



City Council

Joint Special Meeting

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

~ Minutes ~

Robin Crotty
(208)728-3841

Monday, June 1, 2015

4:00 PM

Ketchum City Hall

Present: Mayor Nina Jonas
Council President Michael David
Councilor Anne Corrock
Councilor Jim Slanetz
Councilor Baird Gourlay

Also Present: Commissioner Steve Cook
Commissioner Jeff Lamoureux
Commissioner Mike Doty
Commissioner Erin Smith
Commissioner Betsy Mizell
Recording Secretary Robin Crotty

1. Call to Order.

Mayor Nina Jonas called the Joint Special Meeting to order at 4:02 p.m.

Mayor Nina Jonas asked for public comment. There were no comments.

2. Roles and Responsibilities of City Council and Planning Commission.

City Attorney Susan Buxton outlined how application process works. When application is received staff puts it together and presents to P & Z. P & Z makes decisions and recommendations to Council. Council then approves or denies. The applicant has 14 days after written decision is made to file a motion for reconsideration to the City Council. If the applicant does not do that, it's jurisdictional and any lawsuit that may be filed would be dismissed.

Mayor Nina Jonas asked if anybody has questions regarding the roles and responsibilities of the P&Z and Council.

Councilor Anne Corrock said in the past there was a representative from P& Z that would go to every council meeting and she didn't know if we wanted to do that again. Attorney Susan Buxton said they are welcome but they cannot speak on behalf of the commission. They can only speak as a citizen, not a representative.

Micah Austin Director Planning & Building added that quasi-judicial decisions are made by P & Z. They make decisions on the facts. P & Z recommends but do not make legislative action. Attorney Susan Buxton reiterated that P&Z takes the facts and applies them to the ordinances and then presents them to Council.

3. Right of Way Management.

Administrator Suzanne Frick presented saying the City has shifted their approach in residential and commercial areas. The policies that were in place before were being administered inconsistently. Many of the right-of-way improvements were causing difficulty in day to day operations. Suzanne Frick said they are trying to accomplish five (5) things.

- Parking - This is important in the core and residential areas. When a right-of-way is being used for landscaping people then park in the street and this impacts fire response.

- Accessibility - Would like right-of-way to be used for parking and pedestrian access. A disabled person must be able to maneuver in residential and commercial right-of-way zones.
- Maintenance and management - Whenever there is an improvement in the right-of-way the city is responsible for maintaining and managing it. There is difficulty with snow storage. We would like to be able to remove snow on the sidewalk rather than leave that to the property owner. Property owners tend to dump a lot of salt and that ruins our sidewalks.
- Drainage – We want to avoid having water drain off driveways onto the streets and private property's.
- Water conservation – We're faced with water calls and scarcity of water. We are trying to reduce the type of material that is used that requires great water usage.

We are developing standards and we've put different objectives before the stakeholders meeting. There are a number of firms that don't agree with our goals. We have asked for alternative standards from those who don't agree. Administrator Suzanne Frick advised that we are waiting to hear back from them and will make Council aware when we do. They want the City Engineer to approve future plans since public works has to maintain and take care of the right-of-way improvements.

Councilor Steve Cook asked what Administrator Suzanne Frick's take was on the stake holders meeting regarding the percentage of people who had concerns regarding the new standards and policies.

Administrator Suzanne Frick said there were concerns regarding the treatment we've identified and aesthetics. There is an expectation that the right-of-way should belong to the property owner and they should be able to do what they want. She explained there is a difference of opinion between the City and the landscapers. The City must be able to maintain the right-of-way and need the right of way for public purposes.

Councilor Steve Cook asked if there were distinctions being made in the downtown commercial core area and the transition into the residential area. He questioned if there were going to be exceptions made. He understands the changes in the commercial area but asked if relaxation wouldn't be appropriate in the residential area.

Administrator Suzanne Frick said that is why they put it out to the experts in the field. We still have basic requirements that must be provided to the community. We have to be careful about trees in the right of way. They become the cities responsibility. That is why Suzanne Frick gave them the list of needs and put the question back out to them. She believes there is a compromise as to what we need as a City and what is aesthetically pleasing for landscape property owner's perspective. In the interim they are trying to leave things neutral and will not approve any modifications in the residential zone until a standard is agreed upon.

