the land use discussion section for more information.

Summary of Commissioners' Issues Related to Changes to the Quigley Proposal

The Commission's discussion on October 17, 2011 resulted in agreement to produce a list of the Commission's specific concerns related to the changes to the proposal to forward to the Council for consideration. Each Commissioner's concerns are as follows:

Commissioner Scanlon

- Expressed concerns about water and cited 4.4, 10.3 and 12.1.1 development should not put undue demands on infrastructure or quality of life and water contributes greatly to quality of life
- Questioned whether the city should wait for decisions on conjunctive management. He stressed the Council should look at the water issue very seriously.
 - It would be great if the city had 100 percent say in what happens in Quigley.
 - Feels better about the density proposed; that it is harmonious with the neighboring areas (based on information presented by the applicant comparing densities of surrounding subdivisions).
 - The annexation should not cost the taxpayers of Hailey anything.

Commissioner Fugate

- Expressed concerns with the water issue
- The development must pay for itself
- Concern about changing street standards to accommodate development
- Secondary road not meeting city requirements should be addressed
- potential of ROW widths causing problems with future maintenance should be addressed
- Traffic calming to mitigate impact on existing neighborhoods is important
- Comp plan addresses wildlife corridors; wildlife is part of what we enjoy here and should be respected.
- Changes to street elevations should be specific in any annexation agreement
- Annexation agreement should also include provision that should the BCSD not purchase the school site proposed that it is kept as open space.
- Impact on the library should be addressed.
- A specific agreement between BCRD and the developers regarding the Nordic facility be included in any annexation agreement.
- Warming hut should be adjacent to trailheads
- Look into potential of Mountain Rides transit route into downtown to mitigate traffic
- Information presented by the applicant comparing densities of surrounding subdivisions is interesting; [development at the mouth] is closer to the core of downtown which is positive aspect
- The potential for recreational amenities is a benefit
- Requests the Commission have the opportunity to review the final annexation agreement before final action is taken by the Council so the Commission can ensure the Commission's concerns have been addressed specifically.

Commissioner Johnstone

- Agrees with concerns and comments expressed by Scalon and Fugate
- Concerns about looking at development of specific areas rather than looking at the larger picture in terms of development outside of Hailey.
- Does not feel enough information has been provided to make a qualified decision.

Commissioner Pogue

- Stressed that water remains an issue and felt the Commission did not have enough information to make a specific recommendation and the city needs more information before allowing additional taps – he noted recommended condition 3, “With each phase of development, the developer shall demonstrate adequate water in quality and quantity to supply the amount of development in each respective phase.” This requires answers to the water questions currently unanswered before moving forward with development.
- Questions regarding the school site and noted recommended condition 66, “The Applicant shall contribute land and/or a dollar amount for a future school facility determined through the fiscal impact analysis to be determined by an annexation agreement”. If the city and the county can’t agree on an appropriate school plan, then this isn’t going to happen.
- Tried to distinguish between the need for annexation versus the need for more lots for sale at this time. While more residential lots for sale at the current time are not needed and infill of existing residences and vacant lots is needed before new development can occur.
- Felt Quigley was an appropriate location for the city to grow if and when it does take place (whether that is in 10 years or 75 years) rather than to the north and south
- Noted phasing the development in small increments with public infrastructure installed and paid for by the developer.
- Existing recreational resource should not be taken advantage of and is not a right; preservation should be encouraged.
- Opportunity to acquire necessary water rights.
- Thinks the recommended conditions cover the major concerns.
- With the conditions, the plan complies with the Comprehensive Plan.

Commissioner Moore

- Water rights should carry with the property; concerned water rights being used as “a bargaining tool” by the developer
- Concerned about
 - background traffic noise and impact at the Fox Acres roundabout
 - impact of allowing unpaved roads
 - safety issues of roads less than 50 feet; potential danger for people walking in the winter time
 - reduced wildlife corridor
 - lack of separate irrigation systems
- Do not support the use of septic systems or an ordinance amendment to accommodate the application
- Proposed school site at a discount falls short of mitigating the estimated fiscal impact
- Concerned with potential liability of city ownership of the development’s open space

Analysis of Land Use Issues Related to Changes to Proposal

Land Use - Amount and Location of Development

The city's most recent land use analysis (page 25 of the 2010 Hailey Comprehensive Plan) provides general growth scenarios to accommodate various growth rates projected to 2028. At an average annual growth rate of 2.50%, in 2028 an additional 5,034 people would need to be housed.

The numbers for this discussion from previous staff reports were adjusted to account for the current supply of residential units in Hailey. The current supply of units within the residential zoning districts, including the units approved in Sweetwater totals 4,117 units.

- If all 4,117 units were occupied, then 10,539 people would be housed (assuming an average of 2.56 people per unit).
- If this existing capacity is accounted for when considering the 2028 population at 2.50% growth, then 2,377 additional people would need to be housed.
- If the amount of vacant land is also adjusted to account for the delay in the airport relocation and if the redevelopment strategy for the airport site contains only a small portion of residential, then there is approximately 301 vacant acres within the city.
- If it is assumed that this vacant land is developed at 2.0 units per acre (602 units), then approximately 327 units would be needed after infill.
- Again, if development is assumed at the current city-wide average of 2 units per acre, then an additional 164 acres would need to be added to the city to accommodate those 327 units.
- An average annual growth rate at 4.5% would require 2,707 units on 1,354 acres.
- An average annual growth rate at 6.5% would require 6,131 units on 3,066 acres.

If the 444 units proposed in the Quigley accommodates 1,137 people (assuming 2.56 people per household or unit), then

- At 2.50% average annual growth this annexation would accommodate that project growth
- At 4.50% an additional 2,263 units would still be needed
- At 6.50% an additional 5,687 units would still be needed.

The pattern of the proposed development in Quigley is generally consistent with the land use principle of keeping more compact development closer to existing services. While Deerfield has larger lots, the other neighborhoods between Quigley and the Townsite are slightly denser. On October 17, 2011 the applicant submitted a comparison of the densities of existing subdivisions which indicated the residential units per residential acre of each proposed block at the mouth of the canyon to be comparable to the densities of Foxmoor, Deerfield, Northridge and Old Cutters.

The Comprehensive Plan (both the version in place in 2007 when the application was submitted and the 2010 update) state that a mix of neighborhoods with varying densities is desirable. Having a mix does not necessitate a land use pattern that is strictly linear. The number of lots in relative close proximity to services becomes an important indicator when considering the development pattern of the city. The majority of units in Quigley are proposed to be in the mouth of the canyon and within a mile of downtown (the most desirable distance for walkability is ¼ to ½ mile, a short trip for biking is generally up to 3 miles). The development up the

canyon is more in keeping with typical suburban or rural development pattern. The development stops at the pond and the mouth of Deadman Gulch. The exact configuration, size and number of lots would be addressed through a subsequent subdivision application, which may also include a planned unit development application. The number of lots submitted by the applicant is intended to show a maximum threshold and the city could determine a lower threshold is more appropriate.

