



## PLANNING AND ZONING COMMISSION AGENDA – Regular Meeting

Monday, February 11, 2019  
Ketchum City Hall  
480 East Avenue North, Ketchum, ID 83340

1. **4:45 PM - SITE VISIT – Nancy Kelly Skin Care, Conditional Use Permit Application: 105 Lewis St., Suite 103**
2. **5:00 PM – SITE VISIT – Ketch 2 Design Review Application: 100 E. 6<sup>th</sup> Street**
3. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
4. **PUBLIC COMMENT** - Communications from the public for items not on the agenda.
5. **CONSENT AGENDA—ACTION ITEMS**
  - a. **ERRATA Correction to Hemingway School Lot Line Findings**
  - b. **Minutes:** (i) January 28, 2019 (ii) December 10, 2018, Page 3.
6. **STAFF UPDATE ON KETCHUM’S PARKING ORDINANCE.** -Public comment not taken.
7. **PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**
  - a. **ACTION – 320 Leadville Building Condominium Final Plat:** The Commission will consider and take action on a Final Plat for a Condominium Subdivision application by Galena Engineering, on behalf of owner Tasz LLC, to convert an existing building located at 320 N. Leadville (Ketchum Townsite: Block 24: Lot 2) into common area four condominium units. The subject property is located in the Retail Core Subdistrict of the Community Core (CC-1).
  - b. **ACTION – Redfish Residential Live-Work Unit #201 Conditional Use Permit Application:** 270 Northwood Way, Unit 201 (Redfish Light Industrial Condo Unit 201) *Continued from the Planning & Zoning Commission Meetings of December 10, 2018, January 14, 2019, and January 28, 2019.* The Commission will consider and take action on an application for a Conditional Use Permit submitted by Mia L Cherp for the proposed conversion of an existing condominium unit to a residential live-work unit in the Redfish Light Industrial building located in the Light Industrial Number 2 (LI-2) Zoning District.
  - c. **ACTION – Nancy Kelly Skin Care Conditional Use Permit Application:** The Commission will consider and take action on a Conditional Use Permit application for a health and fitness facility to be located at 105 Lewis Street Suite 103, Ketchum, ID in the Light Industrial District No. 2. Her business, Nancy Kelly Skincare Salon, provides facial skin care and cosmetic sunless tanning applications.
  - d. **ACTION – Guyer Hot Springs Re-Zone Application:** The Commission will consider and take action on a Zoning map amendment (re-zone) application by Natural Energy Resources LLC, c/o Brian Barsotti, to rezone portions of Tax Lots 3500, 3502, and 6048. The subject properties are owned by Carbon Hill Hot Springs Inc and are currently zoned Agriculture and Forestry (AF) and to Tourist-4000 (T-4000); the applicant proposes zoning the entirety of the subject properties T-4000. The subject properties do not have street addresses and are located on the south side of Warm Springs Road at the far west terminus of Ketchum city limits. *Recommendation to continue to March 11, 2019.*
  - e. **ACTION - Ketch 2 Design Review Application:** The Commission will consider and take action on an application for Design Review for a new three-story mixed-use building to be located at 100 E. 6<sup>th</sup> Street (located on the corner of N. 1<sup>st</sup> Avenue and E. 6<sup>th</sup> Street). The proposal is to construct nine (9) 2-bedroom apartments, six (6) 1-bedroom apartments, three (3) studio apartments and one retail storefront.
8. **STAFF REPORTS & CITY COUNCIL MEETING UPDATE**
9. **ADJOURNMENT**

*Any person needing special accommodations to participate in the meeting should contact the City Clerk’s Office as soon as reasonably possible at 726-3841. All times indicated are estimated times, and items may be heard earlier or later than indicated on the agenda.*



# Planning and Zoning

## Special Meeting

~ Minutes ~

480 East Avenue North  
Ketchum, ID 83340

<http://ketchumidaho.org/>

Maureen Puddicombe  
208-726-7801

Monday, January 28, 2019

5:30 PM

Ketchum City Hall

1. **5:00 PM – SITE VISIT: 320 Leadville Building Condominium Preliminary Plat, 320 N. Leadville Ave, (Ketchum Townsite Lot 2 Block 24)**
2. **5:10 PM – SITE VISIT: Community Library, 415 Spruce (Lot 1B, Block 89, Ketchum Townsite)**
3. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**

The meeting was called to order at 5:32 by Chair Neil Morrow.

Attendee Name	Title	Status	Arrived
Neil Morrow	Chairperson	Present	
Tim Carter	Commissioner	Present	
Jennifer Cosgrove	Commissioner	Present	
Matthew Mead	Vice-Chairperson	Present	
Kurt Eggers	Commissioner	Present	

#### 4. **COMMUNICATIONS FROM THE Commission**

There were no comments from Commissioners.

#### 5. **PUBLIC COMMENT - Communications from the public for items not on the agenda.**

There were no public comments for items not on the agenda.

#### 6. **PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**

- a. **ACTION – 320 Leadville Building Condominium Preliminary Plat:** The Commission will consider and take action on a Preliminary Plat for a Condominium Subdivision application by Galena Engineering, on behalf of owner Tasz LLC, to convert an existing building located at 320 N. Leadville (Ketchum Townsite Lot 2 Block 24) into common area four condominium units. The subject property is located in the Retail Core Subdistrict of the Community Core (CC-1).

The background for the Preliminary Plat was given by Associate Planner Abby Rivin with a staff recommendation to recommend approval to City Council. Sean Flynn of Galena Engineering, representing the applicant, was present to answer any questions.

There was no public comment and no questions from the commission.

**Motion To:** Approve the Preliminary Plat Subdivision for 320 N. Leadville Ave. file number P 18-136 as submitted with Conditions 1-7 as noted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

- b. ACTION – Community Library Design Review: 415 Spruce (Lot 1B, Block 89, Ketchum Townsite) The Commission will consider and review for approval subject improvements, including specific landscape and building changes proposed between the children’s library and Lot 2B, Block 89, Ketchum Townsite at the northwest corner of the property, as stipulated in Condition #14 of the April 12, 2018 adopted Findings of Fact.

Commissioners Kurt Eggers and Tim Carter recused themselves from this matter due to prior business relationships.

Associate Planner Abby Rivin gave the overview of the findings for Condition of Approval #14 for the landscaping plan covering the northwest corner of the project as previously required by the Commission. A minor modification to a portion of the eave was also made. Staff recommended approval of the changes.

Jenny Emory Davidson, executive director of the Community Library, gave additional details of the proposed changes to the Northwest corner of the Library, made in collaboration with neighbor Susan Martin. Chair Neil Morrow thanked Emory Davidson and Susan Martin for coming together to work out a mutually agreeable solution.

Attorney Gary Slette, representing the Martins, told the Commission his clients are in total accord with the plan and Susan Martin wanted to thank to Jenny Emory Davidson for their successful collaboration.

**Motion to:** Approve Design Review Application P19-003 for the Community Library Expansion and authorize the Chair to sign the subject Findings of Fact at the conclusion of the hearing.

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Matthew Mead, Vice-Chair
<b>SECONDER:</b>	Jennifer Cosgrove, Commissioner
<b>AYES:</b>	Neil Morrow, Jennifer Cosgrove, Matthew Mead
<b>RECUSED:</b>	Tim Carter, Kurt Eggers

- c. ACTION – Redfish Residential Live-Work Unit #201 Conditional Use Permit: 270 Northwood Way, Unit 201 (Redfish Light Industrial Condo Unit 201) *Continued from the Planning & Zoning Commission Meetings of December 10, 2018 and January 14, 2019.* The Commission will consider and take action on an application for a Conditional Use Permit submitted by Mia L Cherp for the proposed conversion of an existing condominium unit to a residential live-work unit in the Redfish Light Industrial building located in the Light Industrial Number 2 (LI-2) Zoning District.

Due to the contents of a recent submittal of Public Comment, Associate Planner Abby Rivin indicated that Staff recommends continuance of this matter to a date certain to allow for further research of the matter and to create a clear record.

Public Comment by Mike Mead, Redfish Unit owner, recommended removal of fixtures installed in Unit 201 since they were installed without a building permit. He questioned the safety of the current work that has been done without a permit or inspection.

Rivin informed the Commission that a Building Permit is currently under review and the project is under a STOP WORK order. Staff will research the protocol for removal of current fixtures.

Lee Kranefuss, Northwood property owner, expressed concern over illegal residences in the LI. He urged the Commission to stay within the City Zoning Code.

Gwen Raney, Northwood homeowner, urged the Commission to follow the current regulations and investigate illegal residences.

Commissioner Kurt Eggers asked for clarification of how the applicant and the business-owner relate to the application. He wanted the application to be in compliance with the Zoning Code. Commissioners Cosgrove and Carter were in agreement.

Commissioner Mead questioned the lack of a business license for the LI component. Staff will provide the information for the next meeting.

**Motion to:** Continue to February 11, 2019 Planning and Zoning Commission Meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Matthew Mead, Vice-Chair
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

## 7. CONSENT CALENDAR—ACTION ITEMS

- a. Minutes: January 14, 2019

Motion to approve minutes as written.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kurt Eggers, Commissioner
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

- b. Findings of Fact, Conclusions of Law, and Decision: 320 Leadville Building Condominium Preliminary Plat.

**MOTION To:** Approve the Findings of Fact for the 320 N. Leadville Ave. Preliminary Plat

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jennifer Cosgrove, Commissioner
<b>SECONDER:</b>	Kurt Eggers, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

- c. Findings of Fact, Conclusions of Law, and Decision: Redfish Residential Live-Work Unit #201 CUP *Continued to February 11, 2019.*



**8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

On the agenda for the February 11<sup>th</sup> Meeting:

- Conditional Use Permit for a skin care business in the LI.
- Application for a re-zone for the GUYER Hot Springs area.
- Continuation of the Redfish Conditional Use Permit
- Ketch 2 Design Review
- Pre-Design Review for Trail Creek Fund/Auberge Hotel Employee Housing Development

**9. ADJOURNMENT**

Motion to: Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Matthew Mead, Vice-Chairperson
<b>SECONDER:</b>	Tim Carter, Commissioner
<b>AYES:</b>	Morrow, Carter, Cosgrove, Mead, Eggers

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Neil Morrow, Chairperson

10. PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

- a. **ACTION - Hemingway School:** 920 Campus Way (Hemingway School Sub, Lot 1, Block 1) Commission will consider and take action on a request for a Plat Amendment by the City of Ketchum and the Blaine County School District.

Director John Gaeddert and Associate Planner Abby Rivin presented the background of the of the Vacation presented as three separate motions:

1. Vacations
2. Easement on West property line
3. Lot Line Shift

Public comment was made by Jim Phillips, representing the sheep ranchers, who approve of the modified route.

Commissioner Kurt Eggers asked for clarification on the River Drive easement and the disposition of the 10<sup>th</sup> St. access. Commissioner Mead questioned how this benefits the Hemingway School. Director Gaeddert related that the area would allow the extension of an added wing to the school. Commissioner Mead asked about responses from adjacent property owners and Gaeddert only one response was received and that was in support of the proposal. Commissioner Eggers asked if the School District was in support of this motion and got a "thumbs Up" from the Superintendent.

**Motion 1.** To recommend approval to the City Council of Item 1, Vacation of Right of Ways, including portions of the alley in Block 31 and Block 52, and portions of Ninth and Tenth Streets adjoining Hemingway School Subdivision amended 1997 and Campus Way Road easement Instrument #366600 as proposed by Staff.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kurt Eggers, Commissioner  
**SECONDER:** Tim Carter, Commissioner  
**AYES:** Morrow, Carter, Cosgrove, Mead, Eggers

**Motion 2.** To recommend approval to the City Council of Item 2, Amendment of the River Drive Grant Right of Way recorded as Instrument #131882, from a road right-of-way to a non-vehicular and utility easement to include sheep easement.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kurt Eggers, Commissioner  
**SECONDER:** Matthew Mead, Commissioner  
**AYES:** Morrow, Carter, Cosgrove, Mead, Eggers

**Motion 3.** To recommend approval to the City Council of Item 3, creation of a new 2.99-acre Lot ~~1B~~ 2A to be owned by Ketchum and the new 15.62 acre Lot ~~2A~~ 1B to be owned by Blaine County School District, Hemingway School Subdivision Amended 2018 wherein A, the vacated Right-of-Way, DeNoyers Subdivision Lot 8A, C, Lots 1 and 2, Block 31 of the Ketchum Townsite, A and D of Lots 1A and 2 of Block 1 of Hemingway School Subdivision Amended 1997 are amended as shown in the attachment A.



City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**MEETING OF FEBRUARY 11, 2019**

**PROJECT:** 320 Leadville Building Condominiums Final Plat

**FILE NUMBER:** P19-008

**REPRESENTATIVE:** Sean Flynn PE, Galena Engineering

**OWNER:** Taszo LLC

**REQUEST:** Final Plat approval for the subdivision of an existing building located at 320 N Leadville into four (4) condominium units.

**LOCATION:** 320 N Leadville (Ketchum Townsite: Block 24: Lot 2)

**ZONING:** Retail Core Subdistrict of the Community Core (CC-1)

**OVERLAY:** None

**NOTICE:** Notice is not required for Final Plat applications. Notice for the Planning & Zoning Commission's review of the Preliminary Plat (Application #18-136) was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on January 9<sup>th</sup>, 2019. Notice was published in the January 9<sup>th</sup>, 2019 edition of the Idaho Mountain Express. Notice for the City Council's review of the Preliminary Plat (Application #18-136) was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on January 16<sup>th</sup>, 2019. Notice was published in the January 16<sup>th</sup>, 2019 edition of the Idaho Mountain Express.

**REVIEWER:** Abby Rivin, Associate Planner

**ATTACHMENTS:**

- A. Application
- B. Final Plat
- C. Declaration and Covenants, Conditions and Restrictions of 320 Leadville Building Condominiums
- D. Draft Findings of Fact, Conclusions of Law, and Decision

## **BACKGROUND**

The applicant is requesting Final Plat approval for the subdivision of an existing building into common area and four (4) condominium units— two commercial units within the basement and first floor and two residential units on the second and third floors. The subject property is located at 320 N Leadville Avenue in the Retail Core Subdistrict of the Community Core (CC-1). The property owner has submitted the Final Plat application to condominiumize the building so that the residential and commercial spaces within the building can be sold and the common areas maintained in accordance with the covenants, conditions, and restrictions (CC&Rs), which have been included as Attachment C to the Staff Report. The existing building was built in 1996 (Building Permit #95-131) and was remodeled in 2004 (Building Permit #04-038). In 2017, a 408 sq ft ground level addition was constructed, which enclosed a pedestrian walkway connecting Leadville Avenue to the alley at the rear of the building (Building Permit #17-023). PK's Ski and Sports shop currently occupies the first-floor commercial space and the existing second and third floors contains two residential units. No change in existing use has been proposed with the subject application.



***Figure 1. Location Context, 320 N Leadville Avenue***

The boundaries of both commercial units include interior spaces within both the basement and first floor. Unit 101 has a total floor area of 1,608 sq ft and Unit 102 has a total floor area of 2,085 sq ft. The boundaries of both residential units include interior spaces within both the second and third floors. Unit 201 has a total floor area of 1,968 sq ft and Unit 202 has a total floor area of 1,924 sq ft. Both residential units have limited common area terraces on the second and third floors.

The Final Plat application meets all applicable standards for condominiums contained in Ketchum Municipal Code §16.05.060. Certain standards, such as siting buildings to maximize privacy and solar access (KMC §16.05.060.G), apply to the construction of new multi-family residential developments and are not applicable to the subject Final Plat, which proposes to condominiumize an existing building within the Community Core.

The Planning and Zoning Commission held a site visit and recommended approval of the Preliminary Plat application to the City Council on January 28<sup>th</sup>, 2019. The Ketchum City Council approved the Preliminary Plat application on February 4<sup>th</sup>, 2019. As the Final Plat substantially conforms to the Preliminary Plat (KMC

§16.04.040.F), the Commission shall recommend approval and forward the application to City Council for review and approval.

**ANALYSIS**

Staff recommends the Commission move to recommend approval of the 320 Leadville Building Condominiums Final Plat. A full explanation of this recommendation is contained in Tables 1 and 2 of the Staff Report.

