

**Meeting Notes**  
**2013 Comprehensive Plan Update Steering Committee Meeting**  
**May 14, 2013**

The 2013 Comprehensive Plan Update Steering Committee met at the Council Chambers at Sun Valley City Hall on May 14, 2013.

**Call to order**

Chairman Peter Palmedo called the meeting to order at 4:00 p.m.

**Committee Present:** Doug Brown, John Calvert, John Carver, Richard Flores, Peter Hendricks, David Holmes, Nancy Humphrey, Wally Huffman, Cynthia Knight, William Merizon, Peter Palmedo, Chuck Rumpf, Tim Silva, Cris Thiessen, Susan Tucker, Paul Willis

**Also Present:** City Administrator Susan Robertson, Community Development Director Mark Hofman, Community Development Planning Technician and Associate Planner Isabel Lui, City Attorney Adam King, Nils Ribi, Karen Reinheimer, Lisa Stelck, Barry Luboviski

**Summary of Work Progress and Comprehensive Planning Steps**

Chairman Peter Palmedo welcomed the Steering Committee. He gave a brief report on the working progress of the Steering Committee to date in relation to the six steps of the Comprehensive Planning Process, namely: 1.) planning process; 2.) situational analysis; 3.) vision statement; 4.) set goals, objectives and policies; 5.) development of land use components; and, 6.) draft the plan. He said that the work of the Committee to date had covered the first four steps. The fifth step, development of land use components is on the agenda today. Chairman Palmedo said that land use is the most important element of the Comprehensive Plan because local officials often rely on this section in making decisions. It is imperative that the land use designations in the Comprehensive Plan reflect broad based community involvement and thorough analysis of growth trends for future development. As for step 6, draft the plan, he highlighted the importance of reaching out to the community for input and asked the Committee to consider an effective way for its implementation.

**Comments and Questions**

Paul Willis questioned the possibility of placing somebody from Sun Valley on the Airport Authority. He had mentioned this in a previous meeting. Peter Hendricks cited Bob Youngman's remark during that meeting and said that the appointment to the Airport Authority is governed by a joint powers agreement which does not include representation from the City of Sun Valley. Chairman Palmedo reiterated that the airport is owned by both the City of Hailey and Blaine County which decide jointly on the Airport Authority appointment. Isabel Lui said the explanation about the absence of representation on the Airport Authority was captured in the March meeting notes and asked Willis to refer to it for more details.

Mark Hofman said that the concern for representation of Sun Valley on the Airport Authority may be framed in the Goals, Objectives and Action Items of the Comprehensive Plan Update.

Cris Thiessen asked whether the airport was funded by taxpayer money. One of the Committee members mentioned that the airport is self-funded.\*

\*Post meeting notes: The Friedman Memorial Airport is financed by users' fees and the Federal Aviation Administration, the latter finances airport improvements.

Karen Reinheimer said she was working on corrections of previous meeting notes. She pointed out the meeting notes condensed the verbatim transcription of the meeting. She thought they were not complete.

Mark Hofman reiterated that the purpose of the meeting notes is to capture the flavor of the meeting, not the words of the speakers verbatim. The latter is captured by the online recording tool, Granicus. He said that any input regarding correction of factual information is what really matters and changes will be incorporated. Other grey areas or correction issues will have to be considered by the Steering Committee. He asked Reinheimer to submit her corrections in writing for consideration by the Steering Committee.

Karen Reinheimer said she used “Sun Village” as she referred to the moderately priced condominiums next to the Catholic Church in the last meeting and that the correct name should be Val d’ Sol.

### **Status of April Meeting Notes and Draft of Section II**

Mark Hofman said that the April meeting notes and a draft of Section II comments had not been uploaded on the website as of this May meeting date, but will be sent out in the next couple of weeks for review and comment.

### **Initial working draft of the Vision Statement, Executive Summary and Section I**

Mark Hofman presented the initial working draft of the Vision Statement, Executive Summary and Section I. He explained the current draft listed all the input comments received to date, without deciding which one to use as we go forward. He expected the draft document would evolve through time when all comments are captured. The community would then use this working draft to present their input during the community outreach meetings in the summer. At some point the Committee has to decide how to filter the information and reach a consensus on a formal recommendation. Hofman said that the goals were updated in the Executive Summary. Some input comments on goals, such as those regarding the goal on education, could be captured later in Action Items. He further pointed out some information on Section I could not be updated for the time being and notes were written to indicate the situation. He asked the Committee whether the current draft format was acceptable.

