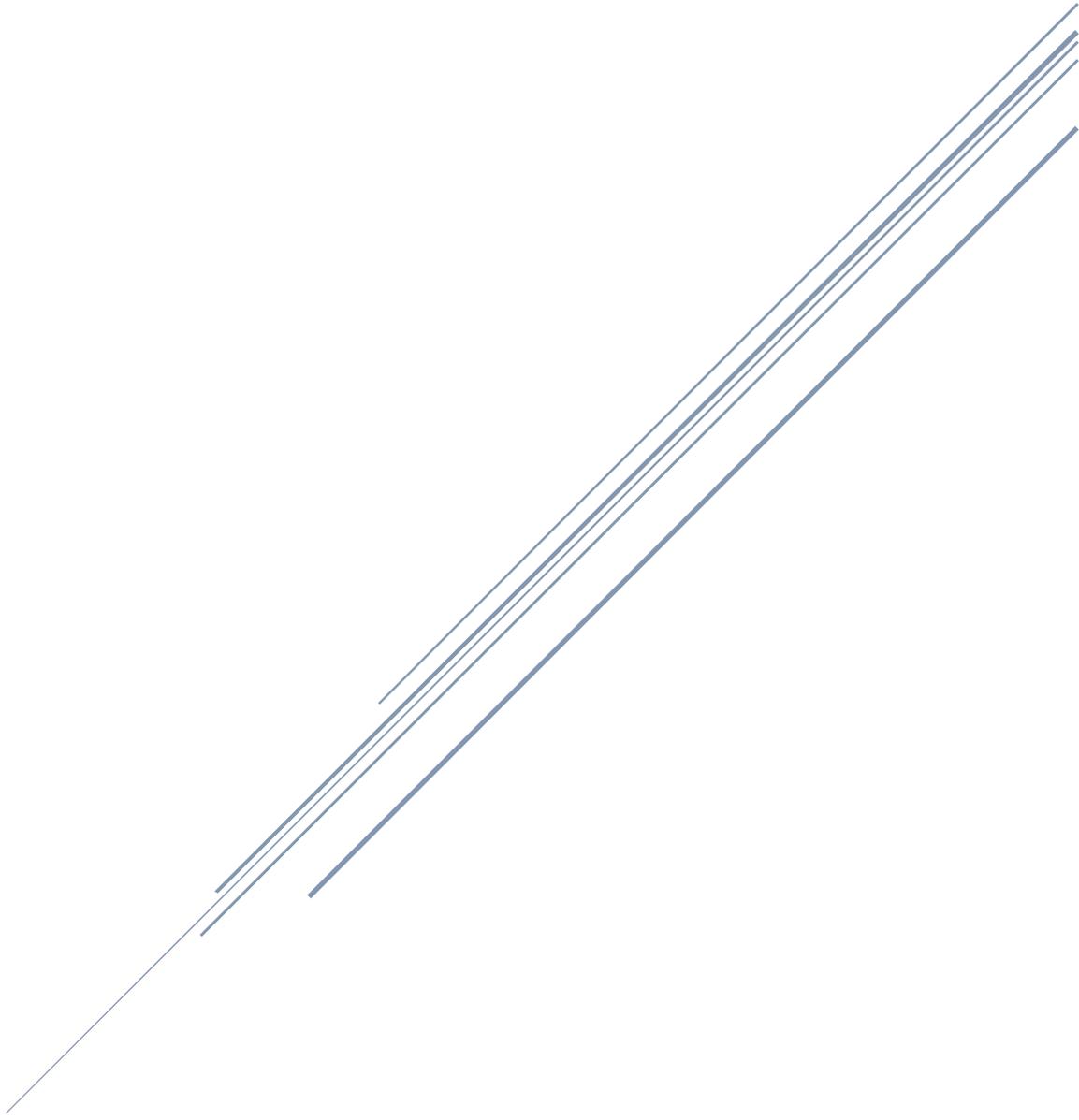


# CITY OF BELLEVUE

Additional Information Requested by the Blaine County  
Planning & Zoning Commission



June 11, 2020

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## Introduction

Thank you for the opportunity to present Bellevue's Area of City Impact map and ordinance recommended to Bellevue's City Council by its Planning & Zoning Commission on March 13, 2020. We listened to the Blaine County Planning and Zoning Commission's concerns, questions and desire for additional information carefully in their hearing on March 12, 2020. This document addresses those concerns and answers the questions posed by the County P&Z and Board of Commissioners.