Community Housing

Originally the Commission recommended requiring the Applicant contribute 20% of the residential units within the development, as income deed restricted Community Housing (P&Z Condition 6). The applicant continues to offer no community housing.

Traffic

Existing problems with speeding vehicles on neighborhood streets were brought up previously by residents living on Buckhorn, Eastridge, Quigley Road, Bullion and Croy Street. There is an opportunity for the neighborhoods and city to collaborate to plan streetscapes and appropriate traffic calming measures that are consistent with the Transportation Master Plan and in keeping with the desired character and function of different neighborhood streets. As reflected in the Commission's original recommended conditions of annexation, any annexation agreement should include appropriate mitigation measures on neighborhood streets in addition to intersection improvements and improvements to Fox Acres Road and Woodside Boulevard identified in the traffic impact study.

An update to the trip generation volumes with consideration of the changes to the proposal has been provided by the applicant. An independent review by Galena Engineers has shown the study followed accepted methodology for trip generation and intersection level of service analysis.

Recreation - Parks, Public Access & Trails

The golf course has been eliminated from the proposal. Open space through the canyon would be deeded to the city and used as open space, urban agriculture and could be used as a golf course in the future. However any future golf course would be built and operated by some entity other than the developer. The open space proposed is less than the space originally proposed for a 18 hole course; therefore, any future possibility of a golf course would be less than a full course.

Previously the community benefits of the golf course as a recreational amenity and the economic benefit to the City of Hailey as a whole derived from the golf course (e.g. tax revenue, golfers spending money at other Hailey businesses, etc) was uncertain. Further assessment was requested by the city to determine if the benefits outweigh the impacts of the proposed land use efficiency on the growth of the city.

Nordic skiing in Quigley Canyon is an existing use operated by the BCRD since 2002/2003 winter season. Between 10 and 13 km of trails are groomed and the farthest trail reaches the southeast end of the pond. The proposed open space could facilitate Nordic skiing during the winter. Direct access to the Nordic trails from Fox Acres and proximate to the access provided in previous winters has been requested by the City Council.

The single track trail system on the hillsides and leading to BLM land are still proposed. Four trail heads are called out on the proposal; the exact size, location and design would be determined in the planned unit development subdivision process should the property be annexed.

Wildlife Impact

Big game migration occurs in the portion of the canyon where development was added to compensate for the development eliminated for the upper canyon and would be impacted by more development in this portion of the canyon. IDFG requested coordinates of known deer movement be plotted on the proposed plan and this information was provided by the applicant.

The proposed development more significantly bisects a big game migration corridor used primarily by mule deer for moving from summer/fall habitat at higher elevation to winter habitat at lower elevation. In addition, the south facing slopes on the north side of Quigley Canyon support large numbers of mule deer and elk, especially in severe winter conditions. The Idaho Department of Fish and Game (IDFG) submitted comments dated April 23, 2008 and expressed concerns regarding the impacts of the proposed development on mule deer and elk habitat and movement through the area. IDFG requested the following minimum wildlife impact mitigation measures:

1. Prohibiting development in Deadman Gulch
2. Significantly reducing the number of lots above Quigley pond and in the mid canyon area by clustering more development near the mouth of the canyon
3. Relocating infrastructure (roads, trails, etc) to the south side of the canyon to further buffer winter habitat from development
4. Increasing width of the 500 foot mid canyon corridor
5. Relocating the road which bisects the corridor
6. Incorporating open space for migration in the area above the pond

In a letter dated November 1, 2011, the IDFG stated of these recommendations 1, 2, 5 and 6 have been followed in the revised proposal and more information was needed to determine whether the other the other recommendations had been adequately satisfied.

The extent of the impact of development in the canyon on the mule deer population cannot be adequately predicted and there is no scientifically collected baseline data on the population to use in measuring the impacts of development. It is generally known that the impact of development located in migration corridors or critical winter range reach well beyond actual acreage covered by buildings, roads and other infrastructure ("Habitat Guidelines for Mule Deer", Mule Deer Working Group).

Water

The water rights offered as part of the annexation and the assessment of their value is being addressed by Council as part of the fiscal analysis of the annexation. Water capacity, in terms of the physical amount of water available for consumption, is an outstanding issue in general for the valley. The USGS study of the aquifer is still underway.

Public Facilities

- School Site - In a letter dated August 31, 2011, the BCSD asked for a contribution of \$3,146,077 to offset the cost of the next schools (letter attached). The applicant has offered a site adjacent to the High School site as an option for the School District to purchase as the sole contribution.
- Fire Station – The applicant is willing to deed land for a future fire station.
- The Library estimated an impact of \$328,560 of the development on the cost to provide library services.

Overview of the Changes to the Proposal Compared to Original

Land Use	
Original	Changes
Total acres = 1,109 Residential (including roads) = 226 <ul style="list-style-type: none"> • open space/parks/hillsides = 679.5 • golf/nordic = 198.2 • clubhouse/restaurant = 5.4 	Total acres = 912 Residential = 205.56 acres <ul style="list-style-type: none"> • open space/parks/hillsides = 706.44 • hillsides and trail areas = 612.52 • open space/park = 93.92
Buffers the Deerfield neighborhood with a public trailhead, 3 acre entryway park and the 250 yard hole #2	Existing residential buffered from new residential by proposed school site
Included development in Deadman Gulch and beyond the pond at the east end of the canyon	Deadman Gulch was removed from the annexation; one home site is proposed to be developed within the jurisdiction of the County, but subdivision would not be pursued. Development beyond the pond has been removed from the proposal. The applicant has an application with the County for subdivision of the area beyond the pond. The county application would be withdrawn if annexation is successful.
Basic land use efficiency calculations: <ul style="list-style-type: none"> • Units per acre 386 units/1,109 acres = 0.34 • Residential units per acre 386/225 = 1.72 	Basic land use efficiency calculations: <ul style="list-style-type: none"> • Units per acre 444 units/912 acres = 0.49 • Residential units per acre 444/206 = 2.16

Units per Acre (U/A) - the number of households (residential lots, sub-lots or units) divided by the underlying acreage, including public right-of-way.

Residential Units per Residential Acre (RU/RA) - the number of households (residential lots, sub-lots or units) divided by the underlying acreage, excluding all land in non-residential use, easements and public right-of-way. The above calculations include residential lots and right-of-way, but excludes parks and open space.

