


STAFF REPORT

FILE COPY

TO: Hailey Planning and Zoning Commission
FROM: Beth Robrahn, Planning Director 
RE: Annexation- Colorado Gulch Preserve
HEARING: September 8, 2009

Applicant: Hartland Development Company, LLC
Property Owner: Stevens Family Ranch, LLC
Project: Application for annexation of 21.81 acres
General Location: west of Airport West Subdivision and south of Della View/Broadford Estates Subdivision
Legal Description: Lot 1, Block 1, Stevens Family Ranch, LLC Subdivision (70 Broadford Road)

Notice

Notice for the public hearing held on August 3, 2009 was published in the Idaho Mountain Express on July 15, 2009. The notice was mailed to property owners within 300 feet, to public agencies, and to area media, on July The public hearing on August 3, 2009 was continued on the record to September 8, 2009.

Application

The City has received an application by Hartland Development Company LLC for annexation of 21.81 acres of the Colorado Gulch Preserve located within Lot 1, Block 1, Stevens Family Ranch, LLC Subdivision (70 Broadford Road). The parcel is located west of Airport West Subdivision and south of Della View/Broadford Estates Subdivision.

The applicant is proposing development of 94 residential units and requesting General Residential (GR) zoning of the property should annexation be approved. The property is currently located in the County and is zoned Residential - 1 acre lots (R-1) and Flood Plain (FP)

Pursuant to Idaho Code Section 50-222, (3) (a), the subject application represents a Category A annexation, because it involves "residential enclaved lands of less than one hundred (100) privately-owned parcels... which are bounded on all sides by lands within a city and by the boundary of the city's area of city impact." The subject property is within the Area of City Impact. Category "A" annexations do not require the consent of the property owners, however in this instance the property owner has given consent to the applicant.

The subject property is directly adjacent to Della View Subdivision for approximately 12,200 feet to the north. Airport West Subdivision lies across Broadford Road to the east. Two small parcels of property (Tax Lots 3913 and 7505) also lie to the east, and are located outside City

Limits. County land lies to the south, and the Bigwood River and Della View Mountain are to the west.

The proposed annexation, if approved, would leave Tax Lots 7196, 3913 and 7505, and Broadford Road as small islands of county land, surrounded on four sides by City Land. The Council will consider whether a city-initiated annexation of those tax lots and Broadford Road is appropriate. No indication of agreement to annexation has been received from the owners of the tax lots.

The property owner owns an additional 160 acres to the west of the 21.81 acres proposed for annexation. This other portion includes floodplain, wetland, mountain overlay and avalanche areas under County zoning and would remain in the County under the applicant's proposal. The applicant is negotiating a conservation easement on this portion of the property with two home sites to be developed within the County.

Procedural History

The application for annexation was received December 6, 2007 and certified complete as of the date of receipt of the draft annexation agreement on January 29, 2008.

After the first public hearing before the Commission on August 3, 2009 the applicant was asked to provide the following information:

- Traffic update – an update has been given to the City Engineer; his comments are below.
- Wildlife study – the applicant has hired a wildlife biologist to conduct this study.
- Verify no mining activity (past and present) – an email from Jim Koonce, Mining Engineer, dated August 20, 2009 states that there was no mining on the subject property east of the Big Wood River.
- Wetland memo – current proposal does not change 2003 study
- Impact of trail on wetland – the applicant states that there is an existing trail through the wetlands and no change is proposed, therefore there is no change to the impact.
- Determine if lift station is needed – the applicant's engineer states a lift station is needed; the City Engineer would like the applicant to explore how to avoid another lift station on the city system.
- Update all plans and narratives based on 94 units – see attached.

Department Comments

Life Safety

- Fire Department memo dated June 17, 2009
- Building Department email dated June 4, 2009

Parks and Lands Board

- memo dated July 30, 2009

Public Works – water, wastewater, traffic

- email dated July 21, 2009
- email dated September 1, 2009 with comments on the applicant's update narrative and updated traffic study.