## ACI Map

We have enhanced the presentation of our ACI map by removing the shading so the underlying conditions can be more easily seen by the Commission. You will find this map in the enclosures submitted with this document.

## ACI Questions from Idaho Code

### 1. Are there "trade area" that apply to cities that would inform the ACI boundaries?

Yes. Trade Area is not defined in Idaho Code. The ACI Toolkit developed by the Idaho Smart Growth and the University of Idaho, College of Law describes trade area as follows:

*A trade area can be defined as a geographic area from which businesses or a city draws its customers. A trade area can be determined by the city size and location of the city with respect to other trade centers. A trade area can vary depending on the nature, number and size of the businesses.*

Many residents of South Woodside (Hailey) currently conduct their personal business in the City of Bellevue. Bellevue's grocery stores, banks, restaurants and other services are closer and more convenient to Bellevue City Center than Hailey City Center. Certainly, any annexation of the Flying Hat Ranch (the Ranch) will be closer to Bellevue services than to services in Hailey.

Knowing that access to Highway 75 and the number of crossings of the Wood River Trail system will be limited, any development of the Flying Hat Ranch will be mostly accessed from existing Bellevue streets. There is no non-highway access to the Ranch within Hailey City

Limits. Annexation of the Ranch by Hailey will result in tax revenue from the property going to Hailey while the impacts, cost and burden of providing access to the property falling on Bellevue.

*"For most cities, the best way to use trade area is to focus on the provision of city services; to analyze who is using city services and facilities, and where they live"*

ACI Toolkit



## 2. Are there geographic factors that would inform the ACI boundaries?

Yes. The hills, the river, Highway 75 and Bellevue's grid pattern of streets to the south of the Ranch are all factors to consider. The fact that the Bellevue treatment plant is at a lower elevation than the Ranch is also a major consideration. Bellevue can accommodate wastewater treatment at the Ranch with no need to install a lift station. A lift station will be required to pump sewage uphill to Hailey's treatment plant. The ACI Toolkit also points out that land ownership patterns are also important factors that influence human geography. While this was not discussed in your first meeting, we hope that you will give this greater consideration in your future deliberations. As we noted in our presentation, the owner of Flying Hat Ranch is on the record with their desire to be annexed into the City of Bellevue.

*Less obvious, but equally important, is the land ownership patterns and regulatory provisions that influence the human geography.*

ACI Toolkit

## 3. Are there areas that can reasonably be expected to be annexed to the cities in the future?

Yes. As noted above the owner of Flying Hat Ranch is on the record with their desire to be annexed into the City of Bellevue. We think this fact alone simplifies the question before you greatly. The ACI Toolkit recommends the following factors be considered for this question:

1. the past trends in the development pattern and **landowner requests for annexation**;
2. the present and planned uses in the area, including **agricultural** and natural resource lands;
3. **the relationship of proposed boundaries with ownership**; and
4. creating regularity in boundaries, not creating islands or corridors of unincorporated territory.

We added the emphasis above to illustrate the importance of considering ownership.

We emphasized the **agricultural lands** portion because Idaho statutes do not allow agricultural land to be annexed involuntarily. What this means is that, **unless the landowner changes course and requests annexation from the City of Hailey there is no way for the Flying Hat Ranch can become part of Hailey.** The only way this can happen is if the county intervenes and makes it impossible for Bellevue to annex The Ranch. This is a fact that Bellevue believes deserves more consideration that it has received in the past from the County and the City of Hailey.

*Land, if five (5) acres or greater, actively devoted to agriculture, as defined in section 63-604(1), Idaho Code, regardless of whether it is surrounded or bounded on all sides by lands within a city, must have the express written permission of the owner.*

Idaho Code §50-222



## ACI Questions Summary

As we stated in our presentation to the Commission, these are the questions the Bellevue City Council put forward to their Planning & Zoning Commission. These are the questions in the ACI statute. These are the questions covered in the ACI Toolkit. While it is reasonable to consider other questions, Bellevue chose to keep its evaluation of its ACI Map and Ordinance to these core questions.

## Other Questions posed by Blaine County Board to P&Z for Consideration

4. Approximately how much vacant, developable land is available within the cities?  
What acreage, and what percent, is vacant of: Residential land? Light industrial land? Commercial land?