Land Use – Hillsides, Community Housing & Misc.	
Original	Changes
659 acres of unbuildable hillside property to be zoned open space	No change
No development allowed, recreational uses only on slopes > 15% (trails, portions of 3 golf holes / nordic course)	Golf course eliminated, otherwise no change
425 acres of hillside dedicated to the city for non-motorized recreational use only; 234 acres of hillside on the south side of the canyon would remain part of private lots but would be unbuildable.	No change. The Fire Department has concerns about the cost of maintenance of the hillside property dedicated to the city. The Parks and Land Board previously stated it recommends hillsides greater than a 15% slope be publicly owned land (as they are in the Woodside subdivision) and noted that some of the lots in Parcel 6 go up the hillside on slopes that are greater than 15% and suggested if lots are limited to 1/2 acre any conflict with portions of the lots being zoned RGB be resolved regarding maintaining public access
No community housing proposed	The P&Z recommended 20% of the lots be dedicated community housing; the revised proposal states no community housing will be provided.

Transportation	
Original	Changes
Includes construction of a number of transit-related infrastructure improvements.	No change
Provides bike/ped connectivity to town and through the site.	No change
Improvement of Fox Acres Road access to 3-lane section from traffic signal to school to mirror existing road improvements through high school campus; directs traffic to the established fox acres road arterial street	<p>The street improvements were previously a part of the developer's proposal based upon the traffic study conducted with less homes and a golf course. The changes to the plan includes a more direct access from within the development to Quigley Road.</p> <p>The city engineer recommends an independent estimate of these proposed off-site improvements to ensure accuracy. A cost sharing of the roundabout at Fox Acres and Woodside Blvd is also recommended to be included in an agreement as it is unclear on Exhibit "I" if that is the case.</p>
Quigley Road serving as the secondary access to north side of development for only motorized emergency and public non-motorized.	Quigley Road is proposed to be a secondary access, but fully accessible and gravel past the lots at the mouth of the canyon. The developer also proposes the secondary access be gravel with dedication to the city for repair and maintenance. City standards require streets to be paved. If an unpaved street is found by the Council to be appropriate, then accepting maintenance of a sub-standard street is not recommended.
Varying street sections at 45', 48', 58', 65' and 68'	No change. Exhibit "F" shows proposed street sections for the development which do not meet current standards, the standards could be amended to include other options. Sections with less than 50' of ROW could present problems with future maintenance.

Recreation - Parks, Public Access & Trails	
Original	Changes
Golf Course - affordable Audubon championship 18-hole public golf course on 198.2 acres owned debt-free by the recreation district	No golf course would be developed. Land for golf course deeded to the City and left as open space; proposed to be used for sustainable agriculture. Land could be developed into a golf course by the city in the future. Golf course to agriculture changes the fuel type for wild land fires from mowed grass to crops which could include tall dry brush that could contribute to faster moving fires.
Permanent Nordic facility on 198 acres owned by the recreation district vs. year-to-year CUP on private lands	No change in the proposal, however the applicant has indicated that the Nordic program will be discontinued if developed within the County (eg. remanded to P&Z or not annexed).
Public clubhouse / Nordic center / restaurant with outdoor seating, decks, fire pit and public spaces on 5.4 acres	Site maintained for future clubhouse; but applicant does not propose to build
Community sledding hill	No change
Stocked fishing pond for benefit of public	No change
Parks - 15 acres of new parks at six dispersed locations - Quigley pond park, trailhead park, overlook park, community garden, town center & main entry park	No change; the Parks and Lands Board and Planning and Zoning Commission originally recommended consideration of active park space, such as playing fields.

Recreation - Parks, Public Access & Trails	
Original	Changes
Preserves access to recreation in the canyon with continued multi-use & motorized access to BLM lands east	No change
Expanded into Deadman's & other locations on the ranch	No change
3 improved public trailheads dedicated to the city; plus one at the end of the property beyond the pond	No change
4.8 miles of new improved inter-connecting trails and bike paths	No change
Buttercup mountain ("Antennae Hill") trail to be improved & extended over to Hangman's Gulch	No change
Creation of a south canyon toe-of-hill trail extension (Woodside through school and east out canyon) dedicated to the public	No change
New walking trail to be 6-7' wide & non-motorized; safer / more pet friendly; less dust; similar grade; same sun exposure	No change
Newly designed IMBA (International Mountain Bike Association) trails for hiking and biking	No change

Wildlife	
Original	Changes
Wildlife corridors protected	The wildlife corridor originally preserved just east of the development in the mouth of the canyon (the area extending from the proposed driving range and through holes 4-9 and 18) is now proposed to be occupied by residential lots. The other corridors originally proposed have not been changed.
Winter range protected	No change (northern hillside)

Water	
Original	Changes
Brings water rights to support recreational green spaces created for Hailey citizens and public	The developer has proposed transferring their water rights to the city upon approval of the first development phase subdivision final plat in lieu of any annexation fees. SPF Water Engineering has reviewed this proposal and has some questions as to the true value of these water rights to the city. The value of the water will be dependent on future use by the City of Hailey. Possible uses include (1) irrigate lawns and landscaping in the development, (2) irrigate open land conveyed to the City by Quigley (even if the open land is returned to natural habitat open space, it will require irrigation during the transition to establish natural grasses, shrubs and trees), (3) irrigated agriculture (Quigley proposes continued agriculture use during development), (4) transfer of groundwater rights to the City's municipal water right portfolio to provide irrigation within the City's service area, (5) conversion of the groundwater rights to municipal use, (6) use of the Quigley Creek rights for mitigation, etc. SPF has recommended that an appraisal of these water rights be undertaken before we agree to this request. This also addresses comments regarding the lack of a proposed irrigation system on private lots by the developer. Whether any remaining water right not used for such irrigation could be used for mitigation of conjunctive management requirements is not known at this time. The unknown answers to the water rights issue is the reason why an independent appraisal is recommended.
Dedication of an improved separate pressurized irrigation system and water rights to support the Audubon-designed golf course and city-specified improvements of the 6 parks	The applicant makes no provision for installing a separate irrigation system in the revised proposal.

Water	
Original	Changes
Integrates a landscape plan that limits water demand while preserving and enhancing the natural environment	The installation of an overall water distribution system would require specific elements such as a pressure reducing station and a booster pump station (including multiple pumps). These are not specifically addressed in the proposed agreement but would be a requirement of final engineering plans. Another consideration is the value of the Quigley water storage tank providing both peak day demand and fire protection capacity. SPF makes the case for recovering this cost from the applicant.
Responsibly uses water: Audubon, water re-use, metering, xeriscaping, limited lot irrigation	
Well site	The applicant proposes a municipal well be developed at the eastern end of the property with a cost sharing arrangement with the city. The development's estimated average day demand is 400 gallons per minute (gpm) which the applicant proposes using in the cost sharing agreement. SPF's suggestion is to use their maximum day demand at 745 gpm in calculating the cost share agreement for the well construction costs. The applicant also proposes that the value of the well site be deducted from the costs of the well installation. Given the location of the well site in what appears to be open space the city engineer questions the actual value of this property and recommend this be negotiated with the applicant.