**Table 1: City Department Comments**

City Department Comments				
Compliant				
Yes	No	N/A	City Code	City Standards and City Department Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.C</b>	<b>Complete Application</b>
The applicant has submitted the Declaration and Covenants, Conditions, and Restrictions of the 320 Leadville Building Condominiums, which has been included as Attachment C to the Staff Report. The bylaws and CC&Rs submitted by the applicant regulate control and maintenance of the common and limited common areas. As a four-unit, mixed-use building in downtown Ketchum, the subdivision does not include recreational facilities or open space. The subdivider shall submit to the Planning & Building Department a final copy of the document and file such document prior to recordation of the Final Plat.				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Fire Department:</b> <i>The Fire Code Official has reviewed the plans and does not have any comments or concerns regarding separation as the residential and commercial uses are existing within the building. The Fire Department will inspect the building prior to the City Clerk’s signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Streets Department:</b> <i>The conversion of the existing building into four condominium units does not qualify as a substantial improvement or impact the right-of-way.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Utilities:</b> <i>The existing building is connected to a meter served by the Ketchum Springs Water Line. As all four condominium units will be served by the same meter, the Utilities Department will charge a fee to the 320 Leadville Building Condominiums Association of Unit Owners.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Building:</b> <i>The Building Department has reviewed the plans and does not have any comments or concerns regarding separation as the residential and commercial uses are existing within the building. The Building Department will inspect the building prior to the City Clerk’s signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Planning and Zoning:</b> <i>Comments are denoted throughout the Staff Report.</i>

**Table 2: Condominium Requirements**

Condominium Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.C</b>	<b>C. Final Plat Procedure:</b> <b>1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the City Clerk and recorded until the condominium has received:</b> <b>a. A Certificate of Occupancy issued by the City of Ketchum; and</b>

				<b>b. Completion of all design review elements as approved by the planning and zoning administrator.</b>
			<b>Staff Comments</b>	<i>The Condominium Final Plat does not change the existing use, expand the building, or alter the exterior of the building. The application meets all standards applicable to condominiumizing an existing building. As no changes are proposed to the existing building, neither Design Review nor a Building Permit are required for the subject application. The Building and Fire departments will inspect the building prior to the City Clerk's signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.D</b>	<b>All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units. No garage may be condominiumized or sold separate from a condominium unit.</b>
			<b>Staff Comments</b>	<i>The existing building does not include a garage. The existing development contains five (5) off-street parking spaces accessed from the adjacent alley. The Final Plat dedicates three (3) uncovered parking spaces to the commercial units and two (2) covered parking spaces to each residential unit.</i>  <i>As the condominium subdivision does not propose a change of use or the expansion of the existing building, off-street parking requirements are not applicable to the development. While not applicable, the existing off-street parking complies with off-street vehicle parking requirements (KMC §17.125.040). Each residential unit is allocated one parking space, which complies with the number of parking spaces required for residential units between 751 sq ft to 2,000 sq ft in the CC Zone(KMC §17.125.040.B). Non-residential uses are required to provide 1 space per 1,000 gross sq ft. As basements are not included in the gross floor area calculation, the allocation of 1 parking space for Commercial Unit 101 and 2 parking spaces for Commercial Unit 102 also complies with KMC §17.125.040.B. In the CC Zone, the first 5,500 gross sq ft of retail trade is exempt from providing off-street parking (KMC §17.125.040.C.1c).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.E</b>	<b>Adequate storage areas shall be provided for boats, campers and trailers, as well as adequate interior storage space for personal property of the resident of each condominium unit.</b>
			<b>Staff Comments</b>	<i>Storage areas for boats, campers, and trailers are not required or provided due to the characteristics of the existing development, which is a three-story mixed-use building located in the Community Core.</i>  <i>All four condominium units provide adequate interior storage space for personal property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.F</b>	<b>A maintenance building or room shall be provided of adequate size and location for the type and size of the condominium project for storage of maintenance equipment and supplies for common areas.</b>
			<b>Staff Comments</b>	<i>According to the proposed Final Plat and associated CC&amp;Rs, the common area consists of mechanical areas, central service equipment and associated materials, and building areas outside of the units that are not designated as limited common area (LC) on the plat, such as foundations, , perimeter and supporting walls, chimneys, windows, entrances and exits, and balconies:</i>

				<p style="text-align: center;">ARTICLE 6 <u>COMMON AREAS, LIMITED COMMON AREAS AND FACILITIES</u></p> <p>6.1 <b>Common Areas.</b> All area outside of the Units that is not designated as Limited Common Area on the Plat, is Common Area, including:</p> <p>(a) Those areas designated on the Plat as Mechanical Areas.</p> <p>(b) The foundations, columns, girders, supports, perimeter and supporting walls, chimneys, chimney chases, roofs, balconies, windows, entrances and exits, and the mechanical installations consisting of the equipment and materials making up any central services such as power, light, gas, hot and cold water, sewer, cable television, and heating and central air conditioning which exist for use by one or more of the units, including pipes, vents, ducts, flues, cable conduits, wires, telephone wire, and other similar utility installations used in connection therewith, whether located exclusively within the boundaries of any Unit or Units or not, are Common Area.</p> <p><i>Due to the characteristics of the existing development and the nature of the common area a dedicated room for maintenance supplies is not required.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.G</b>	<p><b>The subdivider shall dedicate to the common use of the homeowners adequate open space of such shape and area usable and convenient to the residents of the condominium subdivision. Location of building sites and common area shall maximize privacy and solar access.</b></p> <p><b>Staff Comments</b> <i>The development consists of an existing building located on a 5,500 sq ft Ketchum Townsite lot within the Community Core. The usable “open space” consists of hardscape designated for surface level parking and pedestrian connectivity adjacent. Locating building sites in order to maximum privacy and solar access is not applicable as the building existing.</i></p> <p><i>The subdivider has designated outdoor terraces as limited common area for both residential units. The second-floor terraces are sited on the front façade adjacent to Leadville Avenue and the third-floor terraces face the alley. The limited common areas dedicated to the owners of the units are both useable and convenient to the residents of the condominium subdivision.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.H</b>	<p><b>All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by condominium subdivisions.</b></p> <p><b>Staff Comments</b> <i>All other provisions of this chapter and all applicable ordinances, rules, and regulations of the City and other governmental entities having jurisdiction shall be complied with by the condominium subdivision.</i></p>

### **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission recommend approval of the 320 Leadville Building Condominiums Final Plat to the City Council, subject to conditions 1-7 below, and authorize the Chair to sign the draft Findings of Fact, Conclusions of Law, and Decision, included as Attachment D.

### **RECOMMENDED MOTION**

“I MOVE TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE 320 LEADVILLE BUILDING CONDOMINIUMS FINAL PLAT, SUBJECT TO CONDITIONS 1-7, AND AUTHORIZE THE CHAIR TO SIGN THE FINDINGS”

### **RECOMMENDED CONDITIONS**

1. The Covenants, Conditions, and Restrictions (CC&R's) shall be simultaneously recorded with the Final Plat, and the City will not now, nor in the future, determine the validity of the CC&R's;
2. The failure to obtain Final Plat approval by the Council, of an approved Preliminary Plat, within one (1) year after approval by the Council shall cause all approvals of said Preliminary Plat to be null and void;
3. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;
4. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder's office concurrent with the recording of the Plat containing the following minimum data:
  - a. Line work delineating all parcels and roadways on a CAD layer/level designated as "parcel";
  - b. Line work delineating all roadway centerlines on a CAD layer/level designated as "road"; and,
  - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as "control"; and,
5. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a ".dwg", ".dgn" or ".shp" format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.
6. The applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department for the official file on the application.
7. All requirements of the Fire, Utility, Building, Planning, and Public Works departments of the City of Ketchum shall be met.



# Attachment A.

## Application



City of Ketchum  
Planning & Building

**CERTIFIED COMPLETE**  
2-5-19

OFFICIAL USE ONLY	
Application Number	P 18-008
Date Received	2-5-18
By:	mf
Fee Paid	\$1500.00
Approved Date:	
By:	

Final Plat  
**Subdivision Application**

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: [www.ketchumidaho.org](http://www.ketchumidaho.org) and click on Municipal Code.

APPLICANT INFORMATION			
Name of Proposed Subdivision: 320 Leadville Building Condominiums			
Owner of Record: TASZO LLC c/o Sandor Szombathy			
Address of Owner: PO Box 2996; Ketchum, Idaho 83340			
Representative of Owner: Sean Flynn PE, Galena Engineering; 317 N. River St., Hailey, Idaho 83333			
Legal Description: Lot 2, Block 24, Ketchum Townsite			
Street Address: 320 North Leadville Avenue, Ketchum			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 1 Lot / 4 Condominium Units			
Total Land Area: 0.13 Acres			
Current Zoning District: CC, SubDistrict A			
Proposed Zoning District: Same			
Overlay District: Festival			
TYPE OF SUBDIVISION			
Condominium <input checked="" type="checkbox"/>	Land <input type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input type="checkbox"/>
Adjacent land in same ownership in acres or square feet: None			
Easements to be dedicated on the final plat: <b>None</b>			
Briefly describe the improvements to be installed prior to final plat approval: <b>None - Existing structure and utilities.</b>			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations One (1) copy of current title report and owner's recorded deed to the subject property One (1) copy of the preliminary plat All files should be submitted in an electronic format.			

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Sean Flynn / Galena Engineering

2/1/19

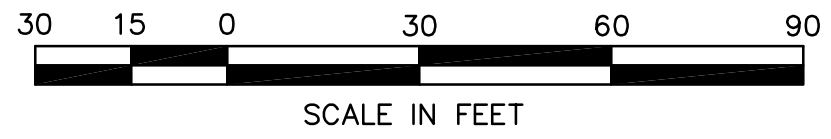
Applicant Signature

Date

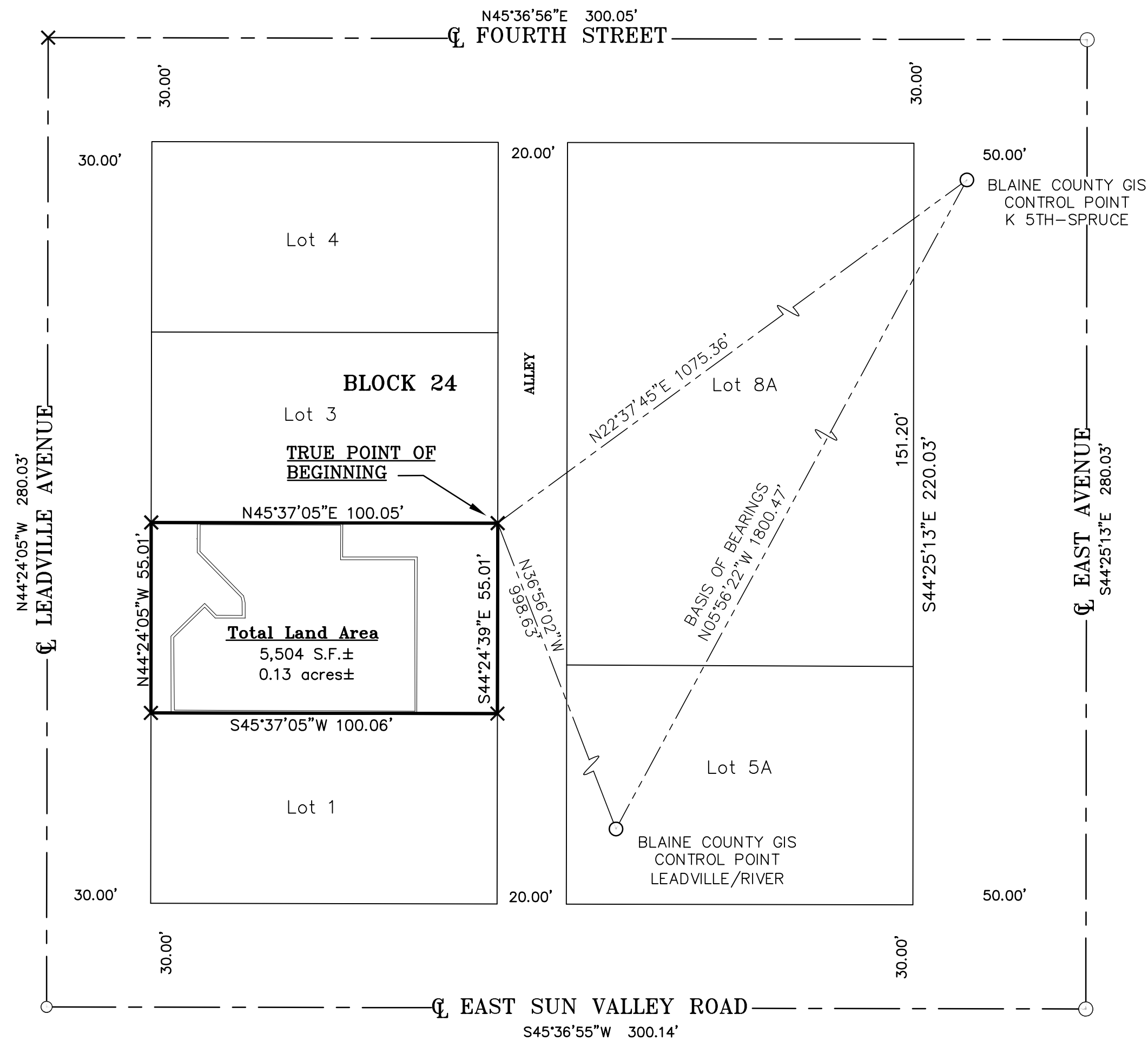
Attachment B.

Final Plat

A CONDOMINIUM PLAT SHOWING  
**320 LEADVILLE BUILDING CONDOMINIUMS**  
 WHEREIN LOT 2, BLOCK 24, KETCHUM TOWNSITE IS CONDOMINIUMIZED  
 LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO  
 OCTOBER 2018



SCALE: 1" = 30'



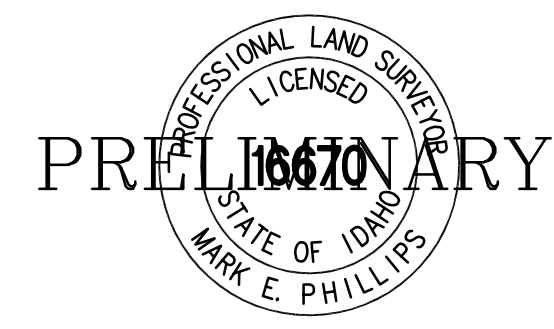
- LEGEND**
- Property Boundary
  - - - Adjoiners Lot Line
  - - - Centerline of Right-of-way
  - - - GIS Tie
  - ▭ Building Outline
  - Found 5/8" Rebar
  - Found 1/2" Rebar
  - ✕ Found Mag Nail

- NOTES**
1. Property shown hereon is subject to terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided by applicable condominium law or the Condominium Declaration, Articles of Incorporation and By-laws for Angel Wings condominiums, recorded under Inst. No. . . . , records of Blaine County, Idaho.
  2. All area outside of units that is not designated as limited common is common area.
  3. Vertical datum is assumed. Benchmark is a found 1/2" rebar at the intersection of First Street and Washington Avenue, elevation = 5828.25.
  4. The first floor only is shown on this page for clarity, other floors are shown on subsequent pages.

**SEE SHEETS 2 & 3 FOR CONDOMINIUM  
 UNIT DIMENSIONS, UNIT TIES AND  
 ADDITIONAL NOTES**

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of disapproval.

