



**BLAINE COUNTY
LAND USE AND BUILDING SERVICES**

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To: Blaine County Commissioners

From: Allison Kennedy, Planner II

Date: December 7, 2022

Re: Quigley Ranch Subdivision Hearing

Staff wanted to clarify a few topics that arose during the hearing on November 29, 2022. The Planning and Zoning recommendations addressed many topics that were discussed at the hearing and within the applicant’s presentation.

I. QUIGLEY ROAD-ACCESS

The Planning & Zoning Commission discussed the preference of the development being accessed through the adjacent City of Hailey Quigley Farm Subdivision to best meet the subdivision standards. While Quigley Road is the existing county road, an additional city access option may be possible, since this land area is an undivided block and not individual lots. In addition, the City of Hailey Community Development Director has expressed verbally that they are open to this idea of revising the plat to extend a street to Quigley Ranch. If the Board decides to move forward with this recommendation, the application could be tabled until this option is vetted with the City of Hailey’s City Council and Community Development Department.

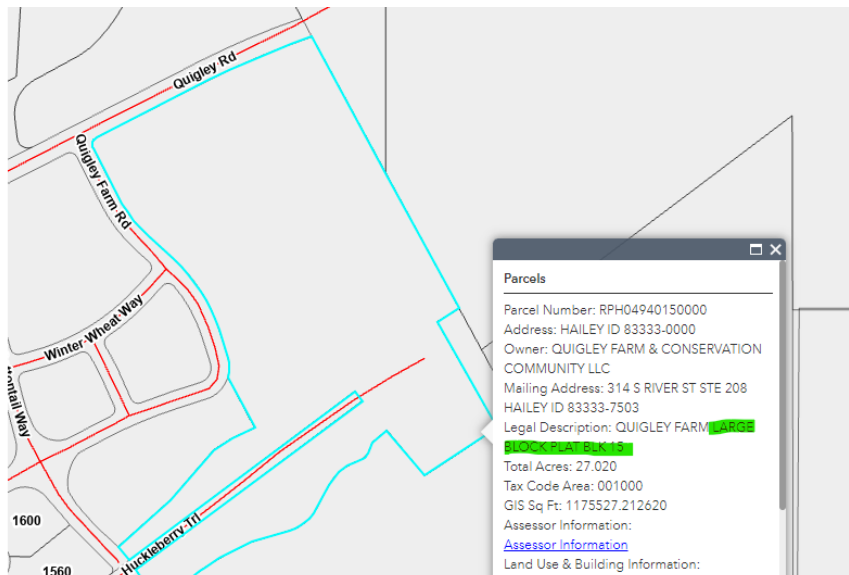


Image: Quigley Farm Large Block Plat Block 15 Source: Blaine County GIS

The Planning and Zoning Commission found that not all the street & lot standards were met as designed in this application. Here is the review of standards that led to these findings in their recommendation. The Planning & Zoning Findings of the standards are in bold type.:

10-5-2 Threshold Standards; B. Comprehensive Plan: *The proposed subdivision of land conforms to and is in accordance with the comprehensive plan text and map*

- **The Commission found that standard, B. Comprehensive Plan, was not met by a 5-1 vote. Specifically: Desired Outcome C-1: Ensure that county roads function as safely and efficiently as possible year-round. & Desired Outcome A-10: Prioritize roadway solutions that reduce wildlife/vehicle conflicts.**

The Commission expressed concern that as designed with access off of Quigley Road rather than through Quigley Farm Subdivision that 24 lots will incur more traffic with deliveries etc. reducing safety for recreators. It was expressed that if the applicant came back with a new design to have all 24 lots on the flat south of the existing Quigley Road and an access road enters the subdivision through Quigley Farms subdivision, this comprehensive plan standard could be met.