Public Facilities	
Original	Changes
Re-uses Class A water on-site	The applicant is requesting septic systems be allowed on properties greater than 1 acre in size at the far eastern end of the development. This would be allowed by the Health District and DEQ under current regulations but would require a revision of City Ordinance as septic systems are not allowed within city limits. The City Engineer does have some concerns with this and the proposed location of the municipal well which can likely be solved with a relocation of the well site.
Uses state-of-the-art treatment system to handle wastewater	
Installs an advanced wastewater treatment system	
	Following the sale of the 150 th lot, the applicant commits to participating in the construction of a new sewer line down the bike path to relieve the Woodside Blvd trunk line with a contribution of \$1,500,000 to the cost. The time frame is acceptable as there is enough capacity in the Woodside Blvd trunk line until the 150 th home is constructed. It is recommended on this item as well as all other off-site improvements, that the costs be tied to the Construction Cost Index published by the Engineering News Record magazine.
Dedicate land for an additional fire bay to maintain city fire ratings	No change
No school site proposed	Some contribution to the BCSD was recommended by P&Z; the revised proposal includes a school site provided to the BCSD as an option to purchase at a discount (see letter from applicant to BCSD attached).
Library - not addressed	No change; the Commission had recommended a contribution toward library services based on the fiscal impact analysis.

Conditions Previously Recommended and Discussed

This table is an overview of the conditions of annexation discussed and recommended by the Commission in 2008 and then discussed and amended by City Council in 2009 and whether the changes to the proposal changes the applicability of the condition and whether discussion is required as a result of the changes. The Commission recommended amendments on November 7, 2011.

Land Use	Applicability of Condition Given Changes to Proposal
1. Lots larger than a half acre shall be limited to a half acre of disturbance, excluding the driveway. Fences are prohibited beyond the disturbed area of each lot. (P&Z Condition 10 modified)	Still applicable
2. Noxious weeds shall be eliminated and controlled. Prior to construction, the Applicant shall submit to the Planning Office a weed management plan for the abatement of weeds both during and after construction. (P&Z Condition 8 modified)	Still applicable
Water/Wastewater	
3. With each phase of development, the developer shall demonstrate adequate water in quality and quantity to supply the amount of development in each respective phase. (P&Z Condition 35 modified)	Still applicable
4. Water rights, both surface and groundwater, shall be conveyed to the City of Hailey at a time agreeable to the parties. (P&Z Condition 36 modified)	<i>Council discussion needed based on water appraisal and fiscal impact analysis</i>
5. The Applicant shall dedicate a site for the installation of a new municipal water system, consisting of a well, well house, pump, motor and back-up generator, in a location mutually agreed upon by the City and in a location at the farthest feasible eastern location. The Applicant shall install a new well with a 1500 gpm capacity. Once the well is deemed operational by DEQ and IDWR, the operation and maintenance of the well will be the responsibility of the City of Hailey. The Applicant and the City shall participate in a cost sharing arrangement with the City to pay for the new well to be determined by an annexation agreement. (P&Z Condition 37 modified)	<i>Council discussion needed based on water appraisal and fiscal impact analysis</i>
6. The Applicant shall assist the City in preparing and filing the applications necessary for municipal water rights for the well site the Applicant is dedicating to the City. (P&Z Condition 38)	<i>Council discussion needed based on water appraisal and fiscal impact analysis</i>
7. The Applicant shall pay future applicable water and sewer connection fees, user fees, and other fees as required by the City. (P&Z Condition 39)	Still applicable

<p>8. Most irrigation within the development shall continue to be from on-site surface and ground water diversions under existing water rights. (SPF Condition 1)</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>9. The Applicant shall construct:</p> <ul style="list-style-type: none"> a. A new municipal water system consisting of a well, well house, pump, motor and back-up generator. b. A booster pump station with a back-up generator. c. Distribution and transmission mains required for the development. d. Any required pressure-reducing stations. <p>These improvements shall be warranted for a one (1) year period following the initial use of the systems. (SPF Condition 2). Staff Comment: An operating water system is part of the subdivision ordinance. Therefore, most of these conditions merely reflect the requirements of the subdivision ordinance.</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>10. The Applicant shall pay for the following:</p> <ul style="list-style-type: none"> a. The City's costs associated with the acquisition of new water right(s) to serve the development's domestic (and limited residential irrigation) needs. In the alternative, the Applicant could acquire the required permit(s) and transfer the permit(s) to the City. b. The City's costs to modify the places of use of existing municipal water rights to include the development. c. The City's engineering review time related to supplying water to the development. d. Operational costs of the booster pump station until there are enough connections in the development to make the operation self-supporting. (SPF Conditions 3 and 4) 	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>

<p>11. A separate irrigation system to be used for the irrigated portions of the development shall be constructed by the developer, and shall be owned and operated by the City of Hailey. The separate irrigation system shall have a metered charge different from the potable water system, as determined by applicable city ordinance and resolution.</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>12. The development be required to connect to the City of Hailey wastewater system with the following conditions: a. 90% of the cost of upgrading the Fox Acres Rd pipeline should be borne by the developer. b. Either a replacement of the existing sewer line in Woodside Blvd or in an alternative location should be at the developer's expense.</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>13. The Applicant shall construct a reclaimed water system which may be connected to the separate irrigation system within the development. The ponds proposed on the golf course may be used for storage of reclaimed water.</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>14. The reclaimed water line should be constructed in the most beneficial location as determined by the City. Any appurtenances to the main reclaimed water line to properties other than the development should be borne by the City of Hailey. The Applicant may participate in a cost sharing arrangement with the City to pay for the new reclaimed water line to be determined by an annexation agreement.</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>15. The priority of irrigation uses shall be as follows: golf course first, parks second and individual lots third. The annexation agreement shall specify terms and conditions of the priority of irrigation uses.</p>	<p>No longer applicable</p>