### **Draft Format for Public Outreach**

Two approaches were suggested for the draft format of the Comprehensive Plan Update for use in the public outreach meetings during summer.

- Approach 1: Present all options/versions of input received in the draft without making any recommendation;
- Approach 2: The Steering Committee will consider the information and narrow the amendment comment content down to a few options.

Steering Committee members exchanged ideas on the pros and cons of each approach. A consensus was reached to adopt Approach 2, with the following rationale:

- It is the responsibility of the Steering Committee to consolidate information. The public will always have access to raw background information if they desire;
- By filtering the information and narrowing down the options, it helps to achieve a more focused discussion with the public;

- Given the general public's availability and attention, the Steering Committee should pay respect to the valuable time of public participation and should by all means avoid inundating them with too much background information that could cause confusion.

### **Topics and Frequency of Public Outreach Meetings**

Staff proposed conducting public outreach in the months of July and August. Steering Committee members discussed the priority of topics to be presented in the two public meetings. The following is a summary of the discussion:

- Have one public meeting focused on goal and objectives, and another on future land use (Susan Tucker)
- Present the effort for the Update the Steering Committee has achieved to date based on the 2005 Comprehensive Plan format without reinventing the wheel (Rick Flores, supported by John Carver)
- Given that the current environment is totally different from that of 2005, the Comprehensive Plan needs to reflect what we want in the next 10 years. There is not enough elaboration in this respect. (Cris Thiessen)
- The public meetings should focus on major issues that are most contentious to the public, i.e. the two important land use issues. They were not resolved after the last meeting in 2005. (Nancy Humphrey, Wally Huffman)
- It is important to finalize the Vision Statement, Goals and Objectives representing our community which will help us get through land use issues. (Peter Palmedo)
- In addition to gathering public input, an alternative purpose of the public meeting is to explain to the public why we are making the changes. (Wally Huffman)
- Given the multitude of topics that require public input, we may consider adding a public outreach meeting in September. (Wally Huffman)

The Committee's general consensus was that public outreach meetings could be held in late July, August and September.

Karen Reinheimer said that there were altogether 5 public meetings in the 2005 Comprehensive Plan Update. These meetings focused on two areas, namely visioning and the land use of Gateway. She said that consultants were hired to support the work of public outreach. She said that the Committee may consider hiring somebody full time to support the public outreach effort.

### **Focus of June Meeting**

Based on the discussion of the summer public outreach meetings, Chairman Palmedo summarizes the focus for the June meeting. He said that the Steering Committee will vote on the draft Vision Statement, Goals and Objectives, with indications of respective strengths and weaknesses. The deliverable will be a concrete, simple 2-page document in an open format for presentation to the public in the summer. He asked the committee for input.

Peter Hendricks said that it is important to spend time to address Section III. He suggested limiting the time of discussion on the Vision Statement, Goals and Objectives to half an hour.

Wally Huffman suggested that a smaller group of Committee members could meet with staff to provide written information on the Vision Statement, Goals and Objectives, in such a format that the Committee can vote in the June meeting. This is an approach adopted in the 2005 Comprehensive Plan update that expedited the process.

Chuck Rumpf suggested that the Steering Committee can extend the discussion on Section III till July, leaving August and September for public outreach meetings.

Chairman Palmedo said that he liked to see everything go through the Steering Committee instead of a sub-committee. He asked members to show hands if they agreed to this approach. More than two thirds of the members showed support. He suggested adding an extra hour to the June meeting to finalize the Vision Statement, Goals and Objectives, as well as to discuss Section III. Chairman Palmedo's suggestion received support from the majority of the committee.

### **2005 Comprehensive Plan Action Items**

Cris Thiessen questioned the status of Action Items in the update process. Mark Hofman said that the Steering Committee had not gone through the section yet. Thiessen suggested that staff give input to the Committee about which Action Items were completed and which were not.

### **2010 Economic Chart Update**

Wally Huffman asked who would be doing the forecast based on the 2010 economic chart update. He emphasized that the forecast information is important in providing perspective for discussion. Mark Hofman replied that the 2010 demographics remain flat and that staff would gather the basis for forming a forecast and then present it to the Committee.