	Total Area	Vacant Preserved*	Vacant Developable	Percentage Developable
<b>All City</b>	973 acres	275 acres	152 acres	16%
<b>Residential</b>	650 acres	240 acres	130 acres	20%
<b>Light Industrial</b>	53 acres	10 acres	2 acres	4%
<b>Commercial</b>	118 acres	25 acres	20 acres	17%
<b>Rights-of-way</b>	200 acres			

Table 1: Sources: Blaine County GIS, Wikipedia, Bellevue Community Development

\*includes ROW, parks, open space, WR Trail, floodplain, hillside, etc.

The table above are rough estimates. As we stated in our presentation, we do not agree with the premise of this question. This question implies that if the county were to decide that a city had sufficient area to grow within its current borders it could and would forego an ACI agreement. This is contrary to the ACI statute which requires ACI agreements between cities and counties.

We do recognize that looking at other questions can help add information to the core questions in the statute. Another way to approach the residential portion of the question above is to look at the supply of homes for sale. The figure below is from Sun Valley Economic Development's Economic Profiles. It shows the historical supply of homes under \$450k from 2010 to 2018. The Sun Valley Board of Realtors guidance on supply is that a six-month supply of homes for sale represents a balanced, healthy market.



Figure 1 below shows both Hailey and Bellevue supply levels are below this healthy market threshold.

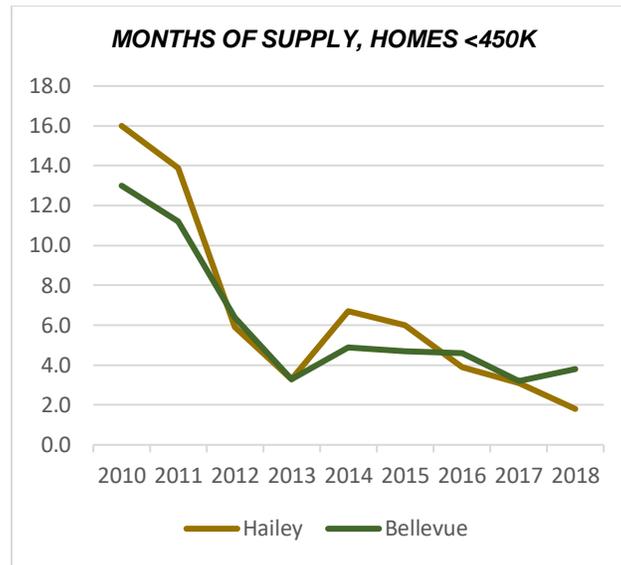


Figure 1

5. Approximately how much vacant, developable land is within the proposed ACI areas (specifically, the potential annexation areas) for each city?

As noted in our presentation, the Bellevue P&Z recommended, and the Council is considering, a map that identifies “potential annexation areas” and areas for advanced notice and increased participation for land-use applications within those areas. The majority of the “notice areas” are not developable but include areas with mining claims and areas around Bellevue’s water supply, watershed and wastewater treatment plant.

The “potential annexation areas” are mostly located on the valley floor. They consist of the Flying Hat Ranch to the north, Big Valley (Rinker) and Belle Ranch to the south. These are large parcels with single owners. Also included is Muldoon Canyon to the east and an area to the west along the Bigwood River. These areas consist mostly of smaller parcels with many owners.

	Description	Area (est.)
<b>North (east of Hwy 75)</b>	Flying Hat Ranch	232 acres
<b>North (west of Hwy 75)</b>	Flying Hat Ranch	460 acres
<b>South</b>	Big Valley (Rinker)	180 acres
<b>South</b>	Belle Ranch	380 acres
<b>East</b>	Muldoon Canyon	870 acres
<b>West</b>	Generally west of current city limits	780 acres

Table 2

Nearly all of the areas described above are vacant. They are currently developable under county regulations. If and when they are annexed, they would become developable under Bellevue regulations.



Sensitive and hazard areas like hillsides, riparian, avalanche and floodplain will be protected. Details on these protections are more fully covered in question #10 below.

## 6. What is the current population of each city, and what are the population projections?

According to the American Community Survey 5-year estimates (most recent data available at the municipal level) total population:

Hailey	= 8,097
Bellevue	= 2,551

Population projections are difficult even for professional statisticians and demographers. Projections are subject to continual revisions because the assumptions made in the forecast were inaccurate or never materialized. The difficulty we describe is represented in the projections presented by county staff. Projection estimates range 0.6% per year for the South-Central Idaho Region (Idaho Dept. of Labor) to 1.1% per year for the State (US Census). The uncertainty in forecasting is compounded by using regional and state forecasts and applying them at a municipal level. To use a common analogy, this takes a (flawed) apple and applies its characteristics to an orange. What we know is that Blaine County and its cities have seen lower growth rates than those experienced in the South-Central Region and the State since 2010. This uncertainty raises additional questions rather than answering the question.