Traffic	
16. The Applicant shall install the proposed off-site improvements within the Deerfield subdivision (<i>i.e.</i> , raised intersections and additional stop signs on Buckhorn Dr., speed humps, and striped bike lanes) in accordance with City Standards and upon final design approval by the City Engineer. Pedestrian Activated Lights may also be required but only after further study. (P&Z Condition 12 modified)	Still applicable
17. The Applicant shall install intersection improvements as identified in the traffic impact study, in accordance with City Standards and upon final design approval by the City Engineer. (P&Z Condition 13)	Still applicable
18. The Applicant shall install the proposed improvements to Fox Acres Rd, in accordance with City Standards and upon final design approval by the City Engineer. If a roundabout is found to be infeasible by the city, then a right turn lane on Woodside Blvd at the intersection with Fox Acres Rd shall be installed. (P&Z Condition 14 modified)	Still applicable
19. The Applicant shall install traffic calming, street design, bicycle facilities and sidewalks on Quigley Road and on Bullion Street and Croy Street from Eighth Avenue to the Wood River Trail, as determined by the City and in accordance with City Standards, including forthcoming Complete Streets standards, and upon final design approval by the City Engineer. The Applicant may participate in a cost sharing arrangement with the City to pay for the improvements to Bullion and Croy streets to be determined by an annexation agreement. (P&Z Condition 15 modified)	Still applicable
20. The Applicant shall construct transit related infrastructure on-site, in accordance with the needs and standards identified by the Mountain Rides Transportation Authority, including but not limited to bus stops with pull outs, bus shelters, bike racks at bus stops, signage, and pedestrian linkages to bus stops. (P&Z Condition 16 modified)	Still applicable

<p>21. The extension of Fox Acres (from the current City limits to the public land to the east) and the extension of Quigley Road to the entrance of Large Block Parcel 1 shall be dedicated to City and maintained by the City. (P&Z Condition 18)</p>	<p>Still applicable; parcel numbers should be adjusted.</p>
<p>22. All roads within Large Block Parcel 1 shall be dedicated to the public and maintained by the city, except the alleyways in Parcel 1 shall be private. Each of the non-collector or smaller roads and cul-de-sacs within Large Block Parcels 2-6 shall be private. The alleys in Parcel 1 and the non-collector or smaller roads and cul-de-sacs within Large Block Parcels 2-6 shall be platted with easements for utilities and public access and shall be maintained by the owners of the lots through a homeowner's association (P&Z Condition 19 modified)</p>	<p>Still applicable; parcel numbers should be adjusted</p>
<p>23. All private roads shall be a platted as a separate parcel, platted as public access and provide future connectivity if determined necessary by the City of Hailey. (P&Z Condition 20)</p>	<p>Still applicable</p>
<p>24. Cul-de-sacs within the development shall be connected by shared use pathways as determined necessary by the City of Hailey and shall be constructed in accordance with City Standards, subject to final approval by the City Engineer. (P&Z Condition 21 modified)</p>	<p>Still applicable</p>
<p>25. Antler Drive shall provide pedestrian and bicycle connection to the new development and shall be constructed in accordance with City Standards, subject to final approval by the City Engineer. (P&Z Condition 22 modified)</p>	<p>Still applicable</p>
<p>26. The Applicant shall construct a 10' wide separated shared use path from the high school to eastern boundary of Large Block Parcel 4, as shown on the Site Master Plan, in accordance with City Standards and AASHTO guidelines. (P&Z Condition 23 modified)</p>	<p>Still applicable; parcel number should be adjusted to E</p>

<p>27. A secondary emergency access shall extend east of Parcel 1 on the north side through Parcel 6. This secondary emergency access shall be platted with an easement for emergency access, shall be constructed in accordance with applicable standards under the International Fire Code and shall be maintained and kept open to allow year round access. (P&Z Condition 24 modified)</p>	<p>Should reflect the road being a secondary access open to the public.</p>
<p>28. If a design is determined to be feasible by the city within the existing right-of-way the Applicant shall install a roundabout at Croy St, 8th Ave and Eastridge Dr, in accordance with City Standards and upon final design approval by the City Engineer.</p>	<p>Still applicable</p>
<p>29. Access to the development from Quigley Road shall be maintained and the Applicant shall install the recommended design measures within the lower canyon portion of the development and Quigley Road in accordance with City Standards, subject to final design considerations and final approval by the City Engineer.</p>	<p>Still applicable</p>
<p>Trails, Parks, Open Space and Hillside Areas</p>	
<p>30. The Applicant shall build all trails and designated public parks on the development consistent with the Site Master Plan and in accordance with City Standards. Easements for the trails for public access, construction and maintenance shall be granted to the City. The parks shall be dedicated to the city. All trails shall be constructed during Phase 1 of development. Improvements to the parks shall include but are limited to turf, irrigation systems, play equipment and signing and shall be reviewed through the subdivision or PUD process with recommendation by the Hailey Parks and Land Board. (P&Z Condition 26 modified)</p>	<p>Still applicable - The Commission recommended specifying Nordic trails in addition to other trails.</p>
<p>31. The Applicant shall construct one or more active playing fields in accordance with Hailey's Subdivision Ordinance. The type of field(s) shall be based on a community demand assessment reviewed by the Hailey Parks and Lands Board and on recommended space requirements specified in the Facility Development and Space Guidelines of the Hailey Parks, Lands and Trails Master Plan Standards and Guidelines. (P&Z Condition 25)</p>	<p>Still applicable</p>

<p>32. All public parks (31.1 acres proposed) and public open spaces above the proposed trail on the north side of the canyon shall be dedicated to the City and open to the public, except the Community Garden, which will be dedicated to the HOA. (P&Z Condition 30 modified)</p>	<p>Still applicable. There are conflicting policy considerations for this condition. On one hand, it would be more consistent with past practice to also dedicate the open space on the south side of the canyon to the city. On the other hand, ownership of the open space may create a significant liability to the city. Control over the open space could be achieved through contractual restrictions.</p>
<p>33. The Applicant shall construct single-track dirt trails on the development to the BLM boundary, consistent with the IMBA Trail Solutions plan depicted on the Site Master Plan. (P&Z Condition 27 modified)</p>	<p>Still applicable</p>
<p>34. All parks and open space areas dedicated to the city, and pathways shall allow public access. (P&Z Condition 32 modified)</p>	<p>Still applicable</p>
<p>35. The Applicant will maintain parks for 2 years following completion and acceptance by the City. After two years the city will take over responsibility of park maintenance. (P&Z Condition 31 modified)</p>	<p>Still applicable</p>
<p>36. Snowmobile access on roads within the development shall not be permitted.</p>	<p>Still applicable</p>
<p>37. The golf course clubhouse parking lot shall be signed as public trailhead parking to access the trails on the south facing slopes.</p>	<p>Should be modified to generally address signage for trail heads.</p>
<p>38. Winter use of the trails on "Quigley Hill" (or "Radio Tower Hill") on the northeast side of Quigley Canyon shall be restricted in order to reduce the impact on wintering wildlife. Use of the proposed sledding hill will be allowed.</p>	<p>Still applicable</p>
<p>39. A trailhead for motorized vehicles and trailers shall be provided at the far east end of the development should the trailhead proposed on BLM land not be constructed.</p>	<p>Still applicable</p>