Comment on the updated narrative:

- Page 3 – 1st paragraph; an explanation of how the peak hour water demand was calculated is requested. The fire flow is 1,500 gpm, not between 1,000 and 1,500.
- Page 3 – 2nd paragraph; we installed a 2 million gallon storage tank.
- Page 3 – 3rd paragraph; SPF Water Engineering is updating the water model. I will request a copy be provided to Galena for a final water report.
- Page 3 – 4th paragraph; they are proposing a HOA operated separate irrigation system. This would be different than what we are doing with Quigley. This may not be a bad thing as this small of a system would be another demand on the Water Dept and could require another water rate to be set up. As long as they agree to abiding by the city ordinance for watering times and days in the CCR's it could work. My concern is that we already get calls about the few systems out there; APW being the prime example; on their own wells and watering during the day. It appears to set up a separate class of citizens.
- Page 3 – Wastewater; did we get a plan showing the connection to our system. I would like the applicant to explore how to avoid another lift station on our system.
- Page 4 – Floodway, etc; I'm not sure drywells will work in this area if groundwater is too high. Have test wells or holes been done to note the groundwater levels? Drainage could be an issue but I won't know without this information.
- Page 5 – Maintenance etc; what utilities will be maintained by the HOA – irrigation?

Traffic Study

Overall comment is that the recent traffic counts show a huge drop from 2004 counts. This leads to what would appear to be less impact to Hailey from this annexation. A case can be made that the recent counts are an anomaly due to the economic conditions and that the previous counts are more accurate of what will be there.

Adjustments are made in the calculations for the difference of the time of year (Dec vs August) that counts were taken. I would be more comfortable with the traffic study being revised using the old counts and adding the annexation's impact now to those numbers.

The first report did not propose any off-site improvements based on the low impact of the annexation on overall traffic. The city will want some improvements done such as bike paths, especially to Broadford Rd, as well as maybe something at the Cedar/Hwy 75

intersection. In addition, Broadford Rd is basically a chip seal road and if it comes into the city will require a lot of maintenance in the near future. The developer should be required to improve the road as well as improve some poor sight conditions from the existing configuration; i.e. vertical and horizontal views.

Update of Studies

Pursuant to Section 14.01.050, Submittal Requirements, “unless the Administrator determines, in the Administrator’s sole and absolute discretion, one or more of the following studies are not warranted based on the size, scope and impact of a proposed annexation, the following studies shall be submitted”:

a) Traffic study showing impact on adjacent streets and streets that would serve the proposed project.

A traffic study has been update; see City Engineers comments above.

b) Floodplain study (if applicable).

The established Flood Plain boundary is shown on the plans; a study was not required at the time of application submittal.

c) Avalanche study (if applicable).

The Red and Blue Avalanche zones are depicted on the existing constraints map. The portion of the property requested for annexation is not located within close proximity of these avalanche zones, therefore a avalanche study was determined to not be warranted.

d) Wetland study (if applicable).

Determined to not be warranted at time of application submittal. See letter from Steve Fisher dated August 23, 2009.

e) Wildlife study.

Determined to not be warranted at time of application submittal. A study has been requested by the Commission and is pending from the applicant.

f) A Level I environmental study showing the presence of any hazardous waste.

Determined to not be warranted at time of application submittal. A study can be requested by the Commission.

g) Contour map depicting 15% and 25% slope lines measured at two foot (2') intervals.

The property is not within the County Mountain Overlay District, therefore this was determined to not be warranted at time of application submittal. A contour map can be requested by the Commission.

Additional studies can be requested by the Commission.

Commission Review

Pursuant to Section 14.01.080, Commission Review, of Hailey Ordinance No. 889, the Commission's review shall be as follows:

- **Subject to its bylaws, the Commission shall conduct a public hearing to review the application for annexation.**
- **The Commission shall review the particular facts and circumstances of a proposed annexation for the purpose of determining;**
 - (1) whether the proposed annexation will be harmonious and in accordance with specific goals and policies of applicable components of the Hailey Comprehensive Plan and**
 - (2) whether the proposed annexation generally complies with the Hailey Comprehensive Plan.**
- **The Commission shall also make a recommendation that the property sought to be annexed should be zoned as one or more particular zoning districts, as more fully described in the Hailey Zoning Ordinance. Pursuant to Section 14.01.040 consideration of zoning classification shall be consistent with the requirements and standards of Article XIV of the Hailey Zoning Ordinance.**
- **The Commission shall make findings of fact and conclusions of law relating to the application's general [and specific] compliance with the Hailey Comprehensive Plan and to the Commission's recommendation for zoning.**
- **The Commission shall forward those findings and conclusions in writing to the Council and the applicant.**

Comprehensive Plan Analysis and Discussion

The Commission's primary role in the annexation application process is to make findings of fact and conclusions of law relating to the application's specific and general compliance with the Hailey Comprehensive Plan and forward these findings to the City Council. The Commission also makes a recommendation for zoning designation should the annexation be approved by the City Council.