How will you use the projected growth rate to help inform your understanding of Trade Area, Geographic Factors and Areas likely to be annexed?

Doesn't the outcome of this ACI process and which city ultimately annexes property influence the ultimate answer to this question?

Our hope is that you do your best to answer this question in the context of informing some of the more central questions in the ACI statute.

## 7. Can the cities efficiently utilize the land within the proposed ACI areas for population growth? That is, what zoning districts exist or are proposed to accommodate housing efficiently?

For Bellevue the answer to the first question is yes. At the time of annexation Bellevue will zone the property.

Addressing the second question, the ACI statute does not require, nor does it provide a mechanism for zoning. Therefore, we are not proposing zoning districts for this ACI discussion. However, Bellevue will apply its zoning ordinances with input from the property owner, Bellevue citizens, Bellevue's neighbors, the entire community and Bellevue's Comprehensive Plan at the time a property is annexed.

In our best effort to answer the second question and without "pre-zoning" a property we can say if an annexation were to happen in the near future Bellevue anticipates zoning not only for efficient use for population growth and housing (residential zoning) but also for efficient business and economic



growth (light industrial and/or business zoning). We can also provide a list of Bellevue's zoning districts and their purposes taken directly from the zoning code. That list follows below. Finally, Bellevue will consider new zoning districts, if appropriate, to provide appropriate zoning if one does not already exist in our Zoning Code. An example of this could be an Airport Vicinity Zone if the west side of Flying Hat Ranch is annexed.

**General Residential** - The purpose of the General Residential District is to permit and protect residential use of property from other noncompatible uses. (Ord. 2015-02, 4-20-2015)

**Business** - It is the purpose of the Business District to designate space for business. (Ord. 2015-02, 4-20-2015)

**Limited Business / Residential** - The purpose of the Limited Business/Residential District is to designate space and permit and protect limited business uses and residential use of these properties from other noncompatible uses and provide a buffer between the Business District on Main Street and the General Residential District that begins on the east side of 2nd Street and runs to the eastern borders of the City. The theme the City wishes to generate over time is a "pedestrian friendly" area where residences may be adapted to business use, and where businesses of moderate size and scale have the appearance of homes. (Ord. 2015-02, 4-20-2015)

**Light Industrial / Mixed Business** - It is the purpose of the Light Industrial/Mixed Business District to designate space for business uses and restrict LI Light Industrial uses on land fronting Highway 75 that are currently zoned LI. Some LI uses are not appropriate for fronting on Highway 75, and generally, the best use of Highway 75 frontage property is business. (Ord. 2015-02, 4-20-2015)

**Light Industrial** - The Light Industrial District is established to provide lands for light industrial uses that can be designed to operate compatibly in close proximity to adjoining business and residential uses. This district is not intended for residential purposes. (Ord. 2015-02, 4-20-2015)

**Transitional** - The Transitional District is established to encompass all of those lands within the City previously zoned agricultural. While the permitted, accessory and conditional uses for this district are the same as those for the General Residential District, it is expressly noted and recognized that certain lands within this district have either been used for or are suitable for designation as Business or Light Industrial. Consequently, it is recognized that applications for rezoning will very likely be filed in the future for lands within this district and should be treated on a case by case basis. (Ord. 2015-02, 4-20-2015)

**Recreation / Green Belt** - The purpose of the RGB Recreation/Green Belt District shall be one or more of the following:

1. To provide areas of recreational activities.
2. To provide areas for nonvehicular transportation system improvements.
3. To create and preserve open space areas for natural habitat.
4. To provide areas for aesthetic, natural environmental habitat values and for public use.



5. To protect the character of the community and its economic viability.

8. How are the city zoning districts aligned with the proposed ACI's? Does infrastructure exist to support expanding desired land uses into the ACI?

The Bellevue zoning districts adjacent to the proposed ACI areas include General Residential, Business, Light Industrial and Transition. Refer to Bellevue's zoning map included with this submittal. Bellevue has, or is able to develop, the infrastructure to support the anticipated land uses in its proposed ACI areas.

Bellevue will evaluate annexation requests and development plans with its department heads, its professional consultants and the community at large. Any infrastructure needed to serve the development plan will need to be in place or provided for in a development agreement prior to any development approvals.