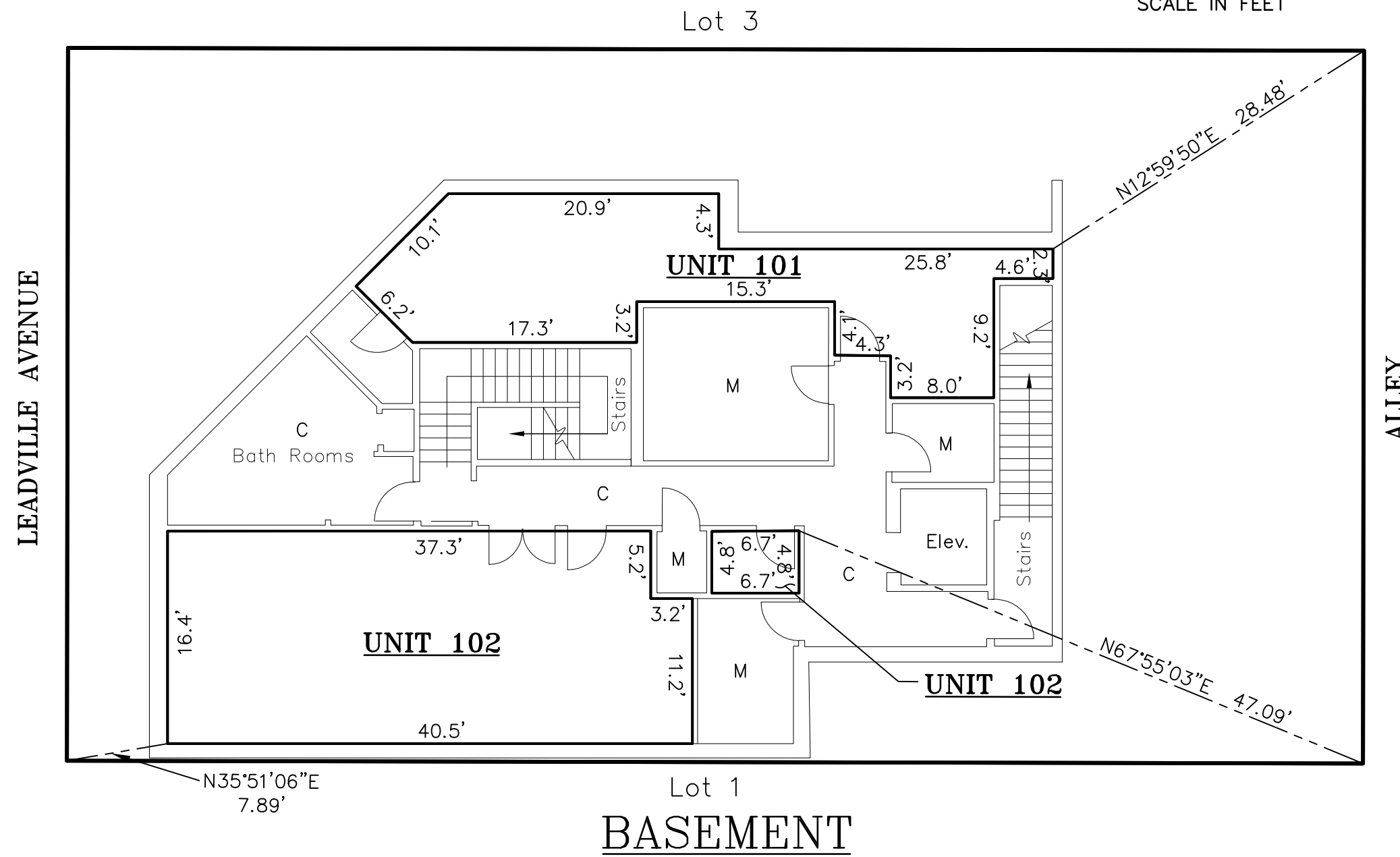
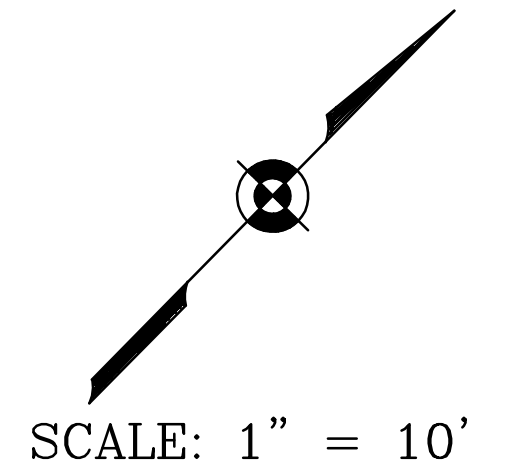
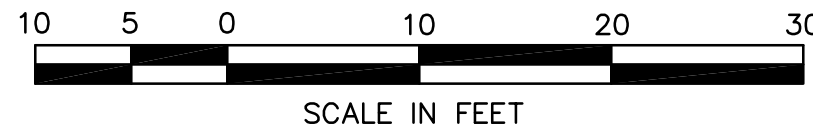
Date \_\_\_\_\_ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670

320 LEADVILLE BUILDING  
 CONDOMINIUMS  
 GALENA ENGINEERING, INC.  
 HAILEY, IDAHO  
 SHEET 1 OF 4  
 Job No. 7345

A CONDOMINIUM PLAT SHOWING  
**320 LEADVILLE BUILDING CONDOMINIUMS**  
 BASEMENT AND FIRST FLOOR  
 LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO  
 OCTOBER 2018

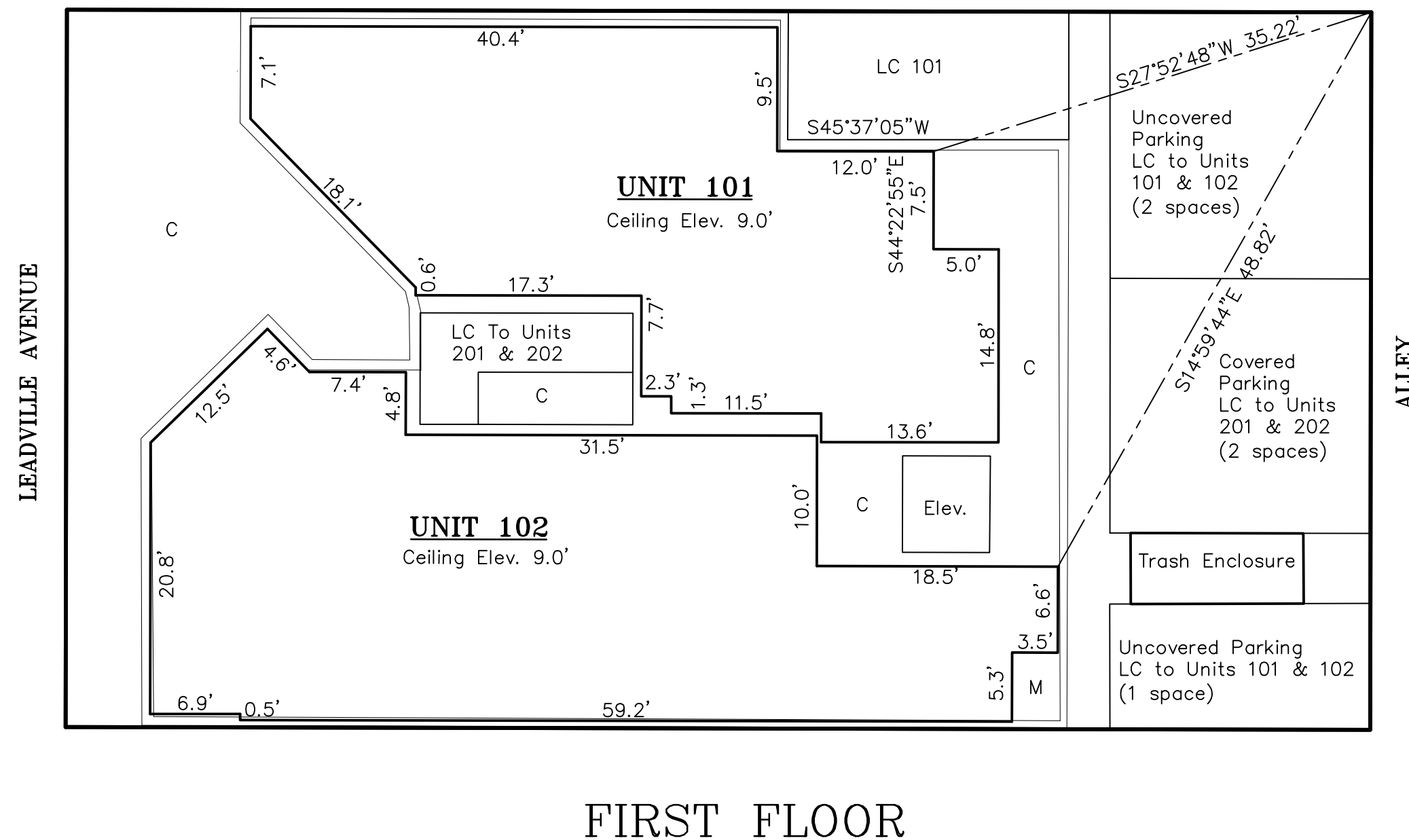


**LEGEND**

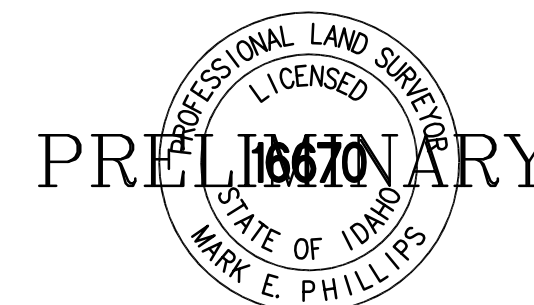
- Property Boundary
- - - Building Tie Line
- Building Outline
- Unit Boundary
- C Common Area
- LC Limited Common to Designated Unit
- M Mechanical Area

**NOTES**

1. In interpreting the declaration, plat or plats, and deeds, the existing physical boundaries of the unit as originally constructed, or reconstructed in lieu thereof, shall be conclusively presumed to be its boundaries rather than the metes and bounds expressed or depicted in the declaration, plat or plats, and/or deeds, regardless of settling or lateral movement of the building and regardless of minor variances between boundaries shown in the declaration, plat or plats, and/or deeds, and the actual boundaries of the units in the buildings.
2. Horizontal or sloping planes shown hereon are top of finished subfloor and bottom of finished ceiling; vertical planes are finished surfaces of interior walls. Some structural members extend into units, limited common areas and parking spaces.
3. Dimensions shown hereon will be subject to slight variations, owing to normal construction tolerances.
4. Consult the condominium declarations for the definition of common and limited common area.
5. All area outside of units that is not designated as limited common is common area. Areas of "common" or "limited common" are shown by diagram.
6. Building ties are to the interior corners of unit walls.
7. Utility easements necessary to allow for access and maintenance of utilities serving units other than the unit they are located in are hereby granted by this plat.
8. Foundations, columns, girders, beams, supports, perimeter and supporting walls, chimneys, chimney chases, roofs, balconies, windows, entrances and exits, and the mechanical installations consisting of the equipment and materials making up any central services such as power, light, gas, hot and cold water, sewer, cable television, and heating and central air conditioning which exist for use by one or more of the units, including pipes, vents, ducts, flues, cable conduits, wires, telephone wire, and other similar utility installations used in connection therewith, whether located exclusively within the boundaries of any unit or units or not, are common area.

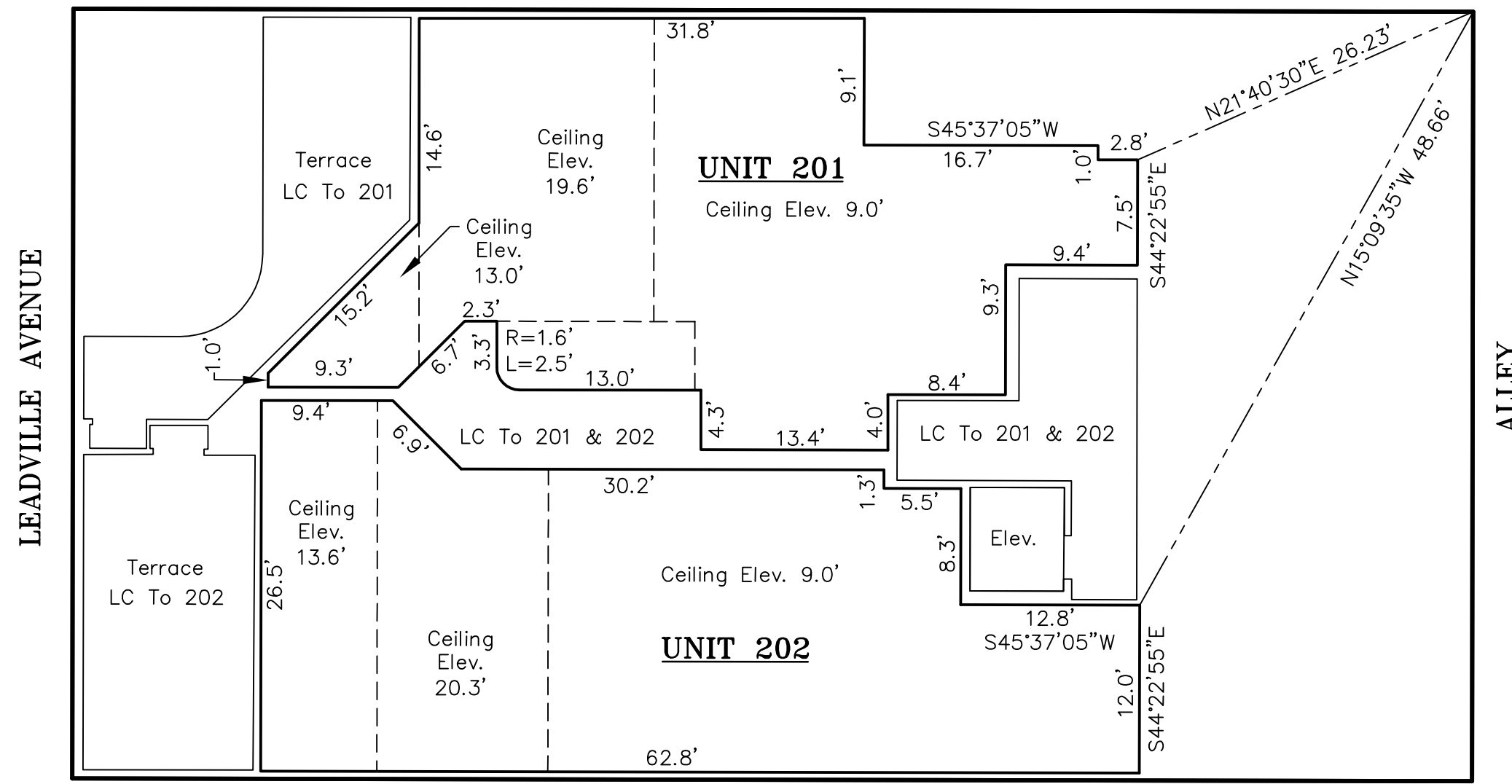
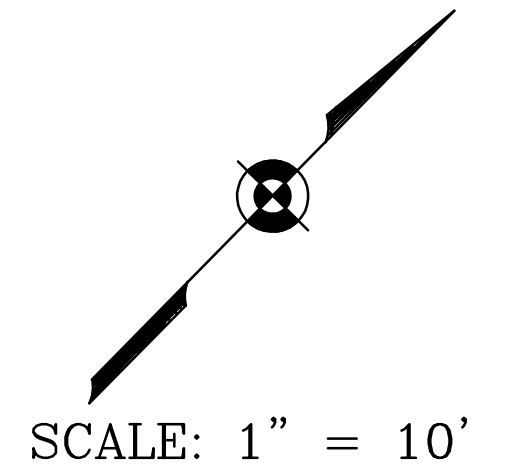
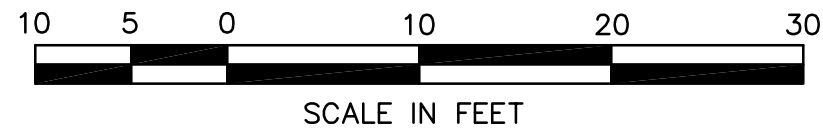