Golf Course and Nordic Facility	
40. The land occupied by the proposed golf course and Nordic facility shall be deeded to the city. The term and conditions of this condition shall be detailed in the annexation agreement.. (P&Z Condition 28 modified)	Still applicable even though no golf course is proposed to be constructed.
41. The golf course and nordic facility shall remain for public use in perpetuity. In the case the golf course and nordic facility cease operations, or if either facility is not built, the land shall revert to open space. The term and conditions of this condition shall be detailed in the annexation agreement. (P&Z Condition 28 modified)	Still applicable even though no golf course is proposed to be constructed.
42. The golf course shall be built as an Audubon Sanctuary course. The Audubon Sanctuary golf course standards shall be reviewed and approved as part of the final annexation decision by Council. (P&Z Condition 29)	No longer applicable
43. A recreation plan shall be developed and agreed upon by the Blaine County Recreation District, the City of Hailey and the Applicant, including but not limited to, title, lease, and joint fees agreement.	Still applicable even though no golf course is proposed to be constructed.
Annexation Agreement – Fees, Phasing, Guarantees	
44. The phasing of the development shall be developed in accordance with the Phasing Plan Summary of the Site Master Plan, unless otherwise agreed by the city to maximize orderly development, and as specified in an annexation agreement. (P&Z Condition 48)	Still applicable
45. Phase 1 shall include: the construction of the eighteen (18) hole golf course with attendant features (golf course, clubhouse, driving range, and maintenance facility); stream rehabilitation subject to applicable city and other governmental approvals; construction of Quigley Road and Fox Acres Road from current city limits to the end of the development following the alignment depicted on the Site Master Plan or as otherwise approved by the City; dedication of the hillside open space; and construction of trails and trail heads. Construction of all park areas and their dedication to the City shall occur during the approved phase the park is located within. (P&Z Condition 49)	Phasing should reflect proposed changes

<p>46. Development of Phases for the Large Residential Parcels 1 through 6 shall occur in accordance with the conditions and requirements of the city, and all subsequent subdivision approval requirements and findings. (P&Z Condition 50)</p>	<p>Still applicable; parcel numbers should be adjusted.</p>
<p>47. The Applicant shall pay annexation fees for residential and non-residential uses that impact City services to be determined in a fiscal analysis and as negotiated by the City Council. (P&Z Condition 51)</p>	<p><i>Council discussion needed based on water appraisal and fiscal impact analysis</i></p>
<p>48. Responsibilities of the Applicant and the future homeowner's association to improve and maintain paths, parks, roads, and open space areas, and other items specified by the City Council shall be established in covenants, conditions and restrictions, and adopted concurrent with subdivision or PUD approval for the development. (P&Z Condition 52 modified)</p>	<p>Still applicable</p>
<p>49. The Applicant shall construct the ordinary on-site improvement that relate to all subdivision, PUD and phasing approvals, including, but not limited to, the following:</p> <ul style="list-style-type: none"> a. Water and sewer as specified by the city engineer and approved by the City Council; b. Roads, sidewalks, trails and bike paths consistent with the Site Master Plan; c. Undergrounding of utilities (e.g., cable, gas, electric); d. Landscaping of all parks and right-of-ways; e. Intersection street lights; and f. Park improvements consistent with specifications approved by the City Council after duly receiving the recommendations of the Parks Board and Commission. (P&Z Condition 53 modified) 	<p>Still applicable</p>
<p>50. The Applicant shall post sufficient security and/or record liens to insure the construction of certain on-site and off-site improvements during certain time periods as specified in an annexation agreement.</p>	<p>Still applicable</p>

<p>51. The Applicant shall make dedications and contributions as determined by the Council to ensure no negative fiscal impact to the City and its existing residents. The terms and conditions of the dedications and contributions shall be specified in an annexation agreement. (P&Z Condition 44 modified)</p>	<p>Still applicable</p>
<p>52. The annexation agreement will specify the amenities to be provided by the developer, but does not imply approval of a specific design or approval of any other applicable city requirements. (P&Z Condition 45)</p>	<p>Still applicable</p>
<p>53. The Applicant shall receive approval of other applicable requirements of the city as a condition of annexation, including but not limited to Planned Unit Development, Subdivision, Design Review, Hillside Alteration and Stream Alteration Permit. (P&Z Condition 46 modified)</p>	<p>Still applicable</p>
<p>54. All applicable city standards shall be met unless the city agrees to waivers through the Planned Unit Development (PUD) process. (P&Z Condition 47)</p>	<p>Still applicable – Commission recommended that no city owned roads be allowed to be unpaved.</p>
<p>55. The Applicant shall, upon annexation, pay to amend various City maps as deemed necessary by the City, including, but not limited to comprehensive plan land use map, annexation legal metes and bounds map to state, and zoning maps. (P&Z Condition 54)</p>	<p>Still applicable</p>
<p>56. Building in any area designated as a “red zone” in the “Snow and Avalanche Hazard and Mapping Analysis Quigley Canyon Ranch, Blaine County, Idaho”, Arthur Mears, December 2007 is prohibited and a site specific study and engineered building plans of any building permit in any area designated as a “blue zone” in the “Snow and Avalanche Hazard and Mapping Analysis Quigley Canyon Ranch, Blaine County, Idaho”, Arthur Mears, December 2007 is required. (P&Z Condition 3 modified)</p>	<p>Still applicable</p>
<p>57. Hillside areas, defined as slopes which equal or are greater than 15 percent, shall be dedicated as open space and recreational uses and zoned RGB. (P&Z Condition 4)</p>	<p>Still applicable.</p>
<p>58. No buildings on slopes which equal or are greater than 15 percent are permitted. (P&Z Condition 5)</p>	<p>Still applicable</p>