9. Are water and sewer capacity available to serve the ACI areas proposed by the cities?

Yes. A recent analysis by Bellevue's water engineer, SPF Engineering, concluded Bellevue has an adequate water supply to accommodate future development. In addition, we anticipate any annexation will have water rights with the land.

The Bellevue wastewater treatment plant was designed and built for expansion. While the existing system is nearing its capacity, Bellevue can double the current capacity by adding an additional membrane. A recent estimate from our wastewater engineer, Pharmer Engineering, put the cost of the additional membrane at \$235k. This improvement will add 1,300 EDU's (equivalent dwelling units) to Bellevue's treatment capacity.

10. How do the proposed ACI's achieve common goals set forth in Bellevue, Hailey and Blaine County Comprehensive Plans:

**Visual separation between cities**

Excerpts from Bellevue's Comprehensive Plan:

- ✓ 5.4 - Recognizable gateway entrances are needed to define city limits and be reinforced by signage, beautification, and marked changes in the type, style, and intensity of land uses.
- ✓ Goal 3, Objective 3, Action 5 - Maintain an appropriate open space visual separation between Bellevue and Hailey to preserve Bellevue's unique identity and its rural small-town character

**Limited commercial uses outside commercial cores**

Excerpts from Bellevue's Comprehensive Plan:

- ✓ 4.5 - GOAL 1: MAINTAIN THE DOWNTOWN CORE WHILE PRESERVING THE SMALL TOWN CHARACTER OF BELLEVUE.
- ✓ 4.5 - OBJECTIVE 1: FOCUS ON BUILDING A VIBRANT AND SUSTAINABLE DOWNTOWN CORE.



### **No hillside development**

Excerpts from Bellevue's Comprehensive Plan:

✓ **OBJECTIVE 8: RETAIN SCENIC QUALITIES AND VIEW SHEDS. Actions**

1. Ensure the view corridor is retained between Bellevue and Hailey,
2. Retain the undeveloped characteristics of surrounding hillsides and open space areas in Slaughterhouse Canyon.
3. Limit structures height from altering the skyline.
4. Structures that exceed two stories in height, i.e., cellular towers and power poles, should be painted two shades darker than the surrounding landscape, usually dark brown or dark grey to allow them to blend into and not dominate the landscape.

### **Toe of the hill trail connection**

Excerpts from Bellevue's Comprehensive Plan:

- ✓ **Recreation Opportunities and Considerations** - The Toe of the Hill Trail begins along the east side of the Wood River Valley in Hailey and runs from Wood River High School through Woodside. There is potential to connect this natural surface trail to Bellevue from Hailey and should be a recreation priority.

### **Wood River Trail protection**

Excerpts from Bellevue's Comprehensive Plan:

- ✓ **10.4 - OBJECTIVE 2: MAINTAIN RECREATION FACILITIES TO ENSURE SAFETY AND USABILITY.**

### **Scenic highway**

Excerpts from Bellevue's Comprehensive Plan:

✓ **OBJECTIVE 8: RETAIN SCENIC QUALITIES AND VIEW SHEDS. Actions**

1. Ensure the view corridor is retained between Bellevue and Hailey,
2. Retain the undeveloped characteristics of surrounding hillsides and open space areas in Slaughterhouse Canyon.
3. Limit structures height from altering the skyline.
4. Structures that exceed two stories in height, i.e., cellular towers and power poles, should be painted two shades darker than the surrounding landscape, usually dark brown or dark grey to allow them to blend into and not dominate the landscape.



## Airport vicinity issues

Excerpts from Bellevue's Comprehensive Plan:

- ✓ **Undeveloped Agricultural Lands** - The land between Hailey and Bellevue traditionally used for agriculture provide a visual separation between the communities which enhances the rural characteristics of the south valley. If these lands are developed in the future, the City should consider ways of developing this property to not only preserve a visual separation between the two cities and incorporates land uses that are compatible with the airport.
- ✓ **Expansion** - Expansion on the Friedman Memorial Airport and increased use by commercial airlines and general aviation aircraft, increases the potential of noise, air pollution and safety concerns.
- ✓ **GOAL 1: ADOPT APPLICABLE CRITERIA, STANDARDS AND ZONING TECHNIQUES THAT WILL PROTECT THE AIRPORT, AVIATION USERS AND SURROUNDING NEIGHBORS FROM INCOMPATIBLE DEVELOPMENT AND POTENTIAL AIRPORT IMPACTS.**
- ✓ **OBJECTIVE 1: PARTICIPATE IN ADJACENT LAND MANAGEMENT PLANNING PROCESSES, IMPLEMENTATION PLANS AND OUTREACH EFFORTS.**
- ✓ **Actions**
  1. Develop zoning that minimizes acoustic and air quality impacts to Bellevue residents and businesses.
  2. Consider appropriate land uses that are compatible with preferred land uses in the airport critical zones.