SEE SHEET 1 FOR BOUNDARY SURVEY AND ADDITIONAL NOTES

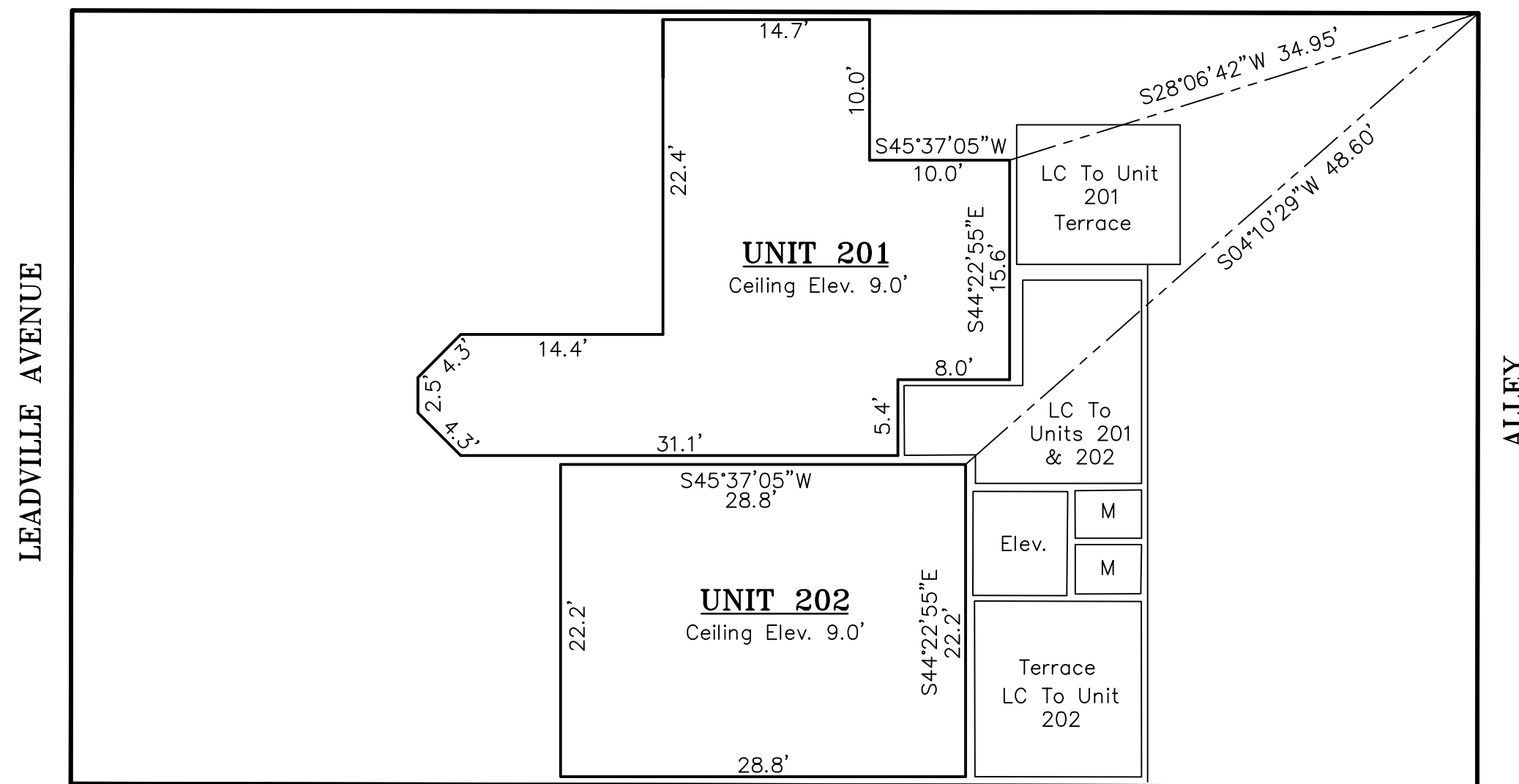


MARK E. PHILLIPS, P.L.S. 16670

A CONDOMINIUM PLAT SHOWING  
**320 LEADVILLE BUILDING CONDOMINIUMS**  
 SECOND AND THIRD FLOOR  
 LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO  
 OCTOBER 2018



**SECOND FLOOR**



**THIRD FLOOR**

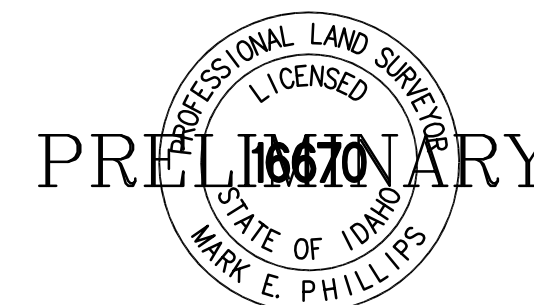
**LEGEND**

- Property Boundary
- - - Building Tie Line
- Building Outline
- Unit Boundary
- C Common Area
- LC Limited Common to Designated Unit
- M Mechanical Area

**NOTES**

1. In interpreting the declaration, plat or plats, and deeds, the existing physical boundaries of the unit as originally constructed, or reconstructed in lieu thereof, shall be conclusively presumed to be its boundaries rather than the metes and bounds expressed or depicted in the declaration, plat or plats, and/or deeds, regardless of settling or lateral movement of the building and regardless of minor variances between boundaries shown in the declaration, plat or plats, and/or deeds, and the actual boundaries of the units in the buildings.
2. Horizontal or sloping planes shown hereon are top of finished subfloor and bottom of finished ceiling; vertical planes are finished surfaces of interior walls. Some structural members extend into units, limited common areas and parking spaces.
3. Dimensions shown hereon will be subject to slight variations, owing to normal construction tolerances.
4. Consult the condominium declarations for the definition of common and limited common area.
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6. Building ties are to the interior corners of unit walls.
7. Utility easements necessary to allow for access and maintenance of utilities serving units other than the unit they are located in are hereby granted by this plat.
8. Foundations, columns, girders, beams, supports, perimeter and supporting walls, chimneys, chimney chases, roofs, balconies, windows, entrances and exits, and the mechanical installations consisting of the equipment and materials making up any central services such as power, light, gas, hot and cold water, sewer, cable television, and heating and central air conditioning which exist for use by one or more of the units, including pipes, vents, ducts, flues, cable conduits, wires, telephone wire, and other similar utility installations used in connection therewith, whether located exclusively within the boundaries of any unit or units or not, are common area.

**SEE SHEET 1 FOR BOUNDARY SURVEY AND ADDITIONAL NOTES**



MARK E. PHILLIPS, P.L.S. 16670

**CERTIFICATE OF OWNERSHIP**

This is to certify that the undersigned are the owners in fee simple of the following described parcel of land:  
A parcel of land located in Section 18, Township 4 North, Range 18 East, Boise Meridian, City of Ketchum, Blaine County, Idaho; more particularly described as follows:

Lot 2, Block 24, Ketchum Townsite.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. We do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat.

It is the intent of the owner to hereby include said land in this plat.

TASZO, LLC, an Idaho limited liability company

\_\_\_\_\_  
By: Sandor G. Szombathy  
Its: Manager

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, a Notary Public in and for said State, personally appeared Sandor G. Szombathy, known or identified to me to be a member of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for said State  
Residing in \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, Mark E. Phillips, a duly Licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a true and accurate map of the land and points surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to Plats, Surveys, and the Corner Perpetuation and Filing Act, 55-1601 through 55-1612.

Mark E. Phillips, P.L.S. 16670



**BLAINE COUNTY SURVEYOR'S APPROVAL**

I, Sam Young, County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys

\_\_\_\_\_  
Sam Young, P.L.S. 11577  
Blaine County Surveyor

**KETCHUM CITY ENGINEER'S APPROVAL**

The foregoing plat was approved by \_\_\_\_\_, City Engineer for the City of Ketchum on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Engineer

**KETCHUM CITY COUNCIL'S APPROVAL**

The foregoing plat was approved by the City Council of Ketchum on this on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Clerk

**BLAINE COUNTY TREASURER'S APPROVAL**

I, the undersigned County Treasurer in and for Blaine County, State of Idaho per the requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

\_\_\_\_\_  
Blaine County Treasurer

\_\_\_\_\_  
Date

**BLAINE COUNTY RECORDER'S CERTIFICATE**

320 LEADVILLE BUILDING  
CONDOMINIUMS  
GALENA ENGINEERING, INC.  
HAILEY, IDAHO  
SHEET 4 OF 4  
Job No. 7345



# Attachment C.

## Declaration and Covenants, Conditions and Restrictions of 320 Leadville Building Condominiums



**DECLARATION  
AND  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
320 LEADVILLE BUILDING CONDOMINIUMS  
Ketchum, Idaho**

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**DECLARATION AND COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
320 LEADVILLE BUILDING CONDOMINIUMS  
IN KETCHUM, IDAHO**

TASZO, LLC, an Idaho limited liability company (hereinafter the “Declarant”), the owner in fee simple of the real property described in Article 3 below, located in Blaine County, Idaho, with the intent to create a project which is subject to the provisions of the Idaho Condominium Property Act (Section 55-1501 et seq. of the Idaho Code), hereby submits such real property, including all easements, rights and appurtenances thereunto belonging and the buildings, improvements and structures erected or to be erected thereon (hereinafter collectively the “Property”) to the provisions of the Act, which project is to be known as the 320 Leadville Building Condominiums (hereinafter sometimes referred to as the “Condominiums”).

**ARTICLE 1  
INTERPRETATION AND DEFINITIONS**

- 1.1 **Liberal Construction.** In accordance with section 55-1521 of the Act, the provisions of this Declaration shall be liberally construed to facilitate the operation of the Project.
- 1.2 **Covenant Running With the Land.** It is intended that this Declaration shall be operative as a set of covenants running with the land, binding on Declarant, its successors and assigns, all subsequent Owners of the Property, together with their grantees, successors, heirs, executors, administrators, devisees or assigns, supplementing the Act, and operating independently of the Act should the Act be, in any respect, inapplicable.
- 1.3 **Declarant is Original Owner.** Declarant is the original Owner of all Units and Property and will continue to be deemed the Owner thereof except as conveyances or documents changing such ownership regarding specifically described Units are filed of record.
- 1.4 **Captions and Exhibits.** Captions given to the various articles and sections herein are for convenience only and are not intended to modify or affect the meaning of any of the substantive provisions hereof. Any exhibits referred to herein and attached hereto shall be deemed incorporated herein by reference as though fully set forth where such reference is made.
- 1.5 **Rule Against Perpetuities, Etc. Not Applicable.** In accordance with section 55-1522 of the Act, the rule of property known as the rule against perpetuities and the rule of property known as the rule restricting unreasonable restraints on alienation shall not be applied to defeat any provision of the Declaration or any conveyance or inheritance of any of the Units.

- 1.6 **Severable**. All provisions of this Declaration are severable and independent.
- 1.7 **Conflict**. In the event of a conflict between the provisions of the Declaration and any Bylaws, the Declaration prevails except to the extent the Declaration is inconsistent with the Act.
- 1.8 **Governor of Owner**. If the Declaration or Bylaws now or hereafter provide that any officers or directors of the Association must be Unit Owners, then notwithstanding the definition of Owner in Article 2, the term "Owner" in such context shall, unless the Declaration or Bylaws otherwise provide, be deemed to include any director, officer, partner, manager or trustee of any Person, who is, either alone or in conjunction with another Person or Persons, a Unit Owner.
- 1.9 **Non Waiver**. The failure of any Board in any one or more instances to insist upon the strict performance of this Declaration, or its Bylaws, or to exercise any right or option contained in such documents, or to serve any notice or to institute any action, shall not be construed as a waiver or a relinquishment for the future of such term, covenant, condition, restriction or reservation, but such term, covenant, condition, restriction or reservation shall remain in full force and effect. The receipt by the Board of any delinquent Assessment from an Owner with knowledge of any such breach shall not be deemed a waiver of such breach, and no waiver by the Board of any provision hereof shall be deemed to have been made unless expressed in writing and signed by the Board.
- 1.10 **Mixed Use Condominiums**. The provisions of this Declaration shall be interpreted in a manner that facilitates the administration of mixed use condominiums, avoids oppression or inequitable treatment of one component over another, supports the successful operation of the Commercial Units, preserves the value of the Residential Units, and ensures the first-class appearance of the Building exterior and Common Areas so as to retain its attraction to both Unit Owners and customers. In any dispute concerning the meaning and effect of this Declaration, the foregoing intent and purposes shall be given consideration.

## ARTICLE 2 DEFINITIONS

- 2.1 **Definitions**. For the purposes of this Declaration and any amendments thereto, the following definitions shall apply:
- 2.1.1 The "Act" means the Idaho Condominium Property Act, Idaho Code, Title 55, Chapter 15, as amended.

- 2.1.2 "Association" shall mean the 320 Leadville Building Condominiums Owners Association, an Idaho unincorporated non-profit association, subject to Idaho Code Title 30, Chapter 27.
- 2.1.3 The 320 Leadville Building Condominiums is the name of the Project as defined in section 2.1.25 hereof.
- 2.1.4 "Board" means the Board of Managers of the Association as described in section 9.5.
- 2.1.5 "Building" or "Buildings" means the physical structures located on the real property described in Article 3 below.
- 2.1.6 "Bylaws" means the Bylaws of the Association set forth in Article 9 hereof.
- 2.1.7 "Commercial Units" means the Units identified or to be identified as such in this Declaration and on the Plat, or on amendments thereto, which presently are described as Units 101 and 102 thereon and in this Declaration, whose use is restricted to business and commercial purposes as stated in this Declaration. "Commercial Unit" means any one of the Commercial Units.
- 2.1.8 "Common Area" shall mean all portions of the Condominiums other than the Units. The Common Areas benefit both the Commercial Units and the Residential Units. Each Owner has an undivided interest in the Common Areas as their interest appears in this Declaration. The Common Areas are maintained and managed by and at the expense of the Association to the extent provided in this Declaration.
- 2.1.9 "Condominiums" means: (a) the property encumbered by this Declaration as submitted and divided under the Act; and (b) An estate in real property as described in the Idaho Condominium Property Act consisting of title to a separate Unit, an undivided interest in the Common Areas, and all rights and easements appurtenant thereto. The ownership of each Unit shall include: (1) the appropriate airspace; (2) an undivided interest in the Common Area equal to the percentages set forth in section 7.1; (3) exclusive use of the portion of the Limited Common Area which is appurtenant to that Unit; and (4) membership in the Association, which shall operate, maintain and control all Common Areas for the benefit of the Owners.
- 2.1.10 "Condominiums Documents" consist of this Declaration including the Plat, the Bylaws and any Rules and Regulations.
- 2.1.11 "Declarant" means TASZO, LLC, an Idaho limited liability company.



- 2.1.12 "Declaration" shall mean this Declaration.
- 2.1.13 "Deed" shall mean the type of document used to convey an Owner's interest in both a Unit and the Common Area.
- 2.1.14 "First Mortgage" shall mean a recorded real estate security instrument encumbering a Unit including, but not limited to a mortgage, deed of trust, contract or other security instrument on a Unit that has legal priority over all other mortgages thereon.
- 2.1.15 "First Mortgagee" shall mean a holder of a First Mortgage.
- 2.1.16 "Horizontal Boundaries" means the upper and lower boundaries of the Unit.
- 2.1.17 "Limited Common Areas" means those portions of the Common Areas designated in the Declaration or the Plat as Limited Common Area. Limited Common Areas shall be under the primary control and use of the owner(s) of one or more but fewer than all the units to the exclusion, limitation or restriction of others. Limited Common Areas shall be maintained as provided in this Declaration.
- 2.1.18 "Majority" means at least 51 percent.
- 2.1.19 "Mortgage" shall mean a recorded mortgage, deed of trust, contract or other security instrument by which a Unit is encumbered.
- 2.1.20 "Mortgagee" shall mean the holder, guarantor, insurer, beneficial owner, or the designee of the beneficial owner, of an encumbrance on a Unit created by a mortgage, deed of trust, contract or other security instrument.
- 2.1.21 "Owner" shall mean the legal owner of a Unit. Where a real estate contract for the sale of a Unit has been executed, the contract purchaser and not the contract seller, shall be deemed to be the Owner for the purposes of this Declaration.
- 2.1.22 "Percentage Interest" means the undivided ownership interest in the Common Areas allocated to each Unit as set forth in section 7.1.
- 2.1.23 "Person" shall mean an individual, corporation, joint venture, partnership, limited partnership, limited liability company, firm, association, trustee, or other similar entity or organization.
- 2.1.24 "Plat" or "Plats" means plans relating to the Condominiums Plat recorded pursuant to the Act whether recorded separately or as a part of this Declaration, as the same may be amended from time-to-time.

- 2.1.25 "Project" means the entirety of the property divided into condominiums.
- 2.1.26 "Property" means the land described in Article 3 hereof, together with every building, improvement and structure now and hereafter placed thereon, and every easement or right appurtenant thereto, and all personal property, if any, intended for use in connection therewith or for the use, benefit or enjoyment of the condominiums owners.
- 2.1.27 "Residential Purposes" means use for single family dwelling purposes.
- 2.1.28 "Residential Unit" means a Unit restricted to Residential Use as provided in section 8.1 of this Declaration, which presently are identified as Units 201 and 202 in this Declaration and on the Plat. "Residential Units" means both Residential Units.
- 2.1.29 "Rules and Regulations" means such rules and regulations as are promulgated by the Board of the Association from time-to-time with respect to various details of the use of all or any portion of the Property which either supplement or elaborate upon the provisions in the Declarations or Bylaws.
- 2.1.30 "Undivided Interest" shall be synonymous with "Percentage Interest."
- 2.1.31 "Unit" means the separate interest in a condominium.
- 2.1.32 "Vertical Boundaries" means the side-to-side boundaries of a Unit, the boundaries opposite to the "Horizontal Boundaries."

**ARTICLE 3**  
**DESCRIPTION OF REAL PROPERTY AND BUILDINGS**

- 3.1 **Legal Description of Real Property.** The real property restricted and protected by this Declaration, and upon which the Building(s) and improvements as provided in this Declaration are located, is legally described as follows:
- Lot 2 in Block 24 of the City of Ketchum, Blaine County, Idaho as shown on the official plat thereof, on file in the Office of the county Recorder.
- 3.2 The following is a description of the Building in the Project: one building, three (3) stories with a basement, of brick and stucco construction, containing four units as shown on the Plat.