The following analysis is intended to help the Commission in its review of the Comprehensive Plan in determining whether the application is in specific and general compliance and what conditions would need to be met if portions of the proposal are not in compliance, or if there is insufficient information available at the time of the Commission's review for a final determination of compliance to be made.

The Comprehensive Plan includes approximately over 100 goals and policies that may be considered applicable to this application. For convenience staff has categorized them into the following general topics; Growth and Land Use, Transportation, Recreation, Environment and Natural Resources and summarized the general themes within the Comprehensive Plan policies related to each topic. These common themes are what staff has analyzed for the Commission's consideration.

Topic	Comprehensive Plan Summary	Applicable Comp Plan Policies
Growth	Protect environment, quality of life, and infrastructure from damage by unchecked, unmanaged growth	1.5.2; 4.4; 7.1; 7.1.3; 10.3; 12.1.1
	Promote, manage and accommodate infill development, and control and/or limit expansion	12.1
	Future growth should pay for itself	12.1.5
	Limit exposure to natural and man-made hazards	2.5; 2.6; 2.7; 2.8
Land Use	Provide a balanced mix of uses and housing types	5.4; 5.4.1; 5.4.5; 5.4.7; 5.7.1; 7.2; 8.1; 8.2; 10.1.5; 12.1.2 12.1.6; 13.0
	Use land efficiently and ensure orderly residential development relative to public facilities and services	5.6; 5.6.2; 5.6.3; 5.6.4; 5.7, 6.3; 10.1.3; 13.0.1
	Use design standards to retain community character	5.5.2, 8.1.5; 13.0.1
	Consider public safety and welfare service needs	9.4; 9.6
Transportation	Increase opportunities for alternative transportation	5.7; 8.1.4; 10.1; 10.2; 10.3.1; 12.1.8; 15.12
	Reduce the need for residents to travel long distances	6.3.1
	Provide for creation and maintenance of transportation infrastructure	9.0.1; 10.3
	Consider public safety and welfare service needs	9.4; 9.6
Infrastructure	Maintain or improve service levels of all City utilities and facilities to adequately and efficiently provide for the health, safety, welfare and convenience of the City. Recognize that infrastructure limitations may at certain times necessitate certain controls or restrictions on development in order to maintain acceptable service levels.	9.1.1 – 9.1.8

Topic	Comprehensive Plan Summary	Applicable Comp Plan Policies
Environment and Natural Resources	Protect wildlife habitat and migration corridors	1.1.3; 1.1.4; 1.3; 1.4; 3.4
	Preserve and protect water resources (watercourses, wetlands, groundwater)	1.1; 2.8.2; 5.6.1; 9.0.2; 9.0.3
	Preserve and protect green space and open space	1.3; 3.2; 3.4
	Protect the environment from damage	1.5
	Promote renewable energy, conservation of energy and natural resources	1.6; 7.1.5
Recreation	Create and preserve a variety of recreational opportunities	1.1.2; 1.3; 3.4; 4.1; 9.0.4
	Provide recreational opportunities in a financially responsible manner	4.2; 4.3

Applicant Proposal:

The applicant proposes development of 89 residential units on 21.81 acres (4 units per acre). The units are a mix of single family on lots ranging between 4,159 and 6,370 square feet, lots for larger custom single family homes ranging between 11,429 and 19,445 square feet and 12 triplex unit buildings intended to look like larger homes.

A park, approximately 0.47 acres, is proposed to be developed within the center of the subdivision for the benefit of the homeowners. Trail access to the portion of the property to the west, below the bench and within the floodplain, is conceptually shown on the site plan submitted by the applicant.

Refer to the applicant’s project description for additional information on the proposal.

Analysis and Discussion:

Growth and Land Use

Land Use Efficiency - Efficient land use practices reduce the excessive consumption of land (commonly referred to as sprawl) while accommodating projected growth. Comp Plan Policy 5.4 encourages highest densities at the city center with generally decreasing densities toward the edges of the city. This principle should be applied using land use calculations appropriate for towns and cities, which are not the same as land use calculations appropriate for rural areas of the County. If density increases are applied to a baseline density in the city center and edges that

is already lower, or as low, as densities typical for outlying County land, the result would be in inefficient land use practices within the city that mimic the land use pattern typically found, and more appropriate in unincorporated parts of the County. This leads to the policy question of whether the existing densities within the city are at the appropriate levels to support population growth projections through infill.