## Floodplain and riparian

Excerpts from Bellevue's Comprehensive Plan:

- ✓ **Big Wood River** - The Bureau of Land Management (BLM), Trout Unlimited, and Wood River Land Trust have partnered and will produce a detailed geomorphic assessment of the Big Wood River. The project goal is to collect information leading to a better understanding of the river function, processes, and conditions to implement restoration, stream reconnection, and flow enhancement activities. The data generated by the assessment will inform future management decisions for the aquatic and riparian resources of the Big Wood River.
- ✓ **OBJECTIVE 2: ENSURE THAT DEVELOPMENTS ARE DESIGNED TO MINIMIZE IMPACTS TO WILDLIFE HABITAT AND RIVER FUNCTION ALONG THE BIG WOOD RIVER.**

### Actions

1. Allow the natural meander of the Big Wood River and reinforce its banks only where necessary to protect existing infrastructure.
2. Stabilize river and stream banks with native riparian vegetation; rehabilitate existing vegetation within the 100-foot riparian non-disturbance area.
3. Evaluate and minimize vegetation removal within the 100-foot riparian non-disturbance area.



4. Follow state Best Management Practices for construction and rehabilitation actions undertaken within 100 feet of the stream.
5. Maintain perennial vegetative cover on soils to protect them from erosion.
6. Work with developers to ensure east/west migration corridors are preserved across the valley.

✓ **OBJECTIVE 1: MITIGATE WATER HAZARDS. Actions**

1. The Bellevue Common Council has adopted a flood hazard ordinance and should continue to update the FEMA floodplain maps.
2. Closely supervise construction in the floodplain by enforcement of the floodplain ordinance.
3. Prohibit any construction in floodways.
4. Periodically test the water quality of the Big Wood River as it passes through the City.
5. Continue to review and update when necessary, effluent standards and water quality standards.
6. Support rehabilitation efforts of the low head dam as necessary.

**Wellhead protection**

Excerpts from Bellevue’s Comprehensive Plan:

- ✓ GOAL 1: PROVIDE POTABLE AND IRRIGATION WATER TO THE CITIZENS OF BELLEVUE
- ✓ OBJECTIVE 1: PROTECT AND ENHANCE BELLEVUE’S WATER SUPPLY.

The excerpts from the Comprehensive Plan above are put into practice through Bellevue’s Zoning and Subdivision ordinances. These ordinances provide for 100’ riparian setbacks from the Bigwood River, a ban on hillside development, floodplain development regulations, maximum building footprints and heights. The list goes on, but we feel we have met the ‘burden of proof’ the P&Z asked Bellevue to provide when it comes to the robustness of our Comprehensive Plan and other regulations.

**Other Questions Summary**

The following is an excerpt from the **Implementation Section** of Bellevue’s Comp Plan:

*Work with Hailey and Blaine County on an Area of City Impact (ACI) agreement to address planning issues, including preserving the visual separation between Bellevue and Hailey, maintaining clear urban and rural boundaries, providing quality recreation opportunities and connecting bicycle and pedestrian trails, transportation, economic development, sewer facilities, water quality floodplain management and airport operations.*

We submit this statement to the county as evidence of our shared goals.



## Conclusion

We thank the P&Z Commission again for the opportunity to further explain Bellevue's process and position for finally achieving an ACI agreement with the county. We perceived (whether real or not) a mistrust in Bellevue at our first hearing. Our intent with this response is to build trust. In pursuit of that goal we are committed to addressing questions and concerns open and honestly. We have done so in this document and we will continue in the future. We will also resist the temptation to make promises we cannot keep. We are looking forward to working with the County to achieve our mutual goal of an ACI agreement.

## Enclosures

Bellevue ACI Map without shading

Bellevue / Hailey Area map

Bellevue Comprehensive Plan, via [live link to plan](#)

Bellevue Zoning Code, Title 10, via [live link to code](#)

Bellevue Subdivision Code, Title 11, via [live link to code](#)

Bellevue Zoning Map