ARTICLE 4  
CONVERSION OF PROPERTY TO CONDOMINIUMS

4.1 By this Declaration, the Declarant is converting the existing Property to the condominium form of ownership. The Project is divided into four (4) condominium units, each consisting of a separate interest in a Unit and an undivided interest in the Common Areas as identified in this Declaration. This is a mixed use condominium, with two (2) units designated for Residential Purposes and the other two (2) units designated as Commercial Units.

4.1.1 Interior Unit Maintenance. Any Owner may make any improvements or alterations to the Owner's Unit that do not affect the structural integrity or mechanical or electrical systems or less the support of any portion of the Project.

ARTICLE 5  
DESCRIPTION OF UNITS AND BOUNDARIES

5.1 The legal description of each Unit in the Project will be as follows:

Unit \_\_\_\_\_ as defined and depicted on the Plat of 320 Leadville Building Condominiums recorded \_\_\_\_\_, 201\_\_, as Instrument No. \_\_\_\_\_ and in the Declaration and Covenants, Conditions and Restrictions of 320 Leadville Building Condominiums recorded on \_\_\_\_\_, 201\_\_, as Instrument No. \_\_\_\_\_;

TOGETHER with an undivided \_\_\_\_\_ percent interest in the Common Area as provided in the above-described Plat and Declaration;

AND TOGETHER with such interest in and to the Limited Common Area as set forth in the above-described Plat and Declaration.

Located in Blaine County, State of Idaho.

5.2 Additional information regarding each Unit:

5.2.1 Unit 101 – Commercial Unit

Basement: 440  
First Floor: 1168  
Total: 1608

Number of parking space(s) allocated: 1

5.2.2 Unit 102 – Commercial Unit

Basement: 678  
First Floor: 1407  
Total: 2085

Number of parking space(s) allocated: 2

5.2.3 Unit 201—Residential Unit

Second Floor: 1205  
Third Floor: 763  
Total: 1968

Number of Bathrooms: 2.5

Number of Bedrooms: 2

Number of Parking Space(s) allocated: 1

5.2.4 Unit 202—Residential Unit

Second Floor: 1285  
Third Floor: 639  
Total: 1924

Number of Bathrooms: 2.5

Number of Bedrooms: 2

Number of Parking Space(s) allocated: 1

5.3 Unit Boundaries. The boundaries of each Unit are situated as shown on the Plat and shall consist of:

5.3.1 Interior Space. The physical boundaries of each Unit are the interior finished surfaces of the perimeter walls, top of finished sub-floors, bottom of finished ceilings, windows and doors thereof, and the Unit includes both the portions of the building so described and the airspace so encompassed.

5.3.2 Not Part of the Unit. The following are not part of the Unit: bearing walls, columns, floors, roofs, foundations, elevator equipment and shafts, central heating, central refrigeration and central air conditioning equipment, reservoirs, tanks, pumps and other central services, pipes, ducts, flues, chutes, conduits, wires and other utility installations, wherever located, except the outlets thereof when located within the Unit.

5.3.3 Interpretation. In interpreting the Declaration, Plat or Deeds, the existing physical boundaries of the Unit as originally constructed or as reconstructed in lieu thereof shall be conclusively presumed to be its boundaries rather than the metes and bounds expressed or depicted in the Declaration, Plat or Deed, regardless of

settling or lateral movement of the building and regardless of minor variance between boundaries shown in the Declaration, Plat or Deed, and the actual boundaries of Units in the Building.

## ARTICLE 6

### COMMON AREAS, LIMITED COMMON AREAS AND FACILITIES

- 6.1 Common Areas. All area outside of the Units that is not designated as Limited Common Area on the Plat, is Common Area, including:
- (a) Those areas designated on the Plat as Mechanical Areas.
  - (b) The foundations, columns, girders, supports, perimeter and supporting walls, chimneys, chimney chases, roofs, balconies, windows, entrances and exits, and the mechanical installations consisting of the equipment and materials making up any central services such as power, light, gas, hot and cold water, sewer, cable television, and heating and central air conditioning which exist for use by one or more of the units, including pipes, vents, ducts, flues, cable conduits, wires, telephone wire, and other similar utility installations used in connection therewith, whether located exclusively within the boundaries of any Unit or Units or not, are Common Area.
- 6.2 Rights in Common Area. The Common Area shall include the elements set forth in section 6.1 [and shown on the Plat]. Each Unit Owner shall have, as appurtenant to his or her Unit, an undivided interest in the Common Areas equal to the percentage set forth in section 7.1. Each Owner shall have a nonexclusive right to use all Common Areas (other than Limited Common Areas, which shall be allocated to the individual Units) in accordance with the purposes for which it is intended, without hindering the exercise of or encroaching upon the lawful rights of any other Owner(s), subject to Rules and Regulations enacted by authority of the Board as provided herein.
- 6.3 Conveyance or Encumbrance of Common Area. No conveyance or encumbrance of any Common Area shall be allowed, except that upon sale or encumbrance of a Unit, the interest in the Common Area allocated thereto shall likewise be sold or encumbered. Each undivided interest in the Common Areas is hereby declared to be permanent in character and unalterable except by amendment of this Declaration, and shall be deemed to be conveyed or encumbered with its respective Unit even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the Unit.
- 6.4 Utility Easements. Utility easements necessary to allow for access and maintenance of utilities serving Units other than the Unit they are located in are hereby granted to the Declarant and the Association.

- 6.5 **Access and Use Easements.** There are hereby reserved and created for the benefit of the Declarant and its successors, all Owners and their guests, tenants and invitees residing on or visiting the Property, and the Association and its successors, reciprocal, non-exclusive easements for access, ingress and egress over all of the Common Areas and for the use and enjoyment of all facilities thereon.
- 6.6 **Limited Common Areas.** All areas outside the Units that are designated as Limited Common Area on the Plat are Limited Common Areas reserved for the exclusive use of the Owner or Owners of the Unit or Units to which such areas are designated on the Plat.
- 6.7 **Parking Spaces.** Parking spaces are allocated to the Units as designated on the Plat.
- 6.8 **Partition Prohibited.** Except as permitted by law, the Common Areas shall remain undivided as set forth above, and no Owner shall bring any action for partition or division of any part of the Common Area, it being agreed that this restriction is necessary in order to preserve the rights of the Owners with respect to the operation and management of the Project. Judicial partition by sale of a single Unit owned by two or more persons, and division of the sale proceeds, is not prohibited hereby (but physical partition of a single Unit is prohibited).
- 6.9 **Damage by Member.** Each Owner shall be liable to the Association for any damage to the Common Area not fully reimbursed to the Association by insurance, if the damage is sustained because of the negligence, willful misconduct, or unauthorized or improper use of such Common Area by the Owner or by any family member, guest, tenant, or invitee of the Member. However, the Association, acting through the Board, reserves the right to determine whether any claim shall be made upon the insurance maintained by the Association. The cost of correcting the damage, to the extent not reimbursed to the Association by insurance, shall be a Special Assessment against the Unit and may be enforced as provided herein for the enforcement of other Assessments.

**ARTICLE 7**  
**PERCENTAGE OWNERSHIP, ETC.**

- 7.1 **Percentage Ownership Interests and Voting.** The Percentage Interest of each of the four Units in the Common Areas for purposes of: (a) tax assessments under Section 55-1514 of the Act and (b) liability as provided by Section 55-1515 of the Act; and votes of the Owners , are allocated to each Unit as follows:

<u>Unit</u>	<u>Common Elements</u>	<u>Common Expenses</u>	<u>Votes</u>
101	21.20%	21.20%	1
102	27.49%	27.49%	1
201	25.95%	25.95%	1
202	25.37%	25.37%	1

7.1.1 Vote Required to Rebuild, Etc. It shall require a unanimous vote by the Unit Owners to determine whether to rebuild, repair, restore or sell the Property in the event of damage, taking or destruction of all or part of the Property.

7.2 Service of Process. Sandor G. Szombathy, whose address is 134 Hyndman View Drive, Hailey, Idaho, is designated to receive service of process in any action relating to the Common Areas and facilities pursuant to Section 55-1512 of the Idaho Code. Should Sandor G. Szombathy resign or no longer be able to serve, at the discretion of the Association, the Association may name another person and address as the designee to receive such service of process by filing an Amendment to this Declaration. The Association shall cause to be filed with the Idaho Secretary of State an Unincorporated Nonprofit Association Agent Appointment form as authorized by Idaho Code Section 30-27-129.

## ARTICLE 8 USE OF UNITS

8.1 Residential Units. Residential Units shall be used for Residential Purposes only. The Residential Units may be used as home offices, including the meeting and receiving of clientele, provided that such activity does not result in substantial or unreasonable foot traffic. The Residential Units may not be used for time share purposes or sold or leased on a time share basis.

8.2 Commercial Units. The Commercial Units may be used for any purpose permitted by applicable code and zoning provisions; however, the Commercial Units may not be used for timeshare purposes or sold or leased on a timeshare basis. The Owners of the Commercial Units shall have the right to change the use thereof so long as the zoning for the Property permits the proposed use, or the Owner or the Owner's agent obtains a zoning variance or other permit or approval to allow the proposed use. Notwithstanding the foregoing, the Commercial Units are subject to the following use restrictions:

8.2.1 No Commercial Unit shall be used for: (a) conducting heavy industrial or manufacturing activities; (b) wholesale or retail sales or rental of pornographic related goods or services; (c) adult motion picture theater; (d) jail; (e) taxidermy shop; (f) except for the storage of inventory in commercially reasonable quantities for sale to customers physically present in the Unit; (g) a mortuary, funeral parlor, or house of worship; (h) government offices; (i) a medical laboratory; (j) laundry; (k) dyeing or rug cleaning plant; (l) animal clinic; (m) work release center; (n) food processing; (o) dance hall; (p) musical school or studio; (q) half way house; (r) hotel, apartment hotel or motel; (s) package liquor store; (t) tavern or bar; (u) drug rehabilitation center or social service agency; or (v) wholesale or retail sales of marijuana or illicit drugs or related goods or services.

8.2.2 The delivery or shipment of merchandise, supplies, and fixtures to and from the Commercial Units shall be accomplished in a manner that shall not unreasonably interfere with the quiet enjoyment or the security of the Residential Units.

8.2.3 The Owner of any Commercial Unit shall not use or occupy the Commercial Unit nor do or permit anything to be done thereon in any manner which shall make it impossible for the Association to carry any insurance required or reasonably deemed to be necessary, or which will invalidate or unreasonably increase the cost thereof or which will cause structural injury to the Building, or which would constitute a public nuisance or which will violate any laws, regulations, ordinances or requirements of the federal, state or local governments or of any other governmental authorities having jurisdiction over the Property.

The Owner of any Commercial Unit shall pay any increase in premiums for property or liability insurance resulting from said Owner's use or occupancy of a Commercial Unit. In determining whether increased premiums are the result of the Owner's use or occupancy of its Commercial Unit, the rates and premiums determined by the organization setting the insurance premiums shall be conclusive evidence of the several items and charges which make up the insurance premiums. The Association shall deliver bills for such additional amounts to the Owner(s) of applicable Commercial Unit(s) at such times as it may elect, and the Owner(s) of said Commercial Units shall immediately pay the Association therefore.

8.2.4 The Owner of any Commercial Unit shall bear the expenses relating to any increases in electrical, gas or water service necessitated by the use of its Commercial Unit.

8.3 Leasing of Units. Any Owner may lease the Owner's Unit to any tenant or lessee under such terms and conditions as they may agree, except that no lease or rental agreement shall relate to less than the whole of any Unit. Any lease or rental agreement shall be in writing and shall by its terms provide that it is subject in all respects to this Declaration and all Rules and Regulations. Any failure by a lessee or tenant to comply with the terms of this Declaration and/or any of the Rules and Regulations shall be a default under both the Declaration and the lease, whether or not it is expressed therein, and the Owner shall be liable for any costs incurred which result from the lessee's actions.

(i) Vacation Rental. The Owner of a Residential Unit's right to lease includes vacation rental, such as Vacation Rentals by Owner (VRBO) or similar programs, provided, however, such rental shall conform to the requirements of section 8.3 above.



- 8.4 Delegation of Use. Any Owner entitled to the right and easement of use and enjoyment of the Common Area may delegate such right to its tenants or subtenants who are occupying the Owner's Unit, subject to reasonable regulation by the Board. An Owner who has made such a delegation of rights shall not be entitled to the use or enjoyment of any part of the Common Area for so long as such delegation remains in effect. However, rights to use of the Common Area shall not be delegated to anyone who is not a bona fide tenant or occupant of the Owner's Unit, as determined by the Board.
- 8.5 Animals. No animals, livestock, or poultry of any kind shall be raised, bred, or kept in any Unit. The Board of Managers shall institute rules regarding the keeping of pets.

ARTICLE 9  
ASSOCIATION OF UNIT OWNERS AND BYLAWS

- 9.1 Association of Unit Owners. The 320 Leadville Building Condominiums Owners Association, an Idaho unincorporated non-profit association, formed pursuant to Idaho Code Title 30, Chapter 27, the members of which shall be the Owners of the four Units, is hereby designated the management body to manage and administer the Project, the administration of which shall be governed by the Bylaws set forth in this Article 9.
- 9.2 Membership. Each Owner shall be entitled and required to be a member of the Association (hereinafter "Member"). Each Owner of a Unit shall automatically, upon becoming the Owner of that Unit, be a member of the Association. No person or entity other than an Owner may be a member of the Association.
- 9.3 Votes. Each Unit shall be entitled to the number of votes specified in section 7.1. The vote for each Unit must be cast as a single vote; and the vote assigned to a particular Unit shall not be fractionalized or split. If joint owners are unable to agree how their vote shall be cast, they shall lose their right to vote on the matter in question. If the Owner of any Unit is not a natural person(s), then such Owner shall designate in writing the name and capacity of the natural person who has authority to vote for that Owner.
- 9.4 Transfer. Membership in the Association shall not be sold, assigned or transferred. However, when a Member sells a Unit, the Seller's membership rights shall transfer to the new Owner.
- 9.5 Board of Managers
- (a) Number and Term of Board Members. The Board of Managers shall consist of three (3) Managers, each of whom shall be an Owner of a Unit as follows: Two (2) of the Managers shall each be an Owner of a Residential Unit and the third Manager shall be an owner of a commercial unit. If an Owner is not a natural person, then that Owner shall designate in writing the name and capacity of the

natural person who shall serve as one of the Managers. Each Manager shall hold office for a term of one (1) year.

- (i) Initial Board of Managers. The Declarant shall appoint the initial three (3) Managers without regard to the first sentence of section 9.5(a) above.
  
- (b) Election of Board of Managers. The initial Board of Managers shall serve until two of the four Units have been conveyed to third parties by the Declarant, at which time Managers shall be elected by majority vote of the Members. Thereafter, the Managers shall be elected at the annual meeting of the Members.
  
- (c) Removal of Manager. Any Manager may be removed by a majority vote of the Members whenever, in their judgment, the best interest of the Association would be served thereby.
  
- (d) Quorum. The presence in person of a majority of the Managers at any meeting of the Board of Managers shall constitute a quorum. The vote of the majority of the quorum actually present at any meeting shall constitute an action of the Board of Managers.
  
- (e) Regular Meetings. Regular meetings of the Board of Managers shall be conducted at least annually at a time and place as may be fixed by the Board.
  
- (f) Special Meetings. A special meeting of the Board of Managers may be called by written notice signed by at least two of the Managers. Notice shall be provided to the other Managers and such notice shall include a description and the nature of any special business to be considered by the Board.
  
- (g) Action By Consent of Managers. Any action required or permitted to be taken by the Board of Managers may be taken without a meeting and if all of the Managers shall individually or collectively consent in writing to such action. Said consent may occur by electronic communication.
  
- (h) Powers and Duties. The Board of Managers shall have the powers and duties necessary for the administration and management of the affairs of the Association to the full extent allowed under law and as provided in this Declaration, including, but not by way of limitation, (i) the power to engage the services of a manager or managing agent or management company for the Project; (ii) the power to obtain insurance coverage for the Project; (iii) the power to levy assessments; and (iv) maintenance, repair and replacement of the common elements and payments therefore (with payment vouchers requiring the approval of a majority of the Board of Managers).

- (i) Compensation. No Manager shall be entitled to receive compensation for his or her services as Manager; but shall be entitled to reimbursement of any out-of-pocket expenses reasonably incurred on behalf of the Association and approved by the Board of Managers.