Policy 5.7.1 states; promote the highest housing density within the Community Core (within a ½ mile of the Business District) and discourage sprawling residential development. The wording of Policy 5.7.1 is more consistent with the underlying principles of efficient land use.

Units per Acre and Residential Units per Acre are units used to measure land use efficiency. Units per Acre (U/A) is 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) is 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 differences in what is included when calculating each of the above measures can result in confusion when attempting to make comparisons. As the size of the area of land being considered increases, there are typically more non residential uses included in the calculation which results in a lower number of units per acre. The units per acre measure is a more inclusive measure and provides a better overall sense of the relative walkability (uses within ¼ to ½ mile) of a site. However, measuring only the units per acre can make compact or clustered development on a large area of land with a significant amount of open space or commercial uses appear to be an inefficient use of land. Therefore, both units per acre and residential units per acre will be discussed in this analysis.

Hailey Development Trends - The Hailey Townsite was originally platted with a land use efficiency of approximately 5 U/A. Using this historic context, Hailey's "small town character" can be translated into a land use pattern of 4 to 5 units per acre. As the city grew beyond the Townsite, the units per acre reduced to 1.31 U/A. Hailey's current land use efficiency is equivalent to that which is typically associated with sprawling single family developments. If Hailey continues to develop in the same trend as the last 50 years, the city should expect to consume 19 acres per year.

If the City of Hailey determined its overall aim was to maintain land use efficiency of 4 to 5 U/A for the city as a whole this would be approximately equivalent to 7 to 10 RU/RA and an *average* lot size of 6,000 square feet. It should be noted that the residential units per acre calculation for specific sites would be higher (e.g. Sweetwater at approximately 15 U/A).

Hailey Growth Projections – It is the responsibility of the city to plan for the projected growth in a manner that is consistent with the adopted goals and policies of the Comprehensive Plan. Hailey city departments have adopted the growth projections cited in the Hailey Wastewater Facility Plan (WFP) for planning purposes. The growth projections in the WFP estimate that Hailey may have a population of approximately 19,000 by 2025; an increase of approximately

10,000 people. This is equivalent to 3,906 households assuming an average of 2.56 people per household.

To plan this growth *without* expanding the current city boundaries, the land use efficiency in Hailey would have to change from 1.31 units per acre to 9 units per acre. Current zoning would have to adapt to allow for this change in overall land use efficiency. Otherwise the city boundaries would have to be expanded by approximately 2,982 acres if developed at the same land use efficiency trend of 1.31 units per acre.

The proposed Quigley Canyon development, also being considered for annexation, would accommodate approximately 9% of the projected 2025 growth within 720 acres (0.49 U/A). The Colorado Gulch proposal would accommodate approximately 2% of the projected 2025 growth within 22 acres (4.27 U/A).

Transportation and Infrastructure

The distance for “walkability” is generally defined as a quarter to a half mile. The midpoint of the proposed development along Broadford Road is over a mile (approximately 6,200 feet) to the center of downtown (Bullion Street) and over a half-mile (approximately 3,400 feet) to the post office. The nearest bus stop (Main and Maple) is just over three-quarters of a mile (approximately 4,000 feet) from the midpoint of the proposed development along Broadford Road.

The proposed development is within walking distance of Airport West and the airport site which may have more neighborhood commercial uses in the future. Pedestrian and bicycle connections from Broadford Road, through Parcel A of Airport West, to connect to Gulf Stream and Domier Way, should be required to accommodate non-motorized connectivity to existing and future land uses within Airport West and the airport site.

The property has direct access to Broadford Road, however Broadford Road is sub-standard and improvements will be necessary in order to meet City Standards. If the annexation of Broadford Road occurs, the City would be responsible for the maintenance of Broadford Road.

City services have been extended east of this area into Airport West Subdivision. Concerns exist regarding irrigation of open spaces and water on demand from the City system. Water rights issues will be evaluated for the Council to address.

Environment and Natural Resources

The annexation request does not include the portion of the property below the bench with is sensitive floodplain and wetland area. A portion of the lots proposed at the edge of the bench include floodplain area. It is suggested that the city prohibit any development within the floodplain or encumber the portion of the property within the floodplain with a conservation easement should the property be annexed.

Recreation

Refer to Parks and Lands Board memo attached

Zoning Recommendation

Pursuant to Section 14.01.040 consideration of zoning classification shall be consistent with the requirements and standards of Article XIV of the Hailey Zoning Ordinance.