Council President Michael David asked about the firms that didn't agree. Micah Austin Planning & Building Director confirmed that it was landscaper's, property management and tree removal companies. There was at least one property owner.

Council President Michael David asked what we are doing about existing encroachments. Administrator Susan Frick said if there are already encroachments that are not a safety issue then we will leave them alone. If they want to make a change they would have to become compliant. Councilor Baird Gourlay does not agree, he said in the past we've encouraged right of way work in residential areas. Baird Gourlay said unless we make everybody do it, it isn't going to make a difference. He thinks the distinction between the core and residential areas are essential. He thinks we need to focus on the core and residential encroachments need to be decided on a case by case basis.

Commissioner Steve Cook said maybe there is a way to create a relaxation in the residential area until there is an overall master plan for the entire area.

Mayor Nina Jonas thinks a case by case scenario is a terrible policy. Zone to zone is one thing but case by case is not a good idea. Another concern is parking because everybody is parking on the road and emergency vehicles are an issue. She thinks aesthetics need to be looked at. She thinks we must have a policy that can balance the two. Commissioner Steve Cook asked about nicely done signage that marks the edge of the right-a-ways instead of berms and rocks. Mayor Nina Jonas talked about aesthetically pleasing alternatives. She is in support of a creative solution.

Councilor Anne Corrock thinks people do not understand "right of way". She thinks education would help. As we are growing and lots are getting smaller, the more necessary it will become to have the right of way accessible.

Commissioner Michael Doty talked about enforcement. We need to enforce planting etc. in the right-of-way better than we have in the past. We need continuity from one property to the next.

Commissioner Jeff Lamoureux voiced his concerns about using decomposed materials. He said if you were to create a paved right of way with shoulders on either side you will get a really wide, impervious road. There is evidence that people will drive faster down that street. He thinks minimizing the width of the paved areas is a positive. Regarding parking he would like to see people riding bikes or taking the bus. They could possibly allow parking on only one side of the street. He appreciates the emergency access issue. Jeff Lamoureux said that in most cases there is enough room for people to park on both sides of road and emergency vehicles to get down the road.

Administrator Suzanne Frick explained that we are waiting on the creative proposals to come before them. Commissioner Jeff Lamoureux said it should not be the citizen's responsibility to come up with these plans. He thinks it is the cities responsibilities to come up with the solutions.

Mayor Nina Jonas said she thinks we need to create a policy that allows creativity and we need to come up with what our needs are but allowing new materials and aesthetics to be used.

Commissioner Michael Doty said as a city we need to be careful. Some projects are already underway. For an example, in one case we have to have City Council approval for a sidewalk and another project they have not been told that it needs City Council approval. It is important that projects do not get trapped in the middle. He asked that the City be careful and consistent with our policies.

Council President Michael David said we have to have some consistency with the existing violators and how we handle those.

4. Community Housing Development Standards

Micah Austin Director Planning & Building presented saying the top issue for the code rewrite of Phase II is Community Housing.

Micah Austin said as you know we use FAR standard for assigning community housing requirements in the CC, GHR and T zones and that has produced some results over the year but we need more Community Housing in Ketchum. Not everything is going before P & Z so we do not know what isn't working but we do know that FAR is not working.

Going forward we would like to base community housing on Dimensional Standards only. FAR will be going away. Dimensional Standards will be fairer legally. He does not think FAR is defensible. Micah Austin Planning & Building Director said we are the only city in the state that use FAR. We need to give clear standards for Community Housing. Right now it is very unclear. We could get more if we make it a streamline process. Dimensional standards are much clearer.

Commissioner Michael Doty said it is complicated with FAR. It is a very onerous task getting all the information together. He would like to use Dimensional Standards rather than FAR standards. He explained that since the down turn, in the GHR and T zones the .5 FAR threshold is so low that nothing has been able to be built over the past 5 or 6 years.

Micah Austin Planning and Building Director said the city can never do away with height restrictions in Ketchum and they are conflicting with FAR standards. Micah Austin asked for suggestions on what way to go.