## 9.6 Meeting of Members

- (a) Annual Meeting. The annual meeting of the Members shall be held on the third Tuesday of September in each year, at the hour of 7:00 p.m. at the Project or at such other location as announced in the call of the meeting. The purpose of the meeting shall be to elect Managers and for the transaction of such other business as may come before the meeting. The Managers may, by majority vote, change the date and time for the annual meeting.
- (b) Special Meetings. Special meetings of the Members may be called by the President or by at least two (2) of the Managers. All special meetings shall be held at the Project or at such other location in Blaine County, Idaho, as the Members may agree upon prior to the meeting.
- (c) Notice of Meeting. Written notice stating the place, day and hour of the annual meeting of Members shall be delivered either personally or by mail to each Member entitled to vote at such meeting not less than ten (10) or more than thirty (30) days before the date of such meeting, by or at the direction of the President or Secretary or the officer or person calling the meeting. In case of a special meeting, the purposes for which the meeting is called shall be stated in the notice.
- (d) Quorum. Fifty-one percent of the voting power of the membership shall constitute a quorum for the conduct of regular business.
- (e) Proxies. At any meeting of Members, a Member entitled to vote may vote by proxy, executed in writing by the Member.
- (f) Regular Business. The regular business of the Association may be carried out by a simple majority of voting memberships present in person or by proxy at any annual, regular or special meeting, provided that a quorum is present at such meeting (either in person or by proxy).

## 9.7 Officers of Association

- (a) Titles. The officers shall consist of a president, a secretary and a treasurer. The Board of Managers shall elect the officers, and may also appoint such other officers as they may deem desirable. Such officers shall have the authority and perform the duties prescribed from time-to-time by the Board of Managers. Any

two or more offices may be held by the same person. Each officer shall be an Owner of a Unit, or the designee of a non-natural person who is an owner of a Unit.

(b) **Election and Term.**

(i) **Initial Officers.** The initial Board of Managers appointed by the Declarant shall appoint the officers of the Association, who shall serve until 2 out of the 4 Units shall have been conveyed to third parties by the Declarant, at which time officers shall be elected by majority vote of the Board of Managers.

(ii) Thereafter, the election of officers shall take place at the first meeting of the Board of Managers following the annual meeting of the Members. The term for the officers shall be one year unless any of said officers shall resign or be shall be removed or otherwise disqualified to serve.

(c) **Vacancy.** A vacancy in any office may be filled by appointment by the Board of Managers. The officer appointed to such vacancy shall serve for the remainder of the term of the officer replaced.

(d) **President.** The President shall be the principal executive officer of the Association; shall preside at all meetings of the Board of Managers and of the Members; and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Managers. The President must be selected from the Board of Managers.

(e) **Secretary.** The Secretary shall keep the minutes of the meetings of the Board of Managers and of the Members and shall, in general, perform all the duties incident to the office of Secretary.

(f) **Treasurer.** The Treasurer shall keep the financial records and books of account for the Association and shall have charge of and be responsible for all funds of the Association.

(g) **Compensation.** The officers of the Association shall not be entitled to compensation for their services as an officer, but shall be entitled to reimbursement of any out-of-pocket expenses reasonably incurred on behalf of the Association and approved by the Board of Managers.

9.8 **Rules and Regulations.** The Board of Managers shall have the right and power to make and enforce Rules and Regulations for the general welfare of the Project. Provided, however, that the Board of Managers may not make or enforce any rules or regulations

which are contrary to, or conflict with, this Declaration, whether now in force, or hereinafter enacted or amended.

#### 9.9 Budget, Assessment and Charges

- (a) Preparation of Budget. Not less than thirty (30) days before the end of each calendar year, the Board of Managers shall prepare a budget for the Association for the coming year. In preparing its budget, the Board of Managers shall estimate the common expenses of the Association to be paid during the next year, make suitable accumulation of reserves, and shall take into account any surplus or deficit carried over from the preceding year and any expected income to the Association. If, during the year the budget proves to be inadequate for any reason, including non-payment of any Owner's assessment, the Board of Managers may prepare a supplemental budget for the remainder of the year.
- (b) Purpose of Assessments. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety and welfare of the Owners; protect the value of property located in the Project; the improvement and maintenance of Common Areas; the maintenance of Limited Common areas (to the extent required in this Declaration); the payment of any taxes or special assessments which would be a lien upon the entire Project or Common Areas, and for discharge by the Association of any lien or encumbrance levied against the entire Project or Common Areas; and for the common good of the Project. Three assessments may be charged in accordance with the restrictions and requirements herein. Those assessments include: (i) regular assessments; (ii) special assessments; and (iii) emergency assessments.

Each such assessment together with any collection costs, including but not limited to any interest, costs, or attorney's fees, shall be a personal obligation of the Owner of that particular Unit. Assessments may be secured by a lien against the non-paying Member's Unit and any and all assessments shall be a constructive real covenant affecting title to real property of each Member. No Member is exempt from any liability because of waiver of use, enjoyment by abandonment of any premises or Unit, unless specifically set forth herein. The levying of assessments shall begin upon the recording of the first conveyance of a Unit.

- (c) Regular Assessment. The Board of Managers shall be empowered to assess each Unit a monthly sum as a regular assessment. Regular assessments shall be used for maintenance and improvements to the Project and any Common Areas of the Association and/or any other necessary and desirable purposes for the benefit of the Association and its Members. A portion of the regular assessment shall be held as an adequate reserve account to replace improvements and to meet unforeseen expenditures. Each Unit shall pay the same amount of monthly assessment.

- (d) Special Assessment. The Board of Managers may in addition to the regular assessment assess special assessments for the use of special facilities, equipment or services within the Project. Any proceeds collected for the use of special items shall be exclusively for that specified use and shall be kept separate and distinct from general Association funds. All special assessments shall be due at a time specified by the Board of Managers and may be enforced in the same manner as other assessments. All special assessments shall be spent exclusively for the maintenance and/or improvement of the special use for which it is meant.
- (e) Emergency Assessments. In addition to other assessments, the Board of Managers shall have emergency powers to assess an emergency assessment on Units.
- (f) Payment of Assessments. All assessments shall be paid to the treasurer of the Association within thirty (30) days of notice of assessment. Any assessment not paid within thirty (30) days from notice shall be delinquent and subject to late charges, interest charges and collection procedures (including attorney fees).
- (g) Certificate of Paid or Unpaid Assessments. Upon the request of any Owner or First Mortgagee of a particular Unit, the Board of Managers within ten (10) days of receipt of such request will furnish a statement of Owner's account in a certificate in recordable form stating the amount, if any, of unpaid assessments charged to that Unit. The certificate shall be conclusively determined by the Board and the Association as to the amount of such indebtedness as of the date of the certificate, and may be relied upon by purchasers and mortgagees of such Unit. The Board may establish a reasonable fee to be charged to reimburse it for the cost of preparing the certificate.
- (h) Transfer of Unit by Sale or Foreclosure. The sale or transfer of any Unit shall not affect the assessment or assessment lien. However, the sale or transfer of any Unit pursuant to mortgage foreclosure shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer (except for assessments recorded prior to the mortgage). No sale or transfer shall release such Unit from liability for any assessments thereafter becoming due or from the lien thereof. When the first Mortgagee of record obtains title to a Unit as a result of foreclosure, such Mortgagee shall not be liable for the unpaid dues or charges of the Association chargeable to such Unit which accrued prior to the acquisition of title or possession of such Unit by such mortgagee. In a voluntary conveyance of a Unit, the grantee of the Unit shall be liable for all unpaid assessments to the Association.
- (i) Late Fee for Failure to Pay. If any part of any assessment is not paid and received by the Association within fifteen (15) days after the due date, an automatic late

charge of one and one-half percent shall be assessed for each month until all late charges are paid. When a notice of default and demand to cure has been recorded, such assessment shall constitute a lien on the subject Unit prior and superior to all other liens except: (i) all taxes, bonds, assessments and other levies which, by law, would be superior thereto; and (ii) the lien or charge of any First Mortgage of record made in good faith and for value. Such lien may be enforced by foreclosure upon the Unit in accordance with Idaho law.

- (j) Any failure by the Board of Managers to make the budget and assessments pursuant to this section 9.9 before the expiration of any year for the ensuing year shall not be deemed a waiver or modification in any respect of the provisions of this Declaration, or a release of any Owner from the obligation to pay assessments during that or any subsequent year, and the monthly assessment amount established for the preceding year shall continue until a new assessment is established.
- (k) Any notice of assessment and/or lien authorized by the Board, any extension thereof, and any satisfaction and/or release of a lien, may be signed by any one officer of the Association.
- (l) At any time subsequent to the recording of this Declaration and prior to the time the Board is required to prepare the first annual budget pursuant to section 9.9(a) above, the Board may prepare an initial budget for the Association.

9.10 Dispute Resolution. The Dispute Resolution provisions contained in this section shall not apply during the Declarant's Control Period, but shall apply at all times thereafter.

- (a) The Board of Managers and/or the Members may reach impasse on certain issues presented for decision. In the event that an impasse is reached on an issue of substantial significance to the Project, and such impasse continues for a period of thirty (30) days from the date that such matter was first presented for a vote by the Board of Managers or the Members, then the impasse shall be resolved in accordance with this section 9.10.
- (b) Upon the expiration of said thirty (30) day period after impasse is reached, but not later than thirty (30) days thereafter, any Manager or Member may initiate mediation of the issue upon which an impasse was reached (the "issue") by written notice to the other Manager or Member. If the parties cannot agree upon a mediator within ten (10) days thereafter, then mediation shall be initiated in accordance with the American Arbitration Association mediation rules. If the issue has not been resolved within thirty (30) days of the initiation of the mediation

procedure, or if the other Member or Manager refuses to participate in mediation, then the issue shall be settled by arbitration pursuant to the following subsection.

- (c) A Manager or Member may initiate arbitration pursuant to the Uniform Arbitration Act, Idaho Code Section 7-901 et. seq. as now existing or hereafter amended. A single arbitrator shall hear and determine the dispute regarding the issue. In the event the Managers and/or the Members, as the case may be, have not agreed upon an arbitrator within fifteen (15) days after service of a Notice to Arbitrate by the Manager or Member initiating the arbitration, then any party may seek appointment of an arbitrator by a judge or magistrate of the District Court for Blaine County, Idaho.

The arbitration shall be held in Blaine County, Idaho; and the arbitration shall be held no later than twenty (20) days after the appointment of the arbitrator; and the arbitrator's decision shall be rendered, in writing, within ten (10) days thereafter. The arbitrator's decision shall be binding on the parties and may be confirmed by a court having jurisdiction.

- (d) Each Manager or Member, as the case may be, shall share the mediator's fees and/or arbitrator's fees equally.

#### 9.11 No Personal Liability

- (a) In accordance with Idaho Code section 30-27-108, any debt, obligation or other liability of the Association is solely the debt, obligation or other liability of the Association. Any member or manager of the Association is not personally liable, directly or indirectly, by way of contribution or otherwise for a debt, obligation, or other liability of the Association solely by reason of being or acting as a member or manager.
- (b) Without limiting the foregoing, so long as a member, manager, or officer of the Association, or the Declarant has acted in good faith, with ordinary and reasonable care, without willful or intentional misconduct, upon the basis of such information as may be possessed by such person, no such person shall be personally liable to any Owner, or other party, including the Association, for any damage, loss or prejudice suffered or claimed on account of any act, omission, error or negligence (except gross negligence), any discretionary decision, or failure to make a discretionary decision, by such person in such person's official capacity; provided, that this subsection (b) shall not apply where the consequences of such act, omission, error or negligence are covered by insurance obtained by the Association pursuant to Article 10. No Association member or manager shall be liable for acts, omissions or decisions of any other member or manager of the Association.



- 9.12 **Indemnification of Association Managers.** Each Board member or Association officer or Declarant shall be indemnified by the Association by the Association against all expenses and liabilities, including attorneys' fees, reasonably incurred by or imposed in connection with any proceeding to which he or she may be a party, or in which he may become involved, by reason of being in or having held such position at the time such expenses or liabilities are incurred, except to the extent such expenses or liabilities are covered by any type of insurance, except in such cases wherein such person is adjudged guilty of intentional misconduct, or gross negligence or a knowing violation of the law in the performance of his duties and except in such cases where such person has participated in a transaction from which said persona will personally receive a benefit in money, property or services to which said person is not legally entitled. Provided, that, in the event of a settlement, the indemnification shall apply only when the Board approves such settlement and reimbursement as being in the best interest of the Association.

**ARTICLE 10**  
**INSURANCE**

- 10.1 **Insurance.** The Board of Managers shall obtain and maintain at all times as a common expense a policy or policies of insurance providing for:
- (a) Property insurance with an "all risk" endorsement (including extended coverage – vandalism, malicious mischief, debris removal, wind storm and water damage, but excluding earthquake and flood) sprinkler leakage, and cost of demolition in an amount as near as practicable to the full insurable replacement value (without deduction for depreciation) of the Common Areas, Limited Common Areas, and the Units (including Unit Owner improvement such as carpets, drapes, built-in appliances and such items that may be part of the realty), with the Board of Managers named as insured as trustee for the benefit of the Owners and Mortgagees as their interest may appear, or such other fire and casualty insurance as the Board of Managers shall determine to give substantially equal or greater protection insuring the Owners, and their Mortgagees, as their interest may appear. Said policy or policies shall provide for separate protection for each Unit to the full insurable replacement value thereof, and a separate loss payable endorsement, in favor of a Mortgagee or Mortgagees of each Unit, if any.
  - (b) General comprehensive liability insurance insuring the Board of Managers, the Association, the Owners and Declarant against any liability to the Unit Owners, and their invitees, and/or tenants, incident to the ownership or use of the Common Areas and/or Limited Common Areas (including but not limited to owned or non-owned automobile liability, water damage, host liquor liability, liability for property of others), the liability under which insurance shall be in an amount determined by the Board of Managers after consultations with insurance consultants, but not less

than \$2 million covering all claims for personal injury and/or property damage arising out of a single occurrence. Such policy limits shall be reviewed at least annually by the Board of Managers and increased in its discretion. Such insurance shall include officers and directors legal liability. Such insurance shall contain appropriate provisions or endorsements precluding the insurer from denying the claim of an Owner because of the negligent acts of the Association or another Owner.

(c) Such other insurance as the Board of Managers deems advisable.

- 10.2 Insurance Proceeds. Insurance proceeds for damage or destruction to any part of the Project shall be paid to the Board of Managers on behalf of the Association which shall segregate such proceeds from other funds of the Association. The Association acting through its Board of Managers shall have the authority to settle and compromise any claim under insurance obtained by the Association and the insurer may accept a release and discharge of liability made by the Board of Managers on behalf of the named insureds under the policy.
- 10.3 Individual Insurance. Each Unit Owner shall obtain personal liability insurance of not less than \$300,000 per occurrence and may obtain additional insurance respecting such Owner's Unit and/or the contents thereof at the Owner's own expense, provided, however, that no Owner shall be entitled to exercise his right to maintain insurance coverage in any manner which would decrease the amount which the Board of Managers, on behalf of all of the Owners, will realize under any insurance policy which the Board of Managers may have in force on the condominiums at any particular time.
- 10.4 In no event shall the insurance coverage obtained and maintained by the Association hereunder be brought into contribution with any insurance purchased by individual Unit Owners, occupants, or Mortgagees.
- 10.5 Premiums for all insurance obtained by the Association shall be included in the regular assessment provided for in section 9.9 (c) hereof.

## ARTICLE 11 ENFORCEMENT OF DECLARATION

- 11.1 The Association shall be primarily responsible for the enforcement of the Declaration; however, nothing herein shall prohibit any interested Owner from independently taking action to enforce the Declaration. The definitions, duties and rights specified in the Declaration, as well as in the Covenants, shall guide the management of the Association and shall guide in the interpretation of these Bylaws.

**ARTICLE 12**  
**AMENDMENT TO BYLAWS**

- 12.1 The Bylaws of this Association may be altered, amended, or new Bylaws adopted at any regular meeting or at any special meeting of the Members thereof, by the affirmative vote of a majority of the total membership.