Proposed Zoning

The applicant has requested a zone change to General Residential (GR). The current uses of the property are related to agriculture. Uses adjacent to the subject property include residential, open space and access to recreation (Big Wood River and Colorado Gulch Road).

The purpose of the requested Zoning Districts is as follows:

The purpose of the GR District is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighbor

Permitted uses for the GR District are limited to the following:

- a. Parks.
- b. Single Family Dwellings.
- c. Multi-Family Dwellings.
- d. Churches.
- e. Schools.
- f. Home Occupations.
- g. Day Care Homes.
- h. Day Care Facilities.
- i. Manufactured Homes.

Conditional uses for the GR District are limited to the following:

- a. Bed and Breakfast Inns.
- b. Boarding and Rooming Houses.
- c. Day Care Centers provided no more than eighteen (18) children will be cared for at any one time.
- d. Public Service, Public Use and Public Utility Facilities.
- e. Semi-Public Uses.
- f. PWSF's or WCF's,, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Freestanding and lattice towers are prohibited.)
- g. Above ground flammable and combustible liquid tanks utilized by a public use.
- h. Temporary Structures.
- i. Horses. A maximum of two (2) horses per acre on lots of one (1) acre minimum size.

Accessory uses for the GR District are limited to the following:

- a. Greenhouse/private.
- b. Garages.
- c. Storage buildings.
- d. Swimming pools.

- e. One Accessory Dwelling Unit on lots of 7,000 square feet or larger, accessory to a single family dwelling unit or to a non-residential Principal Building. Primary vehicular access to any accessory dwelling unit shall be from a City street or alley. All Accessory Dwelling Units shall have adequate water and sewer services installed to meet City Standards.

Standards of Evaluation

Section 14.6 of the Hailey Zoning Ordinance sets forth the following standards of evaluation:

1. **The proposed [zoning map] amendment is in accordance with the Comprehensive Plan;**
2. **Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;**
3. **The proposed uses are compatible with the surrounding area; and**
4. **The proposed amendment will promote the public health, safety and general welfare.**

Analysis and Discussion

Determination of compliance with the above standards will be dependent upon the Commission's review of the Comprehensive Plan policies relative to the annexation application. The Commission should discuss the appropriateness of the zoning district proposed by the applicant. Findings for each standard will be drafted in accordance with the Commission's findings and recommendations for the annexation.

Recommendations – Additional Information and Conditions

The following conditions are suggested to be placed on any positive recommendation:

- a) Any annexation shall be subject to an acceptable annexation agreement which will, at a minimum, address dedication and contributions.
- b) The applicant shall make dedications and contributions, as determined by the City Council, to ensure no negative fiscal impact to the City and its existing residents.
- c) Any development within the floodplain shall be prohibited or the portion of the property within the floodplain encumbered.
- d) All building lots be located entirely out of the flood plain area and not include the steep slope of the bench.
- e) A Wildland/Urban Interface (W/UI) fire plan as described in the W/UI fire code adopted by the City of Hailey shall be completed. Impacts that the upper bench subdivision may have on the lower bench area may include, but is not limited to, the maintenance of as “defendable space” for wild fires and adequate fire apparatus access roads to the lower bench for fire suppression.
- f) The proposed fire hydrant plan shown on the proposed subdivision plan does not meet fire department requirements. It is assumed that these hydrants will be supplied by Hailey’s municipal water system. The layout of the fire hydrants will need to be approved by this office prior to installation, however the actual layout is not needed for annexation consideration. As long as it is understood that a compliant fire hydrant layout will be provided for the subdivision, this topic can be considered at the time of the subdivision reviews.
- g) Improvements to Broadford Road to mitigate the impact associated with development are required to be paid for by the developer and shall meet City Standards and Fire Code. An improvement plan shall be presented by the applicant to the City Engineer for recommendation to the Mayor and City Council for final approval.
- h) Pedestrian and bicycle connections from Broadford Road, through Parcel A of Airport West, to connect to Gulf Stream and Domier Way are required to accommodate non-motorized connectivity to existing and future land uses within Airport West and the airport site.
- i) The feasibility of connecting sewer lines from the property to the Airport West Liftstation or existing Airport West collection system shall be presented to the City Engineer for review and comment. If a Liftstation is the only feasible solution for proper wastewater management, it shall be to city standards and reviewed by a city hired engineer.