<p>59. The Applicant shall contribute 20% of the residential units within the development, as income deed restricted Community Housing. The terms and conditions of the community housing contribution shall be specified in the annexation agreement. (P&Z Condition 6 modified)</p>	<p><i>Council discussion needed based on housing needs assessment update.</i> The Commission recommended that the percentage should reflect the current needs assessment.</p>
<p>60. The Site Master Plan shall comply with city-required Firewise/Wildland-urban interface standards and/or guidelines, as adopted by the city, including designation of enforceable fire resistant landscaping and building materials. The Applicant shall submit a Fire Plan for approval by the City. Upon approval of a Fire Plan by the City, the Applicant shall implement said approved plan. (P&Z Condition 7 modified)</p>	<p>Still applicable</p>
<p>61. Prior to construction, a construction management plan shall be filed with the City that designates travel routes for large vehicles and depicts staging areas and other details specific to the development. (P&Z Condition 9)</p>	<p>Still applicable</p>
<p>62. Undeveloped areas shall be zoned RGB. (P&Z Condition 11)</p>	<p>Still applicable</p>
<p>63. Wildlife migration corridors throughout the development, in the locations specified on the Wildlife Corridor map, shall be a minimum width of 500 feet. (P&Z Condition 33 modified)</p>	<p><i>Discussion Necessary; portion of corridor narrowed.</i> The Commission recommended the corridor width remain a minimum of 500 feet.</p>
<p>64. The recommendations of the Applicant's wildlife biologists shall be implemented, unless otherwise determined by the City. (P&Z Condition 34)</p>	<p>Still applicable.</p>
<p>65. The Applicant shall contribute to the City for a future fire station with employee housing in an amount determined through the fiscal impact analysis, with the terms and conditions specified in an annexation agreement. (P&Z Condition 41 modified)</p>	<p>Still applicable</p>
<p>66. The Applicant shall contribute land and/or a dollar amount for a future school facility determined through the fiscal impact analysis to be determined by an annexation agreement. (P&Z Condition 42 modified)</p>	<p>Still applicable</p>
<p>67. The Applicant shall contribute to the Hailey Public Library in an amount determined through the fiscal impact analysis, with the terms and conditions specified in an annexation agreement. (P&Z Condition 43 modified)</p>	<p>Still applicable.</p>
<p>68. No septic shall be permitted.</p>	<p>The Commission recommended this condition on Nov. 7, 2011</p>

Comprehensive Plan Analysis

The application for annexation of Quigley was submitted in 2007, therefore the Comprehensive Plan in place at that time are required to be analyzed throughout the application process despite an update to the Comprehensive Plan being adopted in December 2010.

The Comprehensive Plan in place in 2007 included over 100 goals and policies applicable to the Quigley application related to Growth, Land Use, Open Space, Environment and Natural Resources Transportation, Recreation, Wildlife, Water, Wastewater and Public Facilities. The following policies related to each topic (in table format) were reviewed by the Commission through the course of the public hearings held for the original proposal. The Commission discussed the changes to the proposal as they relate to these same policies.

It was suggested that the Commission use the following as reference while discussing the Comprehensive Plan:

- the combination of information comparing the changes to the original application and
- the table providing an overview of the conditions of annexation discussed and recommended by the Commission in 2008 and then discussed and amended by City Council in 2009.

The policies the Commission called out on October 3, 2011 as being of concern given the changes to the proposal are highlighted. On November 7, 2011 the Commission discussed whether the conditions previously recommend address these concerns and suggested amendments to address new concerns.

GROWTH	
Protect environment, quality of life, and infrastructure from damage by unchecked, unmanaged growth.	
1.5.2	Protect and maintain the quality view that is inherent in the Wood River Valley.
4.4	Ensure that future growth does not place undue demands on our current quality of life, recreational opportunities, and/or facilities.
7.1	Ensure that increasing total population does not diminish the quality of life in Hailey and its environs.
7.1.3	Preserve agricultural, natural and recreational open space as a community asset.
10.3	Ensure that future growth does not place undue demands on our current quality of life, transportation infrastructure, rural character, or environmental quality, including clean air.
12.1.1	Ensure that growth does not outpace infrastructure, services, or capacity of resources. The following implementation items are considered high priorities for the City:
Provide a permanent means of funding future growth.	
4.2	Establish a permanent means of funding land acquisition, capital improvements, and maintenance of recreation facilities.
12.1.5	Ensure that development, both within current city limits and in future annexation areas, pays all costs associated with additional services required. Future growth should pay for itself.
Manage and accommodate infill development, and control and/or limit expansion.	
12.1	To manage and accommodate growth due to infill development and to control and/or limit expansive development within the City of Hailey, through flexible, responsive, and consistent controls, in order to provide for a community that is well-defined in terms of distinct boundaries, compact in terms of human-scale elements and distances between structures and uses, and surrounded by and integrated with green space. To provide for alternative modes of transportation, sustainable economic development, a balanced mix of housing, serviceable annexations and adequate infrastructure.

LAND USE	
Limit exposure to natural and man-made hazards.	
2.5	Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to flooding.
2.6	Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to avalanche.
2.7	Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to wildfires which threaten natural resources, or which threaten structures within the urban interface.
2.8	Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to man-made hazards, such as, pollution, toxic waste, electromagnetic emissions, hazardous utility or transportation facilities, or the storage and transport of noxious, radioactive, or hazardous material.
Retain a compact City, allow for increased average density within the city core, discourage sprawl, and provide a balanced mix of land uses.	
5.4	To provide for a balanced mix of land uses suitably related to each other and their natural setting. Include sufficient space in all types of districts to accommodate future growth. Direct density of development towards the community core, with increasing green space and generally decreasing density toward the edges of the community and within the Area of City Impact.
5.4.1	Encourage integration of compatible land uses in order to retain a compact City comprised of a central downtown with surrounding diverse neighborhoods, thereby reducing sprawl and traffic, increasing efficiency, and creating neighborhood and community character.
5.4.7	Include preservation of green space and the creation of public park spaces with all development
5.7.1	Promote the highest housing density within the community core and discourage sprawling residential development.
10.1.5	Promote land development that discourages urban sprawl, connects the community, and encourages multi-modal use.
12.1.2	Promote infill development and allow for increased average density within the city core. Increased density should be carefully planned and designed to provide high quality projects that will balance the need for accommodating growth and maintaining a small town character.