**ARTICLE 13**  
**RIGHTS OF MORTGAGEES**

- 13.1 **Rights of Mortgagees.** In order to induce lenders and lending agencies to participate in the financing of the sale or ownership of Units within the Project, this section 13 is included in this Declaration.
- (a) Notwithstanding any other provision of the Declaration, no amendment or violation of the Declaration shall operate to defeat or render invalid the rights of any mortgagee of a Unit made in good faith and for value, provided that after the foreclosure of any such mortgage, such Unit shall remain subject to this Declaration.
  - (b) Each First Mortgagee of a mortgage encumbering any Unit which obtains title to such Unit pursuant to judicial foreclosure or the powers provided in such mortgage, shall take title to such Unit free and clear of any claims or unpaid assessments or charges against such Unit, but subject to all assessments levied thereafter.
  - (c) First Mortgagees, upon written request, shall have the right to (1) examine the books and records of the Association during normal business hours; (2) require from the Association the submission of annual unaudited financial reports and other financial data; (3) receive written notice of all meetings of the Members of the Association; and (4) designate, in writing, a representative to attend all such meetings.
  - (d) Each Owner hereby authorizes the First Mortgagee of a first mortgage on his or her Unit to furnish information to the Board of Managers concerning the status of the first mortgage and the loan which it secures.
  - (e) Owners shall have the right to amend the Declaration in accordance with section 14.5 hereof, subject to the rights of First Mortgagees to participate in the amendment process as provided in this subsection. Amendments of a material nature shall be agreed to by (1) the Declarant (so long as Declarant is an Owner); (2) Owners representing at least 51 percent of the total votes in the Association; and (3) First Mortgagees representing at least 51 percent of the votes of Units that

are subject to mortgages held by first mortgagees. A change in the Declaration which would affect provisions regarding any of the following would be considered as material:

- Voting rights;
- Reallocation of rights to use the Common Area;
- Boundaries of any Unit;
- Restrictions on an Owner's right to sell or transfer his or her Unit;
- Provisions that expressly benefit mortgage holders, insurers or guarantors;

In any case where the approval of a First Mortgagee may be required for a proposed amendment of this Declaration, such approval shall be implied by the failure of the First Mortgagee to submit a response to the proposal within thirty (30) days after the proposal is sent to the First Mortgagee.

- (f) This Declaration shall be interpreted in conformity with all rules, regulations and requirements of institutional mortgage holders, including, but not limited to Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Veterans Administration and Federal Housing Administration, applicable to conventional mortgages on condominiums, in effect as of this date, or as hereafter amended, and any provision hereof which is inconsistent therewith shall be deemed modified to conform thereto. The Bylaws and Rules and Regulations of the Board shall be governed by this Declaration and all provisions thereof which are inconsistent herewith shall be void. Further, the Board of Managers shall have the authority, on behalf of all Unit Owners, to authorize the president of the Association to execute an amendment to this Declaration amending the provisions contained in this Article 13 for the benefit of Mortgagees in order to bring them within the requirements of Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Veterans Administration or Federal Housing Administration.

#### ARTICLE 14 MISCELLANEOUS

- 14.1 Constructive Notice and Acceptance. Upon recording of this Declaration, every person or entity who now or hereafter owns, occupies or acquires any right, title or interest in or to any portion of the Property has conclusively consented and agreed to every covenant, condition and restriction of this Declaration. This conclusive acceptance shall occur regardless whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in the Property.

- 14.2 Agreement or Conveyances in Violation of Declaration. Any deed, lease, conveyance, contract or other instrument or action in violation of this Declaration shall be void and may be set aside by the Declarant or the Association.
- 14.3 Captions. The captions of this Declaration are used for convenience only and are not intended to be a part of this Declaration or in any way to define, limit or describe its scope and intent.
- 14.4 Consistency with Federal Housing and Secondary Market Restrictions. This Declaration is intended to be consistent with federal and state laws and regulations as may be required for the lending of money for homes and for the sale of mortgages upon such homes in the secondary mortgage market. In the event of any conflict between this Declaration and any federal and state guidelines, then Declarant may unilaterally, at Declarant's sole option, amend the conflicting provision in order to eliminate the conflict.
- 14.5 Amendment of Declaration. This Declaration and/or the Plat may, prior to the first sale of a Unit, be amended or revoked by a subsequently recorded instrument executed and acknowledged in accordance with Idaho Code Section 55-1504. Subsequent to the first sale of a Unit, the Declaration and/or Plat may be amended by the majority vote or written consent of the Members of the Association, and the recordation of any instrument(s) as may be required.
- 14.6 Conflicts. Should any provision of this Declaration be declared invalid or conflict with laws of the state of Idaho or Blaine County, the validity of all other provisions shall remain unaffected and in full force and effect.
- 14.7 No Warranty of Enforceability. While the Declarant has no reason to believe that any of the restrictive covenants contained in this Declaration or elsewhere in this Declaration are or may be invalid or unenforceable for any reason or to any extent, the Declarant makes no warranty or representation as to the present or future validity or enforceability of any such restrictive covenant. Any Owner acquiring a Unit in the Project in reliance on one or more of such restrictive covenants shall assume all risks of the validity and enforceability thereof and by acquiring the Unit agrees to hold Declarant harmless therefrom.
- 14.8 Certificate of Owner. The signature by the Declarant of this Declaration constitutes the certificate by the record owner of the Property consenting to the recordation of this Declaration, and the Plat pursuant to Idaho Code section 55-1504(c)(iii).

Dated this \_\_\_\_ day of \_\_\_\_\_ 2018.

DECLARANT:

TASZO, LLC

By: \_\_\_\_\_  
SANDOR G. SZOMBATHY, Manager

STATE OF IDAHO        )  
                                  : ss.  
County of Blaine        )

On this \_\_\_\_ day of \_\_\_\_\_, 2018, before me personally appeared SANDOR G. SZOMBATHY, to me known to be, or having satisfactory evidence that he is the Manager of TASZO, LLC, the limited liability company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year first above written.

\_\_\_\_\_  
NOTARY PUBLIC in and for Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

Attachment D.  
Draft Findings of Fact,  
Conclusions of Law, and  
Decision





**City of Ketchum  
Planning & Building**

**IN RE:** )  
 )  
 **320 Leadville Building Condominiums** ) **KETCHUM PLANNING AND ZONING COMMISSION**  
 **Final Plat** ) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**  
 **Date: February 11, 2019** ) **DECISION**  
 )  
 **File Number: 19-008** )

**PROJECT:** 320 Leadville Building Condominiums Final Plat

**FILE NUMBER:** P19-008

**REPRESENTATIVE:** Sean Flynn PE, Galena Engineering

**OWNER:** Taszo LLC

**REQUEST:** Final Plat approval for the subdivision of an existing building located at 320 N Leadville into four (4) condominium units.

**LOCATION:** 320 N Leadville (Ketchum Townsite: Block 24: Lot 2)

**ZONING:** Retail Core Subdistrict of the Community Core (CC-1)

**OVERLAY:** None

**NOTICE:** Notice is not required for Final Plat applications. Notice for the Planning & Zoning Commission’s review of the Preliminary Plat (Application #18-136) was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on January 9<sup>th</sup>, 2019. Notice was published in the January 9<sup>th</sup>, 2019 edition of the Idaho Mountain Express. Notice for the City Council’s review of the Preliminary Plat (Application #18-136) was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on January 16<sup>th</sup>, 2019. Notice was published in the January 16<sup>th</sup>, 2019 edition of the Idaho Mountain Express.

**FINDINGS OF FACT**

1. The applicant is requesting Final Plat approval for the subdivision of an existing building into common area and four (4) condominium units— two commercial units within the basement and first floor and two residential units on the second and third floors. The subject property is located at 320 N Leadville Avenue in the Retail Core Subdistrict of the Community Core (CC-1).The property owner has submitted the Final Plat application to condominiumize the building so that the residential and commercial spaces within the building can be sold and the common areas maintained in accordance with the covenants, conditions, and restrictions (CC&Rs). The existing building was built in 1996 (Building Permit #95-131) and was remodeled in 2004 (Building Permit #04-038). In 2017, a 408 sq ft ground level addition was constructed, which enclosed a pedestrian walkway connecting Leadville Avenue to the alley at the rear of the building (Building Permit #17-023).
  
2. The boundaries of both commercial units include interior spaces within both the basement and first floor. Unit 101 has a total floor area of 1,608 sq ft and Unit 102 has a total floor area of 2,085 sq ft. The boundaries of both residential units include interior spaces within both the second and third floors. Unit 201 has a total floor area of 1,968 sq ft and Unit 202 has a total floor area of 1,924 sq ft. Both residential units have limited common area terraces on the second and third floors.
  
3. The Final Plat application meets all applicable standards for condominiums contained in Ketchum Municipal Code §16.05.060. Certain standards, such as siting buildings to maximize privacy and solar access (KMC §16.05.060.G), apply to the construction of new multi-family residential developments and are not applicable to the subject Final Plat, which proposes to condominiumize an existing building within the Community Core.
  
4. The Planning and Zoning Commission held a site visit and recommended approval of the Preliminary Plat application to the City Council on January 28<sup>th</sup>, 2019. The Ketchum City Council approved the Preliminary Plat application on February 4<sup>th</sup>, 2019. The Final Plat substantially conforms to the Preliminary Plat (KMC §16.04.040.F).

**Table 1: City Department Comments**

<b>City Department Comments</b>					
<b>Compliant</b>					
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and <i>City Department Comments</i></b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.C</b>	<b>Complete Application</b>	
<p>The applicant has submitted the Declaration and Covenants, Conditions, and Restrictions of the 320 Leadville Building Condominiums. The bylaws and CC&amp;Rs submitted by the applicant regulate control and maintenance of the common and limited common areas. As a four-unit, mixed-use building in downtown Ketchum, the subdivision does not include recreational facilities or open space. The subdivider shall submit to the Planning &amp; Building Department a final copy of the document and file such document prior to recordation of the Final Plat.</p>					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Fire Department:</b>  <i>The Fire Code Official has reviewed the plans and does not have any comments or concerns regarding separation as the residential and commercial uses are existing within the building. The Fire Department will inspect the building prior to the City Clerk’s signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</i></p>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Streets Department:</b>  <i>The conversion of the existing building into four condominium units does not qualify as a substantial improvement or impact the right-of-way.</i></p>		

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Utilities:</b> The existing building is connected to a meter served by the Ketchum Springs Water Line. As all four condominium units will be served by the same meter, the Utilities Department will charge a fee to the 320 Leadville Building Condominiums Association of Unit Owners.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Building:</b> The Building Department has reviewed the plans and does not have any comments or concerns regarding separation as the residential and commercial uses are existing within the building. The Building Department will inspect the building prior to the City Clerk's signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Planning and Zoning:</b> Comments are denoted throughout the Table 2.</p>

**Table 2: Condominium Requirements**

Condominium Requirements				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.C</b>	<p><b>C. Final Plat Procedure:</b> 1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the City Clerk and recorded until the condominium has received: a. A Certificate of Occupancy issued by the City of Ketchum; and b. Completion of all design review elements as approved by the planning and zoning administrator.</p>
			<b>Commission Findings</b>	<p>The Condominium Final Plat does not change the existing use, expand the building, or alter the exterior of the building. The application meets all standards applicable to condominiumizing an existing building. As no changes are proposed to the existing building, neither Design Review nor a Building Permit are required for the subject application. The Building and Fire departments will inspect the building prior to the City Clerk's signature of the Final Plat mylar and all requirements including, but not limited to, occupancy separations and smoke detection (life safety) measures shall be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.D</b>	<p><b>All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units. No garage may be condominiumized or sold separate from a condominium unit.</b></p>
			<b>Commission Findings</b>	<p>The existing building does not include a garage. The existing development contains five (5) off-street parking spaces accessed from the adjacent alley. The Final Plat dedicates three (3) uncovered parking spaces to the commercial units and two (2) covered parking spaces to each residential unit.</p> <p>As the condominium subdivision does not propose a change of use or the expansion of the existing building, off-street parking requirements are not applicable to the development. While not applicable, the existing off-street parking complies with off-street vehicle parking requirements (KMC §17.125.040). Each residential unit is allocated one parking space, which complies with the number of parking spaces required for residential units between 751 sq ft to 2,000 sq ft in the CC Zone(KMC §17.125.040.B). Non-residential uses are required to provide 1 space per 1,000 gross sq ft. As basements are not included in the gross floor area calculation, the allocation of 1 parking space for Commercial Unit 101 and 2 parking spaces for Commercial Unit 102 also complies with KMC §17.125.040.B. In the CC Zone, the first 5,500</p>

				<i>gross sq ft of retail trade is exempt from providing off-street parking (KMC §17.125.040.C.1c.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.E</b>	<b>Adequate storage areas shall be provided for boats, campers and trailers, as well as adequate interior storage space for personal property of the resident of each condominium unit.</b>
			<b>Commission Findings</b>	<i>Storage areas for boats, campers, and trailers are not required or provided due to the characteristics of the existing development, which is a three-story mixed-use building located in the Community Core.</i>  <i>All four condominium units provide adequate interior storage space for personal property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.F</b>	<b>A maintenance building or room shall be provided of adequate size and location for the type and size of the condominium project for storage of maintenance equipment and supplies for common areas.</b>
			<b>Commission Findings</b>	<i>According to the proposed Final Plat and associated CC&amp;Rs, the common area consists of mechanical areas, central service equipment and associated materials, and building areas outside of the units that are not designated as limited common area (LC) on the plat, such as foundations, , perimeter and supporting walls, chimneys, windows, entrances and exits, and balconies:</i>  <p style="text-align: center;">ARTICLE 6 <u>COMMON AREAS, LIMITED COMMON AREAS AND FACILITIES</u></p> <p>6.1 <u>Common Areas</u>. All area outside of the Units that is not designated as Limited Common Area on the Plat, is Common Area, including:</p> <ul style="list-style-type: none"><li>(a) Those areas designated on the Plat as Mechanical Areas.</li><li>(b) The foundations, columns, girders, supports, perimeter and supporting walls, chimneys, chimney chases, roofs, balconies, windows, entrances and exits, and the mechanical installations consisting of the equipment and materials making up any central services such as power, light, gas, hot and cold water, sewer, cable television, and heating and central air conditioning which exist for use by one or more of the units, including pipes, vents, ducts, flues, cable conduits, wires, telephone wire, and other similar utility installations used in connection therewith, whether located exclusively within the boundaries of any Unit or Units or not, are Common Area.</li></ul> <i>Due to the characteristics of the existing development and the nature of the common area a dedicated room for maintenance supplies is not required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.G</b>	<b>The subdivider shall dedicate to the common use of the homeowners adequate open space of such shape and area usable and convenient to the residents of the condominium subdivision. Location of building sites and common area shall maximize privacy and solar access.</b>
			<b>Commission Findings</b>	<i>The development consists of an existing building located on a 5,500 sq ft Ketchum Townsite lot within the Community Core. The usable “open space” consists of hardscape designated for surface level parking and pedestrian connectivity adjacent. Locating building sites in order to maximum privacy and solar access is not applicable as the building existing.</i>  <i>The subdivider has designated outdoor terraces as limited common area for both residential units. The second-floor terraces are sited on the front façade adjacent to Leadville Avenue and the third-floor terraces face the alley. The limited common areas dedicated to the owners of the units are both useable and convenient to the residents of the condominium subdivision.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.060.H</b>	<b>All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by condominium subdivisions.</b>
			<b>Commission Findings</b>	<i>All other provisions of this chapter and all applicable ordinances, rules, and regulations of the City and other governmental entities having jurisdiction shall be complied with by the condominium subdivision.</i>

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67, of the Idaho Code the City has passed a subdivision ordinance, Title 16;
3. The City of Ketchum Planning and Building Department provided adequate notice of the time, place, and summary of the applicant’s proposal to be heard by the Commission for review of this application during a public meeting;
4. The Commission has authority to hear the applicant’s Final Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16;
5. The project **does** meet the standards of approval under Chapter 16.04 of Subdivision Code Title 16.

**DECISION**

**THEREFORE**, the Ketchum Planning and Zoning Commission **recommends approval to City Council** of this Final Plat application this Monday, February 11<sup>th</sup>, 2019 subject to the following conditions:

1. The Covenants, Conditions, and Restrictions (CC&R’s) shall be simultaneously recorded with the Final Plat, and the City will not now, nor in the future, determine the validity of the CC&R’s;
2. The failure to obtain Final Plat approval by the Council, of an approved Preliminary Plat, within one (1) year after approval by the Council shall cause all approvals of said Preliminary Plat to be null and void;
3. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;
4. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder’s office concurrent with the recording of the Plat containing the following minimum data:
  - a. Line work delineating all parcels and roadways on a CAD layer/level designated as “parcel”;
  - b. Line work delineating all roadway centerlines on a CAD layer/level designated as “road”; and,
  - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as “control”; and,
5. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a “.dwg”, “.dgn” or “.shp” format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are

indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.

6. The applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department for the official file on the application.
7. All requirements of the Fire, Utility, Building, Planning, and Public Works departments of the City of Ketchum shall be met.

Findings of Fact **adopted** this 11<sup>th</sup> day of February, 2019

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Neil Morrow  
Chair  
Planning and Zoning Commission



## City of Ketchum

February 11, 2019

Ketchum Planning & Zoning Commission  
City of Ketchum  
Ketchum, Idaho

### Discussion of Existing Parking Ordinance

#### Recommendation and Summary

Staff is recommending the Commission hold a discussion on the parking regulations adopted in 2017 (Ordinance #1158). No action or motion required at this time.

