


STAFF REPORT

TO: Hailey Planning and Zoning Commission
FROM: Beth Robrahn, Planning Director 
RE: Annexation- Colorado Gulch Preserve
HEARING: November 16, 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 15, 2009. The public hearing on August 3, 2009 was continued on the record to September 8, 2009. The public hearing was continued on the record again to October 5, 2009, to November 2, 2009 and to November 16, 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.

A portion of the subject property is directly adjacent to Della View Subdivision to the north. Two parcels (Tax Lots 7731 and 7732) also lie to the north, between the subject property and

Della View Subdivision and are located outside of the city limits. Airport West Subdivision lies across Broadford Road to the east. Two parcels (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 7731, 7732, 3913 and 7505 and Broadford Road as islands of county land, surrounded on four sides by land incorporated into the city. 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

This is the fifth meeting on this application. On October 5, the Commission began discussion on Comprehensive Plan compliance which led to a request to have a workshop with the applicant on November 2 to discuss changes to the proposed site plan.

Commissioner Scanlon and Commission Johnston were not able to attend the November 2 workshop and Commissioner Pogue recused himself. The main topic of discussion at the workshop was the proposed trail, the existing trail along the river through the portion of the property not included in the annexation request and subject to a conservation agreement.

Commission Review

According to Section 14.01.080, Commission Review, of Hailey Ordinance No. 889, the Commission's review should result in findings on 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 also makes 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.

To help facilitate the Commission's deliberation on the application information on the reoccurring issues to date has been summarized for the Commission.

Trails and Park Requirement

The desire for a future formal (legal) trail along the river, running north-south through the property, to connect Heagle Park and Colorado Gulch Road is shown on the Comprehensive Plan Park, Trails and Green Space Map. The applicant has proposed a trail running south-east

through the property to connect Heagle Park with the Broadford entrance to Colorado Gulch Road.

Both trails would be valuable community assets and would meet City of Hailey Comprehensive Plan Goals and Policies. It is suggested that the Commission consider including both trails as a recommended condition of annexation.

The required parks contribution of a development with 94 units is 2.6 acres. The 17 acres of “green space” proposed by the applicant would meet the park contribution requirements and would provide additional community benefit. The space would need to be deed restricted to ensure public access and use and to prohibit development. The “green space” parcel would not have to be annexed into the city in order to count towards the required parks contribution. Furthermore land within the floodplain can be counted toward parks contributions. The Flood Hazard Overlay section of the Hailey Zoning Code allows recreational uses in the Floodplain, but not in the Floodway.

Configuration of Lots and Zoning

While Title 14 of the Municipal Code requires the applicant to submit the approximate number and size of lots and a schematic design of the project, Title 14 prohibits the review of a subdivision application until after an annexation agreement has been adopted. Therefore, it is recommended that the Commission focus on zoning rather than the configuration of lots and design details of potential structures.

The Commission has discussed the western and northern portion of the property be zoned Limited Residential (LR-1) should the property be annexed. This would limit lot sizes to no less than 8,000 square feet in the portion of the property closest to the existing subdivisions to the north which are also zoned LR-1.

Involuntary Annexation

The four Tax Lots and the portion of Broadford Road that would be surrounded by land located within the city boundaries should this application be annexed, according to the City Attorney, would have to be annexed as well.

The logical zoning of these parcels would be designated the same zoning as the parcels immediately adjacent to the subject Tax Lots (TL 7731/7732 LR-1, TL 3913 SCI-SO, TL 7505 SCI-I). The existing uses would be allowed to continue if annexed into the city.

The city would not require additional right-of-way width associated with Silver Star Drive which separates Tax Lots 7731 and 7732. If the owners of those Tax Lots applied for a subdivision of their property in the future, then the road would be required to be brought into compliance with city standards.

The owners of the Tax Lots may have concerns over the costs associated with being annexed into the city. The Commission could consider recommending a condition of annexation that applicant pay for the cost of water and sewer infrastructure and connection fees.

Alternatively, the Commission could recommend that the proposed annexation not be pursued as a means of avoiding the subsequent annexation of Tax Lots 7731, 7732, 3913 and 7505.

Future Growth and Density

Actual population growth since 1990 has ranged between 0.1% and 11.2% annually. The average growth rate since 1990 is 4.5%. Using this average growth rate to estimate future population growth, Hailey could potentially have a population of approximately 19,000 by 2025; an increase of approximately 10,000 people (see population projection table attached). This is equivalent to an additional 3,906 households assuming an average of 2.56 people per household.