Councilor Anne Corrock asked if in-lieu fees are included in this. Micah Austin Planning Building Director said they met with ARCH and BCHA. The philosophy over in-lieu fees and build on site has changed over the years. Anne Corrock said she has huge concerns with this. It was a hard sell to the public to build the larger buildings. Anne Corrock said each large building had a required zone. In-lieu fees have not been a successful program. Council President Michael David said that incentives change all the time. Things that worked before don't work now. In-lieu fees did work for a little while but that was a different time. Anne Corrock said she watched the webinar and felt the information they received regarding the collection of in-lieu fees stated you should make sure you have something designated for the fees. She asked if we can do that and if so where, when and how. Micah Austin said that is where ARCH and BCHA can set the stage early on and we can tell them where to collect the fees and what we have in mind for them.

Administrator Suzanne Frick said they were hoping to come to council in the next 30 days with the cities objective and strategy in regards to Community Housing. There is going to be a 3 prong approach to accomplishing the production of Community Housing.

Commissioner Steve Cook said if we're going to collect in-lieu fees we need to know where the target property is.

City Attorney Susan Buxton said she agrees with Micah Austin Planning & Building Director in regards to Community Housing. His approach is a lot better in regards to defining the incentives.

Councilor Jim Slanetz asked if dimensional incentives are set or still a work in progress. Micah Austin Planning & Building Director said it is work in progress.

Commissioner Michael Doty said we need to incentivize and things will work themselves out. People could build smaller units that are more affordable to young people and families. You could put up more units than are currently zoned and get something more affordable.

Councilor Michael David said some of those scenarios used to work. Affordable housing is where we are now. The lending environment has not changed enough. Job security is not there for young people right now.

Councilor Anne Corrock asked if we are looking more toward collecting in-lieu fees or incentivizing developers to develop within their project. Micah Austin Planning & Building Director said they are still working on this.

Micah Austin Planning & Building Director said he gets calls about Community Housing all the time. Every community does it differently. He feels what we do here could be setting an example for what other cities do in the future.

5. Discussion between City Council and Planning Commission.

Commissioner Erin Smith said since she joined the Commission the Warm Springs Gateway has been an issue. Commissioner Steve Cook said they passed the resolution at P & Z level. It implied how important it is to them. He said something really needs to be done there on a safety aspect. They are unified in saying this is a major priority. Commissioner Michael Doty said they need a street standard. Pedestrian access is a safety concern. Commissioner Michael Doty said there is a mish-mosh going on.

Commissioner Steve Cook said he thanks City Council for getting staff in place. They feel like they hit the lottery.

Council President Michael David questioned the roundabout suggestion and making Warm Springs a one way road going south. Micah Austin Planning & Building Director said Warm Springs is in the Urban Renewal District. That would be an acceptable expense for the Urban Renewal District.

6. **Public Comment.**

Mickey Garcia said he hasn't heard anything new here than he's heard in the past. We're squabbling about the same things over and over again. He talked about quasi-judicial and the fact that it works both ways. If the applicant is denied and then goes to council, the council then becomes quasi-judicial. He said they continue to wrestle with community housing. We don't seem to get things done. He's glad to see a new crew here. He'd like to see something of significance get done.

Bob Crosby, SV Board Realtors said he agrees with Commissioner Doty's statement and he is in support of bridging the affordability gap. He knows of a project on the board right now that would be in support of the concept he mentioned. The Warm Springs gateway should be on the top of list.

He said something came up in code today. He is talking about a parking scenario that he thinks would stop development right now. What do we do with situations like that which could make it physically impossible to develop. Can we somehow create a solution that when something is discovered that it can go to the top of the list to be resolved? He would like a fast track solution be put in place.

Mickey Garcia suggested dropping the floor to area ratio.

Mayor Nina Jonas closed public comment.

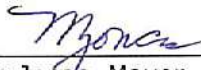
Mayor Nina Jonas thanked Commissioners for their time and service.

Council President Michael David thought we could possibly do these meetings twice a year.


7. **Adjournment**

Motion to Adjourn at 5:32 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Slanetz, Councilor
SECONDER:	Michael David, Council President
AYES:	All in favor



Nina Jonas, Mayor


Sandra E. Cady, CMC
City Clerk