### **Future Land Use and Legal Ramifications**

Prior to the discussion on the Future Land Use Map section, Mark Hofman invited Adam King to talk about future land use in the Comprehensive Plan versus zoning districts of the zoning map and the legal ramifications from a private property owner's perspective to give the Committee insight on the importance of balancing private and public interests in the update process.

Adam King stated that the Comprehensive Plan is just a vision; it is not a zoning ordinance. The zoning ordinance is based on individual current circumstance and may not necessarily match with the Comprehensive Plan Future Land Use. He cited *Bone v. City of Lewiston* as an example and read the following to the Committee: "this Court noted that a comprehensive plan does not provide that a landowner is entitled to have his property zoned in a certain way, or even that the use indicated in the plan is the appropriate present use for the property; it is merely a projection of what may be appropriate in the future. This Court holds that the use or residential density designation of property in a comprehensive plan creates no present right or enforceable expectation that the property will ever be zoned in accordance with the comprehensive plan."

Mark Hofman said that the color in a Future Land Use map represents the vision of the community and the zoning map is an ordinance. It is important to find balance between the two. The Steering Committee plays the role of giving guidance to the City Council for future zoning, but circumstances can change and future zoning may not reflect Future Land Use in the Comprehensive Plan.

### **Questions from the Committee**

Wally Huffman asked whether one can apply for a rezone of property if it is not consistent with the Future Land Use Map. Adam King said yes.

Peter Hendricks asked a question regarding p. III-3 on "Low-Density Residential", that it reads "up to three dwelling units per acre, however, the map on the following page indicates Low Density Residential as up to 4 du/ac. Mark Hoffman said that on the current zoning map, there are two zoning districts that implement the

Low-Density Residential land use designation of the Comprehensive Plan. These Zoning Districts allow one and two dwelling units per acre. Future zoning districts of Low-Density Residential, if ever needed will be consistent with the Comprehensive Plan as long as the density is up to a maximum of 4 du/ac. The discrepancy between three and four du/ac on p. III-3 and the Future Land Use Map will be reconciled and corrected with the Update process.

### **Background on Future Land Use**

Mark Hofman pointed out that designations on the Future Land Use Map change over time and these changes are captured in the annual review. When issues of controversy emerge, the development code will also be further analyzed and amended, if appropriate.

In the 2005 Comprehensive Plan, there are six Land Use Planning Areas (LUPAs), one of which is a scenario, that capture the consensus of the community at that time. The Sun Valley Gateway LUPA is a scenario as a result of a lack of consensus from the community. A public workshop was conducted in 2007 to follow up on the Gateway LUPA, and again no consensus was reached.

In 2012 there was an amendment to the Future Land Use Map for the Lane Ranch North project, but it does not affect the overall Future Land Use Section. There was also an Area of City Impact renegotiation with Blaine County to formalize the vision of Sun Valley proposed in the 2005 Comprehensive Plan (red dotted line in Figure 1).

There were altogether six LUPAs that require master planning according to the 2005 Comprehensive Plan Update. On top of the changes that have taken place since 2005, if there are any additional changes not mentioned in the 2005 Comprehensive Plan, these changes may be reflected for discussion purposes by the Committee in a LUPA diagram #7. These areas could be considered by the Committee as needing master planning prior to development.

### **Background on LUPAs and Function**

Tim Silva asked how LUPAs are established and what their criteria are. Mark Hofman said the criterion is a need for master planning to prevent disjointed, incremental development of critical areas. A LUPA is identified because there is a need for cohesive land use planning in the area. The Gateway LUPA is a prime example because open space plays an important role in any proposed development for the area and road access, visual impacts and the provision of critical infrastructure can better be coordinated as a product of a master plan instead of allowing incremental development.

Adam King added that LUPA is a useful tool for the City as it wrestles with development issues in the specified area and also is a convenient way to identify the area as different from the others. Wally Huffman said there is an ordinance that established LUPAs. Nils Ribic said a master plan ordinance was created to implement LUPA planning.

### **Guidance on the LUPA Update Process**

Chairman Palmedo asked for guidance on levels of flexibility that the Committee may have for increasing or decreasing the areas represented by various colors in the Future Land Use Map. Adam King said there is a broad flexibility for the Committee to change any color on the map as long as it is a product of careful deliberation, with private and other interests taken into consideration. There is no limit to what the Committee can expand and contract in its recommendation to the City Council.