10-5-3 Design Standards; B. Lot Requirements:

3. Each lot shall have access to an internal street or drive, where practicable.

- **The Commission found this standard not to be met (6-0 vote) since Quigley Road was the proposed access drive rather than an internal drive accessed from Quigley Farm Subdivision.**

10-5-3 Design Standards; C. Blocks: *Blocks shall be designed to assure traffic safety and ease of traffic control and circulation. Blocks shall allow for two (2) tiers of lots unless topography or other factors indicate irregularly shaped blocks indented by cul-de-sacs. The board has the authority to review and modify block sizes.*

- **Two blocks proposed: Block 1 north of the road and Block 2 south of the road. The Commission found that this standard regarding blocks did not comply (6-0 vote) with traffic safety and ease of traffic due to the proposed design of 3 roads and 6 driveways intersecting onto Quigley Rd. The commission commented that these issues could be addressed through an alternative access through Quigley Farm Subdivision.**

10-5-3 Design Standards; N. Street Improvements:

1. Conformance To Plans: Streets shall in general conform with the comprehensive plan, other accepted plans, the provisions of this title and title 6 of this code.

- **The Commission found with a 6-0 vote that it does not comply with the comprehensive plan as designed. The Commission recommends a street access to the subdivision could be through Quigley Farm Subdivision**
- **The Commission found that this standard does comply with Title 6, Public Ways & Property.**

3. *Conditions: The arrangement, type, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in their relation to the proposed uses of the land to be served by such streets.*

- **This standard was found to be met in regard to grade and width however not found to be met in regards to safety as designed. The safety concerns stem from the conflict of the amount of recreators and the proposed future nine access points (6 driveways from lots 1-6 and 3 spur roads from the 3 development “pods”) onto Quigley Road and the associated traffic. The Commission expressed their desire to see an application where the subdivision was accessed from the Quigley Farm Subdivision.**

4. *Location:*

d. Dead end streets are prohibited. Stub streets with a temporary cul-de-sac may be permitted in anticipation of a future through street.

- **The Commission found that the Cul-de-sacs are proposed as permanent and therefore do not comply with standards.**

e. Cul-de-sac streets shall be discouraged. However, when topography or planning considerations dictate their use, cul-de-sacs shall: 1-3...

- **The Commission found that standard, e. *Cul-de-sac streets shall be discouraged*, is not met (5-1 vote) and the applicant shall redesign to eliminate cul-de-sacs in order to comply with this standard.**

II. PROCESS

A member of the public asked what would happen if the Commissioners followed suit with the Planning & Zoning recommendation of a denial. Staff highlighted that the applicant had the following options:

1. Consider the feedback from the Board and Planning & Zoning Commission, table the application and present a revised design to meet the recommendations towards approval.
2. Re-submit a new application.
3. Appeal the decision in district court.

The applicant further stated that they had another option by simply subdividing the private land into 5 acre lots since it is in the R-5 zoning district. This option isn't as straight forward as was stated in the hearing. Any new subdivision is subject to the Title 10 Subdivision standards and subsequent public hearings.

The conservation easement only contemplates five (5) acre lots if the County will not permit smaller lots. The Conservation Easement states in section 4.2.6 Future Building Envelopes.....*In the event that Blaine County will not permit lots smaller than five acres in this area, Landowner may establish lots that extend beyond the 73 acre area ...* The Planning & Zoning Commission advocated for lots smaller than five acres. The Planning and Zoning Commission recommended denial of the application due to where the lots were situated, and not because their lot sizes were less than five acres.

In addition, although not pertinent for the County's decision, the applicant may incur complication with their City of Hailey Annexation Agreement. The agreement states that the County property shall be developed as shown in the design schematic in the easement (Ex. B-3 in Annexation document) and in the same general location. (Hailey Annexation Agreement, P. 4 Section B. County Property). A straight five-acre subdivision without an easement attached is not what was agreed on within this agreement between the City of Hailey and the landowner.