There is approximately 243 acres of vacant land within the existing city limits. If the airport site is included a total of 443 acres of vacant land exists within the current city boundaries. Again, assuming 2.56 people per unit, an increase of 10,000 people would require 3,906 units. At a density of 4 units per acre, the existing vacant land would accommodate 1,772 units. An additional 534 acres would need to be brought into the city to accommodate the remaining 2,136 units associated with the projected growth.

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 current land use efficiency trend of 1.31 units per acre.

It is possible the City Council could limit future growth, however until that happens it is the responsibility of the city to plan for potential future growth. From a landuse efficiency perspective, 4 to 5 units per acre is reasonable to balance expansion and infill, does not significantly conflict with existing landuse patterns overall and would translate into developments with a mix of lot sizes; some similar to the larger 12,000 square foot lots found in the Limited Residential zoning district and some similar to 6,000 square foot lots found in the General Residential zoning district.

Traffic Impacts

Broadford Road is identified as a Pedestrian and Bicycle Route in the Comprehensive Plan Park, Trails and Green Space Map. The right-of-way width is 60 feet which constrains what type of facilities can be designed for the road. The proposed street section for Broadford Road has been developed through the Complete Streets planning process still to be reviewed by the Commission and Council and is included as an attachment. It is recommended that the applicant pay for improvements to Broadford Road in conformance with the anticipated standard recommended in the Complete Streets standards.

If the Commission concludes that traffic impacts associated with development of this property required mitigation, then a recommended condition of annexation could be requiring improvements to Broadford Road and to the intersection of Broadford Road and Cedar Street.

Applicable Comprehensive Plan Policies

The Commission should consider whether the proposed annexation generally and specifically complies with the Comprehensive Plan. The table below highlights polices that are particularly applicable.

| 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 |

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 Commission has discussed zoning the western and northern portions of the property as Limited Residential (LR-1) and the remainder General Residential (GR).

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.

The Commission has discussed the western and northern portion of the property be zoned Limited Residential (LR-1) should the property be annexed. This would limit lot sizes to no less than 8,000 square feet in the portion of the property closest to the existing subdivisions to the north which are also zoned LR-1.

Should involuntary annexation of the four Tax Lots occur, the Commission should consider recommending the following the zoning:

- LR-1 for TL 7731 and 7732,
- SCI-SO for TL 3913 and
- SCI-I for TL 7505.

The existing uses would be allowed to continue if annexed into the city.

Recommendations

The following items are suggested to be included as part of a recommendation to Council for annexation should the Commission make such a motion:

1. Any annexation shall be subject to an acceptable annexation agreement which will, at a minimum, address dedication and contributions.
2. 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.
3. 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.
4. 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.
- 5.
6. Any development within the floodplain shall be prohibited or the portion of the property within the floodplain restricted.
7. All building envelopes shall be located entirely out of the flood plain area
8. The slope of the bench shall only be used for the construction of energy efficient designs [of consider requiring a higher building standard to achieve greater energy efficiency for the entire development].
9. The western and northern portion of the property be zoned Limited Residential (LR-1) should the property be annexed. This would limit lot sizes to no less than 8,000 square feet in the portion of the property closest to the existing subdivisions to the north which are also zoned LR-1.
10. 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.
11. 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.
12. 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.
13. The feasibility of connecting sewer lines from the property to the Airport West liftstation or existing Airport West collection system or the liftstation at Heagle Park 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.
14. Two trails, one running north-south through the property along the river and one running north-east through the property shall be provided.
15. 17 acres below the bench shall be deed restricted with a conservation easement that allows public access and trail use and prohibits development in perpetuity.
16. The developer shall prove possession of water rights sufficient in quality and quantity to supply the amount of development agreed upon by the city.