### **Land Use Planning Area #1- Sun Valley Resort/Village Core**

Mark Hofman said the current situation of this LUPA is not much different than in 2005. Changes include the addition of the Pavilion construction. Wally Huffman asked, out of all the LUPAs, how many parcels of land belong to the City. Mark Hofman said that the 5 acre parcel in the Gateway area may be the only parcel owned by the City and the potential for growth and development in the LUPA areas is primarily represented by land owned by the Sun Valley Company.

Cris Thiessen remarked that the Sun Valley Elkhorn Association owned 1,800 acres of land, out of which there are seven areas that could be developed as recreation land use, however, they are not captured by any designated LUPA. Mark Hofman said that the land owned by SVEA is relatively small and may need to be planned individually instead of requiring a master plan. It may fall under conceptual discussion LUPA #7 for consideration by the Committee. The Committee may discuss whether the SVEA recreation designated lands be handled individually or collectively, however, it should be noted that there would be no large scale development there.

### **Land Use Planning Area #2: Gun Club (White Clouds)**

Mark Hofman said that this LUPA has been master planned and zoned based on the vision of the 2005 Comprehensive Plan. It has a master plan in place that would require modification for any significant modifications and all related infrastructure has been built. It is a residential and open space area with a golf course. Hofman said he would recommend this be removed from the LUPAs in the Comprehensive Plan, as the area has already a tool in place to take care of future master planning changes. He asked the Committee to consider this in the update process.

### **Land Use Planning Area #3: Sun Valley Gateway**

Mark Hofman said this LUPA is a “scenario” which is different from the rest of the LUPAs. The committee should note there is a significant difference between this LUPA and the current zoning map. The extensive area of Open Space in this LUPA is zoned as OR-1 by the existing zoning map. OR-1 is a collection of uses which range from open space (such as trails and paths) to recreation uses (such as tennis and badminton courts, sports stadium and equestrian facilities). Rezoning of the area should be in accordance with the Comprehensive Plan and a master plan.

Wally requested Mark Hofman to walk the Committee through the areas included in this LUPA as marked by the red boundary line on the Map. Hofman said this LUPA includes the following areas:

- Areas east of Sun Valley Road above the Bitterroot Subdivision;
- Penny Hill, which is currently zoned as Residential Multi-Family;
- Meadow areas north of the property line of Val d’ Sol which is the City’s 5 acre parcel;
- The separation of the orange and green areas on the west side of Sun Valley Road represent the tree line on the actual meadow property. The orange area indicates a vision for development of Medium Density Residential.

Not included in this LUPA are:

- The Horseman Center, which is currently in a different LUPA;
- The development on Saddle Road and Saddle Lane;
- Val d’ Sol Condominiums.

Cris Thiessen asked what the areas with the crosshatched lines are above the blue area in the Gateway LUPA. Mark Hofman said the areas represent potential density trades to achieve a balance of open space and developable land.

Chairman Palmedo requested a clarification between a scenario and a vision. Mark Hofman said that in the 2005 Comprehensive Plan discussion, there was a strong voice in preserving the Gateway. However, there was not an overall consensus between the community, the Resort and the City on where density would go. In order to get the 2005 Comprehensive Plan approved, a scenario was used to address this LUPA. The scenario was later revisited in 2007 in a town hall meeting with an attempt to develop an alternate scenario, however, a consensus was not reached.

Nils Ribi read aloud the outcome of the 2005 Comprehensive Plan attempt for the Gateway included as a scenario: "Figure 5 delineates one possible land use scenario for the Sun Valley Gateway Land Use Planning Area. The scenario for development on the west side envisions a potential land trade for a portion of City-owned meadow parcel in exchange for private land along Sun Valley Road adjacent and to the north of the City's parcel. It is understood there may be other configurations that can better retain site value and open characteristics where development is proposed. Therefore, prior to any development, optional scenarios must be considered for the Sun Valley Gateway. The landowner and the City should work together to determine the optimal use and purposes of the LUPA."

Chairman Palmedo asked Adam King how the scenario affects the Comprehensive Plan in a legal sense. King said the scenario does not give any legal manifestation. It simply gives guidance to the Committee as they update the Comprehensive Plan. The only legal issue on the Future Land Use Map is how the City Council applies it in any zoning decisions. Chairman Palmedo asked whether the "scenario" strengthens or weakens the Comprehensive Plan. King said that because the scenario is further articulated in the text of the Comprehensive Plan it gives guidance to the Council just like the Future Land Use Map.