III. COMPREHENSIVE PLAN

The Planning & Zoning Commission recommended denial of the subdivision regarding the comprehensive plan. They discussed streets, as stated above and these other two components in the comprehensive plan:

- ***Desired Outcome B-3: Facilitate the development of smaller houses, dwelling units, and lots through zoning and other tools. The Commission found this comprehensive plan goal was not met since a design can provide for smaller lots.***

- ***Desired Outcome A-4: Continue to protect hillside, avalanche-prone, riparian and other sensitive or hazard areas from housing development. Implementation of firewise practices should be augmented in existing lots near wildfire-prone areas and defensible spaces should be established in new subdivisions. The Commission found that this comprehensive plan standard was not met due to the impacts on wildlife and existing hillside with lots 1-6.***

IV. WILDLIFE

The applicant showed areas for wildlife corridors running north and south of the new Quigley Road. The corridors are proposed between the city of Hailey line on the boundary of proposed Lot 1 running south to the proposed open space, north and south between Lots 2 & 5 through the open space on the valley floor, and around Lot 5 to the open space below. The Planning and Zoning Commission advocated for one larger contiguous open space to minimize wildlife/residential conflict and provide for a larger tract of unencumbered habitat instead of spaces between building envelopes and avalanche areas. (See Exhibit A-26; Applicant Slide Presentation) The Planning & Zoning Findings reflect this discussion:

10-5-3 Design Standards, A. Preservation of Natural Features:

- **The Planning & Zoning commission found that this standard was not met by a 5-1 vote. The commission found that proposed lots 1-6 were not found *to be practicable and appropriate, and that the following specific areas shall be left undeveloped and undisturbed: 1) Natural topography of the land with the goal of preserving the character 2) Natural vegetation & 3) Natural habitat and other areas of significant value to wildlife, including migration corridors as identified by Idaho fish and game.***

The commission discussed that the south facing hillside was not preserved for wintering wildlife habitat as IDFG identified and that Lots 1-6 should be moved to the valley floor. In addition, the commission emphasized that the development on the valley floor should be

moved to the west to create a more contiguous habitat on the flats to lessen impact on the natural features.

10-5-3 Design Standards, B. Lot Requirements:

1. *Each lot shall contain a satisfactory building site which is properly related to topography.*

- **The Commission found that this standard was not met with a 4-2 vote. It was discussed that a better design would be to move Lots 1-6 to the valley floor to not enable hillside encroachments. The dissenting votes thought that the building envelopes on Lots 1-6 were a sufficient compromise for this standard.**

10-5-3 Design Standards, L. Hillside Standards:

3. *Appearance: In order to enhance the existing and future appearance and resources of hillside areas, special effort shall be made to preserve the following natural features:*

- a. *Skyline, ridges and knolls.*
- b. *Tree and shrub clusters.*
- c. *Rock outcroppings.*
- d. *Streambeds, draws and drainage swales*

4. *Hillside Subdivision Evaluation...:*

a-f...**N/A No development within the Mountain Overlay District per Plat Note 18 and potential addition Plat Note g.**

- **The Commission found that the current application with Lots 1-6 on the north side of the road does not comply (5-1 vote) with the design standards, due to potential encroachments beyond the proposed building envelopes (Exhibit A-20) within privately owned lots into hillside areas. Specifically, the negative impact to L. Hillside standards 3. Appearance b. Shrubs- sagebrush health. If the Board moves forward with the existing application, the Commission recommends that the Board add to the Plat Note d, "No perimeter fencing shall be constructed on Lots 1-6." And Plat Note g, "No disturbance shall occur within the Mountain Overlay District."**

10-5-3 Design Standards, R. Wildlife: *Lands in the wildlife overlay district shall be developed as permitted by title 9, chapter 20 of this code.*

- **The Commission finds that the proposal as designed, R. Wildlife, does not comply with this standard. The Commission found that the developer could meet the standard if they removed Lots 1-6 from the north side of the road and consolidate lots towards the mouth of the canyon. The vote was 4-2.**