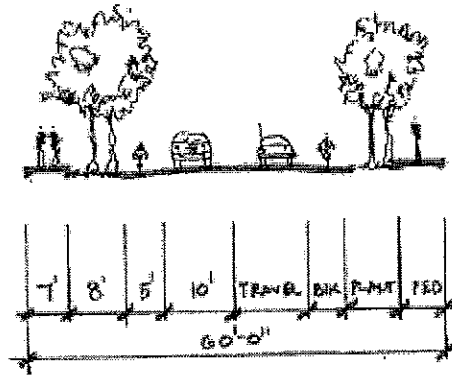
17. All water rights shall be conveyed to the City.
18. The applicant shall receive approval of other applicable requirements as a condition of annexation, including but not limited to Planned Unit Development, Subdivision, Design Review, Hillside Alteration and Stream Alteration Permit.
19. All applicable city standards shall be met unless the city agrees to waivers through the Planned Unit Development (PUD) process.
20. The Site Master Plan shall be developed in phases as set forth in the Phasing Plan Summary unless otherwise agreed by the City to maximize orderly development.
21. Development of Phases shall occur in accordance with the conditions and requirements of the city, and all subsequent subdivision approval requirements and findings.
22. The applicant shall improve paths, parks, roads, and open space areas, and other items specified by the Council as established in the annexation agreement.
23. A mechanism for maintenance of paths, parks, roads, and open space areas, and other items specified by the Council shall be established in the annexation agreement.
24. 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:
 - 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 a Site Master Plan approved by the Council;
 - c. Undergrounding of utilities (cable, gas, electric);
 - d. Landscape all parks and ROWs;
 - e. Intersection street lights; and
 - f. Park and trail improvements consistent with specifications approved by the Council after duly receiving the recommendations of the Parks and Lands Board and Planning and Zoning Commission.
25. 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.
26. Should the Council move forward with the annexation, the property owners of Tax Lots 7731, 7732, 3913, and 7505 should be included in negotiations related to the potential annexation of their property. The applicant should be required to pay for the cost of water and sewer infrastructure and connection fees.
27. Should the Tax Lots be annexed the zoning is recommended as LR-1 for TL 7731 and 7732, SCI-SO for TL 3913 and SCI-I for TL 7505. The existing uses would be allowed to continue if annexed into the city.