Barry Luboviski commented that anyone who wants to use the land to do something in this LUPA has to amend the Comprehensive Plan. King added that given the size of the property and the significant impact of the area to the community an agreement needs to be reached between the community and the property owner.

Wally Huffman said in a LUPA any development within the red line needs to come forward to the City Council, a rezone application needs to come with a master plan. Scenarios were invented when we could not resolve everything to everyone's satisfaction. He said that the eight acres in the Horseman Center is zoned for 100 residential units. It is not something that the Sun Valley Company wants to see happen, but at the same time, they do not want to give up the entitlement.

Nancy Humphrey's comment was confirmed by Wally Huffman that both Penny Hill and the Pavilion parking lot are currently zoned as Residential Multi-Family. Humphrey then asked that if there was a proposed density trade to take density out of Penny Hill and move it somewhere else should this be decided by the court or the City. Huffman said that this is to be resolved at the City level. The Sun Valley Company was unsuccessful in this effort and the "scenario" was created.

#### **Land Use Planning Area #4: Horseman's Center and the Community School**

Mark Hofman said that the consensus in 2005 regarding the Horseman's Center was to vision it as a potential playing field area for the Community School. There is no large scale development in this area and the Sun Valley Company has stated they are not going to sell the land. Cris Thiessen asked if the Community School wants to expand on its site, does it need to include Horseman's Center in the required master plan. Mark Hofman said yes since Horseman's Center and the Community School are in the same LUPA. However, the Community School cannot produce a master plan for land that they do not own. Therefore, in the

Comprehensive Plan update, the Committee may consider taking out Horseman's Center from this LUPA or, alternatively, deleting this LUPA altogether.

#### **Land Use Planning Area #5: Dollar Mountain, Prospector Hill, and Sun Valley Municipal Complex**

Mark Hofman gave a brief introduction about the areas covered by this LUPA.

John Carver asked the status of the three single family homes on Prospector Hill. Mark Hofman said the property used to be owned by Mr. Whiting, is outside the Land Use Planning Area, and now is being fully developed. The rest of the land next to City Hall designated as Low and Medium Density Residential land use within this LUPA is owned by Sun Valley Company.

Susan Tucker requested a mass and scale exhibit to help the Committee envision the density of this LUPA when built out. She is concerned about the blockage of views. Mark Hofman responded it was expensive to produce 3-dimensional maps. He suggested that pictures of residential buildings of equivalent density could be used for the purpose, with the height and setback requirements taken into consideration, it will give the Committee an idea about the built out impacts.

Nancy Humphrey said that there were some slides showing how Gateway would look like with alternative build out density options back in the 2005 Comprehensive Plan discussion. She requested the material be shown to the Committee in the next meeting.

#### **Land Use Planning Area #6: River Run**

Mark Hofman said this LUPA is no longer in our proposed Area of City Impact and has been formally annexed to the City of Ketchum. The Committee may consider dropping this LUPA entirely in the current Comprehensive Plan update process.

#### **Conceptual Land Use Planning Area #7: Other Areas not Covered by Current LUPAs**

Mark Hofman said a draft meeting exhibit labeled LUPA #7 is created to capture and discuss any areas that the Committee feels should be master planned in the future but that are not included in any current LUPA.

Wally Huffman commented on LUPAs, saying that the Committee should consider whether we need Land Use Planning Areas. He remarked that under the current LUPA requirements, the Code requires the submission of a master plan; however, it does not work very well most of the time. To put a projection on the density limit prior to the master plan is not realistic. He concluded Land Use Planning Area is not very helpful.

#### **Comments and Questions**

Cynthia Knight said that it will be beneficial to have the current Zoning Map positioned side by side with the individual LUPA areas to help the Committee in the review/update. Mark Hofman said staff would be able to provide the current zoning map information in the requested format prior to next meeting.

Chairman Palmedo requested an inventory of acreage for the current zoning districts.

Karen Reinheimer commented that the 2005 Comprehensive Plan was passed too quickly without giving sufficient time for public comment. She said the draft content went through the Planning and Zoning Commission with two public hearings, but no one gave any comment. Then it went to the City Council which conducted a public hearing and the Comprehensive Plan was then passed. She said that the public was only given three minimal opportunities to see the Comprehensive Plan prior to its adoption.

**Next Meeting**

Chairman Palmedo said that June meeting has been postponed to June 25<sup>th</sup>.

**Adjourn**

There being no other business, the meeting was adjourned at 6:10 p.m.