Build a mix of housing types and cost within neighborhoods.	
5.4.5	Promote land use policies that protect and enhance new and existing neighborhoods in residential zoning districts. Encourage a diversity and mix of residential housing throughout the city in order to create a fully integrated community.
7.2	Maintain and improve the quality of Hailey's social fabric.
8.1	To establish and encourage community and neighborhood character through the use of innovative design, diversity of housing types, and individuality of homes.
8.2	Ensure a viable economy by providing home ownership and rental opportunities for individuals and families of all socio-economic levels.
12.1.6	Ensure that community and neighborhood character is provided for future development through the use of innovative design, diversity of housing, and individuality of homes.
13.0	The Goal of the Community Design section of the Hailey Comprehensive Plan is to encourage or require architecture, landscape architecture, land planning and land development which will create interest, caring, and value in the City of Hailey, for residents and visitors alike.
Use land efficiently.	
5.6	Emphasize efficient use of resources, including all infrastructure, and the land itself.
5.6.2	Establish land use policies that ensure orderly residential development relative to public facilities and services.
5.6.3	Promote the creation of neighborhood businesses in order to protect environmental quality, provide for greater convenience, and furnish residents with neighborhood centers.
5.6.4	Encourage energy efficient design in the use of land through sound land use planning policies.
6.3	Allow and encourage the creation of neighborhood business in order to increase convenience to neighborhood residents and decrease distance traveled.
10.1.3	Ensure an interconnected community that provides multi-modal access from and to all neighborhoods.
13.0.1	Maintain a City that emphasizes the human being and places less emphasis on the automobile.
Use design standards to retain community character.	
5.5.2	Utilize planning tools, such as Design Review Guidelines, Planned Unit Development standards, or other special standards or ordinances, to address other areas of special concern.
8.1.5	Promote human scale architecture in all multi-family and mixed housing residential areas. Use creative design to integrate multi-family dwelling units with single-family residences.
13.0.1	Maintain a City that emphasizes the human being and places less emphasis on the automobile.
Consider public safety and welfare service needs.	
9.6	Support Fire Department improvements to meet projected fire protection and emergency incident response needs.

OPEN SPACE	
Preserve and protect green space and open space	
1.3.1	Encourage the retention and stewardship of green space and large parcels in unincorporated land in, and adjacent to, the Area of City Impact.
3.2.1	Preserve hillsides in and around Hailey as green space in order to preserve those areas as a community resource.
3.4.1	Support and establish regulations that enhance the value of, preserve, or require green space.
3.4.2	Encourage cooperation with developers to create green space corridors accessing outlying areas with link-ups into and through the City.

NATURAL RESOURCES	
Protect the environment from damage and promote, conservation of energy and natural resources	
1.6.1	Ensure enforcement of all Federal, State and local environmental quality regulations. These standards include, but are not limited to, regulations on water and wastewater quality and quality of stormwater drainage.
1.6.2	Recognize the value of and preserve, enhance, or restore natural resources, such as water resources, scenic views, wetlands, wildlife habitat, and ecosystems.
1.6.2	Promote design features that conserve energy and natural resources.
1.6.3	Promote water conservation.
7.1.5	Assure that clean, renewable energy sources and measures to manage transportation and energy demand are given priority.

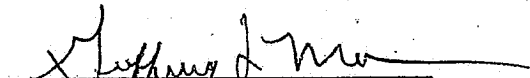
TRANSPORTATION	
Increase opportunities for alternative transportation	
5.7	To increase opportunities for alternative transportation, reduction of vehicle traffic, creation of safe and walkable neighborhoods, creation and preservation of public spaces and green space, and efficiency of services by promoting appropriate housing densities.
8.1.4	Encourage pedestrian oriented design of residences and developments in order to encourage social and community interaction, and to provide for multi-modal transportation and community character. Encourage architecture and land planning which, while accommodating the automobile, places greater emphasis on the pedestrian.
10.1	Create and maintain a pedestrian and bicycle friendly community that provides safe, convenient and efficient multi-modal transportation for all Hailey residents that moves people and not just cars, and that preserves and enhances our quality of life.
10.2	Recognize that Engineering and Education are better tools for traffic management than enforcement - use creative street designs to manage transportation demands, and use education to encourage healthy transportation choices.
10.3.1	Standards for development should encourage multi-modal transportation
12.1.8	Promote alternative modes of transportation to lessen dependency on the automobile, thereby minimizing the increase in traffic and maintaining quality of life.
15.12	It is the goal of the City of Hailey to provide or ensure the provision of safe, adequate, convenient and multi-modal transportation access to all school sites, as incorporated herein and referenced on the attached Conceptual School District Transportation Master Plan Map.
Reduce the need for residents to travel long distances	
6.3.1	Neighborhood business are those which are designed and operated to primarily serve and/or employ residents in the areas in which they are located, and are generally less than an acre in size.
Provide for creation and maintenance of transportation infrastructure	
9.0.1	Continue to improve City streets and transportation services to meet projected needs.
10.3	Ensure that future growth does not place undue demands on our current quality of life, transportation infrastructure, rural character, or environmental quality, including clean air.
15.12.2.	Cooperate with both the Blaine County School District and the Blaine County Recreation District in order to master plan and provide separated non-vehicular access to all School District properties within the City

RECREATION	
Create and preserve a variety of recreational opportunities.	
1.1.2	Preserve and establish water-related recreation opportunities.
1.3	Preserve and protect upland sage-steppe and green-space in unincorporated areas adjacent to the Hailey/Blaine County Area of Impact for recreation, wildlife, responsible agricultural uses, and for future growth areas.
4.11	To create and maintain an interconnected system of parks, recreational facilities, trails, green spaces and natural lands for the community of Hailey in order to provide diverse recreation opportunities for Hailey residents.
9.4	Continue to strive for improvements and augmentation of the City park system according to the adopted Recreation Master Plan.
Provide recreational opportunities in a financially responsible manner	
4.2	Establish a permanent means of funding land acquisition, capital improvements, and maintenance of recreation facilities.
4.3	Maximize recreation opportunities and minimize tax dollars.
WATER	
Preserve and protect water resources (watercourses, wetlands, groundwater)	
1.1	Retain, preserve and protect the natural state of watercourses and wetlands in and around Hailey.
7-8.2	Regulate uses that are known or suspected to diminish water quality. Where regulation is not appropriate, provide education on voluntary steps to maintain water quality.
5.6.1	Ensure that land development does not exceed water capacity.
9.2	Upgrades of the municipal water storage and distribution systems should be accomplished according to the adopted Master Plan. Recognize that water is a finite resource in the Wood River Valley.
WASTEWATER	
9.3	Upgrades of the municipal wastewater treatment systems should be accomplished as needed or according to a revised Master Plan as adopted.
PUBLIC FACILITIES	
15.11.1	Coordinate and cooperate with the Blaine County School District in the master planning and development for new and expanded school district facilities within the City of Hailey to meet the educational goals established by the community.
15.11.2	Encourage the shared use of all public facilities in order to minimize potential burden on property tax payers and maximize opportunities for public use.
9.5	Support Police Department improvements to meet projected Law Enforcement needs.
9.6	Support Fire Department improvements to meet projected fire protection and emergency incident response needs.

RECOMMENDATION


Based on the entire record and the above Findings of Fact, the Commission recommends to City Council, by 3 to 2 vote, denial of the modified Quigley Canyon Annexation proposal, finding that the proposed annexation is not in accordance with the above highlighted Comprehensive Plan policies.

Signed this 31st day of Nov., 2011.



Geoffrey Moore, Chair

Attest:



Beth Robrahn, Planning & Zoning Administrator