**Table 10 Population Projections
Wastewater Facility Plan
City of Hailey**

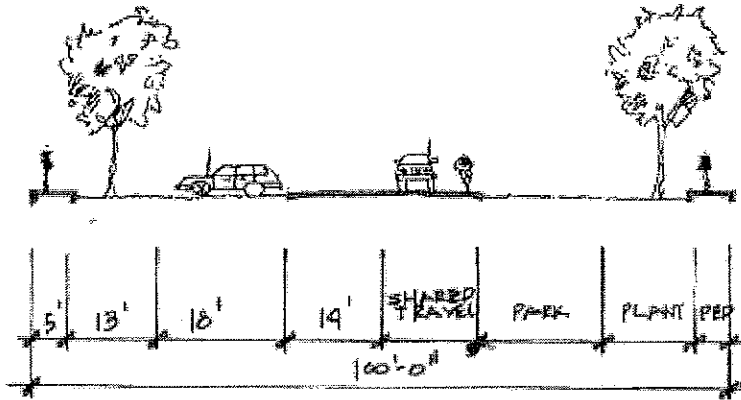
| Year | (4.5%) | | (2.5%) | | (6.50%) | |
|------|------------|---------------------|------------|-----------------|------------|---------------------|
| | Population | Average Growth Rate | Population | Low Growth Rate | Population | High Growth Rate |
| 1990 | 3,575 | | 3,575 | | 3,575 | |
| 1991 | 3,942 | 10.3% | 3,942 | 10.3% | 3,942 | 10.3% |
| 1992 | 4,203 | 6.6% | 4,203 | 6.6% | 4,203 | 6.6% |
| 1993 | 4,481 | 6.6% | 4,481 | 6.6% | 4,481 | 6.6% |
| 1994 | 4,816 | 7.5% | 4,816 | 7.5% | 4,816 | 7.5% |
| 1995 | 5,059 | 5.0% | 5,059 | 5.0% | 5,059 | 5.0% |
| 1996 | 5,394 | 6.6% | 5,394 | 6.6% | 5,394 | 6.6% |
| 1997 | 5,522 | 2.4% | 5,522 | 2.4% | 5,522 | 2.4% |
| 1998 | 5,526 | 0.1% | 5,526 | 0.1% | 5,526 | 0.1% |
| 1999 | 5,577 | 0.9% | 5,577 | 0.9% | 5,577 | 0.9% |
| 2000 | 6,200 | 11.2% | 6,200 | 11.2% | 6,200 | 11.2% |
| 2001 | 6,749 | 8.9% | 6,479 | 4.5% | 6,479 | 4.5% |
| 2002 | 7,043 | 4.4% | 7,043 | 8.7% | 7,043 | 8.7% |
| 2003 | 7,244 | 2.9% | 7,244 | 2.9% | 7,244 | 2.9% |
| 2004 | 7,423 | 2.5% | 7,423 | 2.5% | 7,423 | 2.5% |
| 2005 | 7,589 | 2.2% | 7,589 | 2.2% | 7,589 | 2.2% |
| 2006 | 7,751 | 2.1% | 7,751 | 2.1% | 7,751 | 2.1% |
| 2007 | 8,553 | 10.3% | 8,553 | 10.3% | 8,553 | 10.3% |
| 2008 | 8,938 | 4.5% | 8,767 | 2.5% | 9,109 | 6.5% |
| 2009 | 9,340 | 4.5% | 8,986 | 2.5% | 9,701 | 6.5% |
| 2010 | 9,760 | 4.5% | 9,211 | 2.5% | 10,332 | 6.5% |
| 2011 | 10,200 | 4.5% | 9,441 | 2.5% | 11,003 | 6.5% |
| 2012 | 10,659 | 4.5% | 9,677 | 2.5% | 11,718 | 6.5% |
| 2013 | 11,138 | 4.5% | 9,919 | 2.5% | 12,480 | 6.5% |
| 2014 | 11,639 | 4.5% | 10,167 | 2.5% | 13,291 | 6.5% |
| 2015 | 12,163 | 4.5% | 10,421 | 2.5% | 14,155 | 6.5% |
| 2016 | 12,711 | 4.5% | 10,682 | 2.5% | 15,075 | 6.5% |
| 2017 | 13,283 | 4.5% | 10,949 | 2.5% | 16,055 | 6.5% |
| 2018 | 13,880 | 4.5% | 11,222 | 2.5% | 17,099 | 6.5% |
| 2019 | 14,505 | 4.5% | 11,503 | 2.5% | 18,210 | 6.5% |
| 2020 | 15,158 | 4.5% | 11,790 | 2.5% | 19,394 | 6.5% |
| 2021 | 15,840 | 4.5% | 12,085 | 2.5% | 20,654 | 6.5% |
| 2022 | 16,552 | 4.5% | 12,387 | 2.5% | 21,997 | 6.5% |
| 2023 | 17,297 | 4.5% | 12,697 | 2.5% | 23,427 | 6.5% |
| 2024 | 18,076 | 4.5% | 13,014 | 2.5% | 24,949 | 6.5% |
| 2025 | 18,889 | 4.5% | 13,340 | 2.5% | 26,571 | 6.5% |
| 2026 | 19,739 | 4.5% | 13,673 | 2.5% | 28,298 | 6.5% |
| 2027 | 20,627 | 4.5% | 14,015 | 2.5% | 30,138 | 6.5% |
| 2028 | 21,556 | 4.5% | 14,365 | 2.5% | 32,097 | 6.5% ⁽¹⁾ |
| 2029 | 22,526 | 4.5% | 14,725 | 2.5% | 34,183 | 6.5% |
| 2030 | 23,539 | 4.5% | 15,093 | 2.5% | 36,405 | 6.5% |
| 2031 | 24,599 | 4.5% | 15,470 | 2.5% | 38,771 | 6.5% |
| 2032 | 25,705 | 4.5% | 15,857 | 2.5% | 41,291 | 6.5% |
| 2033 | 26,862 | 4.5% | 16,253 | 2.5% | 43,975 | 6.5% |
| 2034 | 28,071 | 4.5% | 16,660 | 2.5% | 46,834 | 6.5% |
| 2035 | 29,334 | 4.5% | 17,076 | 2.5% | 49,878 | 6.5% |
| 2036 | 30,654 | 4.5% | 17,503 | 2.5% | 53,120 | 6.5% |
| 2037 | 32,034 | 4.5% | 17,940 | 2.5% | 56,573 | 6.5% |
| 2038 | 33,475 | 4.5% | 18,389 | 2.5% | 60,250 | 6.5% |
| 2039 | 34,982 | 4.5% | 18,849 | 2.5% | 64,166 | 6.5% |
| 2040 | 36,556 | 4.5% | 19,320 | 2.5% | 68,337 | 6.5% |

(1) Facility Plan Period to 2028

- I. Street Type: Residential
- Street Classification: Collector
- ROW width: 60'
- Parking: none
- Applies to: Broadford Rd



- J. Street Type: Residential and Historic Sidewalk District
- Street Classification: Local
- ROW width: 100'
- Parking: 90° angled
- Applies to: all 100' streets not already included in another type



- K. Street Type: Residential and Historic Sidewalk District
- Street Classification: Local
- ROW width: 100'
- Parking: parallel
- Applies to: all 100' streets not already included in another type