Possible future parking-related amendments to Ketchum Municipal Code (KMC) for discussion:

- Project scale: number of small units that should possibly trigger on-site parking
- Ride share metrics: vehicle and parking stall for a given # of units
- Additional design considerations: covered bike storage
- Winter parking restriction: on-street parking is prohibited in Ketchum during winter months
- Other?

#### Background

Concerns have been raised that recently adopted parking regulations such as the adoption of Ordinance #1158 in the Fall of 2017, will create parking issues for residents, visitors and businesses within the city. Questions regard the wisdom of exempting certain retail trade, assembly uses, and small dwelling units in the Community Core (CC) from providing on-site parking. Recently, the Ketchum City Council (KCC) held discussion on this matter. See Attachment A.

For reference purposes only, attached is the 2017 staff report that went to the KCC with 1<sup>st</sup> reading of Ordinance #1158. See Attachment B. This report has several attachments including:

1. Best practices/peer cities report (Kushlan Associates)
2. Physical analysis (Love/Shack Architecture)
3. Various tables comparing parking requirements for real projects under the former/current regulations
4. Analysis on how the recommended parking changes would have impacted prior Ketchum projects

#### Analysis

Recently adopted city parking ordinance changes have encouraged investment consistent with the purpose section of §17.125.010 that, in part, includes: facilitating redevelopment/development; encouraging a range of transportation alternatives; limiting surface parking; and, incentivizing development by activating commercial spaces. It is hoped that both the new Argyros Performing Arts facility and Warfield expansion, both of which were approved following recent parking code amendments, will activate Main Street and maximize the use of existing surface lots. Similarly, it is hoped that the development of small long-term rental apartments, as proposed in the CC with the new Ketch I and II projects (pending), will meet one of the key parking objectives of lessening dependence on vehicles. Of note, however, in each of these cases is that the results are yet unclear. Accordingly, the Mayor and KCC elected at their last meeting to monitor but not propose any changes to the existing city parking regulations at this time.

#### Attachments

- A - February 6, 2019 IME Article RE Council Discussion of Existing Parking Ordinance
- B - 2017 Parking Ordinance Staff Report

Attachment 1



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# Ketchum revisits parking ordinance

## Prior council passed exemption in 2017

By PETER JENSEN  
Express Staff Writer

After a Portland, Ore.-based developer has proposed building 36 units of housing with no on-site parking on First Avenue, the Ketchum City Council revisited the city's parking ordinance Monday night.

The council did not vote on the matter, but will revisit the discussion at a future meeting.

In 2017, the prior council passed a revision to the parking ordinance that exempted residential development projects from providing on-site parking for units under 750 square feet. The exemption applies in the Community Core and in Tourist-zoned parts of Ketchum.

Other parts of the city kept their parking requirements, including the light-industrial areas. In the L.I., residential projects must provide one parking space per bedroom.

The First Avenue projects are called KETCH I and KETCH II. They are proposed for vacant lots at the southeast corner of First Avenue and Sixth Street.

The developers intend to start building the first KETCH project in the spring. It will contain 18 units, including three community-housing units.

The second KETCH project is proposed to be next to the first and will also contain 18 units. It is scheduled to go to the Planning and Zoning Commission on Feb. 11 for a hearing on design review.

Councilwoman Amanda Breen said she wanted to revisit the ordinance revision, and ask if more changes are needed. She expressed interest in adding parking

requirements if a development exceeds a certain number of units.

"It's unreasonable to imagine we're going to have 36 tenants with no cars," Breen said. "It would be good to get a new discussion. They're going to have a car. People are going to stick those cars somewhere."

**"It's unreasonable to imagine we're going to have 36 tenants with no cars. It would be good to get a new discussion."**

Amanda Breen  
Ketchum city councilwoman

Mayor Neil Bradshaw countered that the new residential developments are important additions to the city's stock of workforce housing, and said housing should be a priority over parking. He noted that the city sells monthly permits that allow for overnight parking during winter in two paid lots downtown.

"KETCH would not have been built [without the exemption]," Bradshaw said. "We don't have a shortage for room for cars in this town. We've got 36 more units. That's a trade I'll take all day."

Councilwoman Courtney Hamilton said the first project will demonstrate if Ketchum has a market to support residential units without on-site parking.

"The KETCH is a good example of whether it will work or not," Hamilton said.

Councilman Michael David said the city of Sandpoint, in northern Idaho, has abolished minimum parking requirements entirely in downtown.

"This is happening all over," David said. "It's booming in downtown Sandpoint."

Councilman Jim Slanetz said the 2017 revision was intended to be tested on smaller projects at first, but has received a major one at the outset.

"This kind of put this to the test early on," Slanetz said. "We got the worst-case scenario right out of the gate."

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## Hemingway School plat amendment

After starting debate on a proposed plat amendment that will revise the property boundaries of the Hemingway STEAM School, the City Council delayed a vote Monday night to correct drafting errors made by Planning Director John Gaeddert. The revision is intended to provide the Blaine County School District more room to expand its K-8 facilities on the Hemingway campus.

Sheep rancher John Peavey and attorney Jim Phillips said they wanted to ensure that sheepherders will retain their rights to move flocks through the area once the boundaries are redrawn. Neighbors on Parkway Drive voiced concern about the proposal and a possible reroute of the Wood River Trail onto Parkway Drive. The issue will be brought back at a future council meeting.



Attachment 2



## City of Ketchum

October 2, 2017

Mayor Jonas and Ketchum City Council  
City of Ketchum  
Ketchum, Idaho

**Consideration of Ordinance #1158 amending Title 17, Ketchum Municipal Code, to repeal and replace Chapter 17.125, Off Street Parking, in order to align the parking ordinance with objectives of the Comprehensive Plan, to promote uses that contribute to the vitality of downtown, to incentivize Community Housing, and to better reflect the needs of our full time and seasonal residents and visitors.**

### Introduction and History

Parking consists of two intertwined resources. Public parking that is available on streets, public parking lots and structures and private parking, parking that is located off the street on private property to accommodate the demand created by the use occupying the property. While each resource is managed separately, they relate to one another in many ways.

This year the City made progress in managing the public parking supply by moving forward with the creation of an enlarged, pay-for-use, parking lot in the Community Core.

The purpose of this public hearing, and the focus of this staff report, is to put forth for Council's consideration a proposed new parking ordinance, Ordinance #1158, that represents the culmination of nearly two years of effort on behalf of staff, the Planning and Zoning Commission, City Council, and the public.

The Planning and Zoning Commission held public hearings and forwarded recommendations on an amended parking ordinance to City Council in the fall of 2016. City Council then considered the parking ordinance during public hearings in December 2016 and January 2017. The public hearing held in January 2017 was not continued to a date certain. Staff has continued to make adjustments to the proposed ordinance since January 2017 based on additional analysis and public input.

This report summarizes the efforts to amend the parking ordinance undertaken and progress in managing public parking since efforts began in late 2015, and focuses on research and analysis conducted by staff and Love Schack Architecture since January 2017. This report is divided into three sections. The first section contains an overview of policy goals and describes new work completed since the January 17, 2017 meeting. The second section reiterates the proposed key features of the proposed parking ordinance that remain unchanged since the December 19, 2016 meeting. The third and final section contains a summary.

### Recommendation and Motion

Staff recommends approval of Ordinance #1158 as presented.

Motion: "I move to approve the first reading of Ordinance #1158 by title only."



## City of Ketchum

October 2, 2017

City Council  
City of Ketchum  
Ketchum, Idaho

**STAFF REPORT  
KETCHUM CITY COUNCIL  
REGULAR MEETING OF OCTOBER 2, 2017**

- PROJECT:** City Initiated Text Amendments to Title 17, Zoning Regulations to Chapter 17.125, Off Street Parking and Loading
- REPRESENTATIVE:** City of Ketchum Planning and Building Department
- DESCRIPTION:** City-initiated text amendments to the City of Ketchum Municipal Code to amend Title 17 Zoning Code, Chapter 17.125, to repeal the existing Chapter 17.125 and replace it with a new ordinance in order to align the parking ordinance with objectives of the Comprehensive Plan, to promote uses that contribute to the vitality of downtown, to incentivize Community Housing, and to better reflect the needs of our full time and seasonal residents and visitors.
- PLANNER:** Micah Austin, Planning and Building Director and Brittany Skelton, Senior Planner
- NOTICE:** October 2, 2017 hearing: Public notice was published in the Idaho Mountain Express and mailed to outside agencies on September 13, 2017 and was posted in three public locations on September 15, 2017.
- PUBLIC WORKSHOPS:** June 30, 2016  
August 22, 2016  
September 12, 2016  
August 26, 2016  
July 19, 2017
- PUBLIC HEARINGS:** Planning and Zoning
- September 26, 2016
  - October 24, 2016
- City Council
- December 19, 2016
  - January 17, 2017
  - October 2, 2017

**ATTACHMENTS:**

- A. Proposed ordinance #1158
- B. "Parking Analysis for Changes to the City of Ketchum Zoning Code" report and appendix, Kushlan and Associates
- C. "Parking Code Amendments Recommendations" memo, Micah Austin, Planning and Building Director, June 14, 2016
- D. Historical summary of city parking requirements
- E. Impacts of Proposed Recommendation on Past and Future Projects
- F. Parking Supply and Utilization Study
- G. Parking in Peer Cities
- H. "How Parking Influences Development & Density in Ketchum, Idaho", Love Schack Architecture, July 19, 2017

## Section 1

### Overview

The proposed new Parking Ordinance, Ordinance #1158, as recommended by staff for the October 2, 2017 hearing is attached to the staff report as Attachment A. The overarching goals the proposed amendments to the Parking Ordinance are intended to accomplish are as follows:

1. Encourage mixed use projects containing a balance of uses that contribute towards a vibrant, active, year round downtown;
2. Create incentives for development of smaller more affordable market rate units that could be occupied by year round residents;
3. Promote the reuse of existing buildings;
4. Provide incentives to encourage retention, expansion and development of commercial uses that contribute towards a vibrant, successful and busy downtown during the day and night;
5. Encourage the use of alternative modes of transportation to reduce traffic congestion, reduce the demand for parking and enhance the pedestrian and bicycle opportunities;
6. Encourage the production of on-site community housing.

Staff research to inform amendments to the Parking Ordinance began in October 2015 as part of the Phase II Zoning Code Rewrite process. In January 2016 the City retained Kushlan and Associates to prepare an analysis of the following: the City's current policy direction for parking regulations compared to the current parking standards, best and emerging practices related to the relationship between parking standards and incentivizing desired land uses, and options specific to Ketchum for changes to the existing parking code. (Attachment B, "Parking Analysis for Changes to the City of Ketchum Zoning Code" report and appendix, Kushlan and Associates). Staff evaluated this analysis and prepared the basis for amendments to the parking ordinance (Attachment C, "Parking Code Amendments Recommendations" memo, Micah Austin, Planning and Building Director, June 14, 2016) and began outreach to the public to receive public input to inform drafting proposed amendments.

A series of public workshops, presentations, and public hearings have been held to receive input and refine the amendments contained within Ordinance #1158. In addition, an electronic public input survey was initiated by the city during the summer of 2016. A timeline of events is as follows:

- June 30, 2016 – public presentation and workshop
- August 22, 2016 – Planning and Zoning Commission work session
- September 12, 2016 – Planning and Zoning Commission work session
- August 14, 2016 – Online public survey initiated by City; 296 responses received (Attachment D)
- August 26, 2016 – public presentation and workshop
- September 26, 2016 – Planning and Zoning Commission public hearing
- October 24, 2016 – Planning and Zoning Commission public hearing
- December 19, 2017 – City Council public hearing
- January 17, 2017 – City Council public hearing
- July 19, 2017 – City Council work session and presentation/workshop with the public

In addition to the participation opportunities listed above that informed the proposed Parking Ordinance, staff researched and analyzed the history and evolution of parking requirements in Ketchum from 1974 to present (Attachment E), compared the on-site parking requirements required for projects at the time they were

developed and the number of parking spaces that would be required under amended residential and commercial parking ratios (Attachment F), conducted on-the-ground real world counts of on-street parking space utilization (Attachment G), and researched parking requirements in peer mountain and resort communities and mid-sized cities in the region (Attachment H).

### **Progress since January 17, 2017 hearing**

1. Planning staff have further evaluated parking requirements for commercial uses in downtown and tourist areas, and automotive, light industrial, and commercial uses in Light Industrial zones, based on analysis of peer cities.
2. Representatives for the Argyros Performing Arts Center received approval for a zoning code text amendment that exempted on-site parking for Assembly uses existing on the date the ordinance was adopted, April 17, 2017. This text amendment had been included in the city-initiated parking ordinance rewrite but due to the Argyros Performing Arts Center's desired development timeline, the project's representatives filed an application for the text amendment.
3. A parking workshop with City Council was held on July 19, 2017 in conjunction with a presentation of findings from a parking study. The City contracted with Love Schack Architecture to produce five (5) development prototypes adhering to the Building Code, zoning code dimensional and community housing standards, and the proposed parking ordinance that could be constructed on a 5,500 square foot interior lot located in the Community Core.

This exercise evaluated the feasibility for design of buildings under the proposed parking standards and compared the required on-site parking for each developed under the existing and proposed ordinances. The presentation is attached (Attachment I).

### **Proposed Code Amendments revised since the January 17, 2017 meeting**

Minor revisions were made to the following:

#### **1. Residential parking requirements**

In the spring of 2017 Love Schack Architecture was contracted to test the proposed residential and commercial parking requirements against constraints of the building code, zoning code dimensional and community housing standards, and the size of a typical 5,500 square foot downtown lot located at the interior of a block.

Love Schack's analysis found that both mixed-use and entirely residential prototypes could be developed to the maximum density of 2.25 FAR, while including Community Housing on-site, and that high-density scenarios containing modestly sized dwelling units would require less on-site parking under the proposed ordinance than the existing ordinance.

During a workshop to review Love Schack's findings Mayor and Council expressed differing views on the minimum or maximum number of parking spaces that should be required for residential units. In considering Council feedback, staff finds that the Parking Demand Analysis, Shared Parking Reduction, and Parking Reduction Through Transportation Demand Management options that are included in the proposed ordinance offer multiple mechanisms for a developer to reduce his or her residential parking demand.

As such, the residential parking ratios proposed remain unchanged from the January 17, 2017 hearing,

other than the clarification that the newly proposed multi-family residential parking ratios are applicable to the Community Core zone only. The existing multi-family residential parking requirements will not change in other zoning districts where multi-family development is permitted.

One other revision was made pertaining to residential parking – the standard for measuring square footage for the purpose of calculating residential parking requirements was clarified. The standard is described in Table 5: Additional Revisions.

**Table 1. Residential Parking Requirements**

<b>Residential Parking Requirements</b>	
<b>October 2, 2017 recommended</b>	
Residential (one family dwelling), in all applicable zoning districts	<b>2.0 parking spaces per dwelling unit</b>
Residential multiple-family dwelling in all districts except Community Core (CC) and LI-1, LI-2, and LI-2	<b>Units 0 to 1500 square feet: 1 parking space</b> <b>Units 1501 square feet and above: 2 parking spaces</b>
Residential multiple-family dwelling within the Community Core (CC) district	<b>Units 750 square feet or less: 0 parking spaces</b> <b>Units 751 square feet to 1,500 square feet:</b> 1 parking space <b>Units 1,501 square feet and above: 2 parking spaces</b>
<b>January 17, 2017</b>	
Residential (multiple-family dwelling), in all applicable zoning districts, other than LI-1, LI-2 and LI-3	<b>Units 750 gross square ft. or less:</b> 0 parking spaces required <b>Units 751 gross square ft. to 1,500 gross square ft.:</b> 1 parking space per dwelling unit <b>Units 1,501 gross square ft. and above: 2 parking spaces per dwelling unit</b>
<b>December 19, 2016 recommended</b>	
Residential (multiple-family dwelling), in all applicable zoning districts, other than LI-1, LI-2 and LI-3	<b>Units 500 gross square ft. or less:</b> 0 parking spaces required <b>Units 501 gross square ft. to 1,000 gross square ft.:</b> 1 parking space per dwelling unit <b>Units 1,000 gross square ft. to 2,000 gross square ft.:</b> 2 parking spaces per dwelling unit <b>Units 2,001 square ft. and above:</b> 3 parking spaces

**2. Commercial parking requirements in the Community Core and Tourist Zones**

The initial proposed commercial parking recommendations for the Community Core and Tourist zones were intended to eliminate parking requirements for restaurants, retail, and theaters. This strategy was designed to incentivize these uses within the community core and areas tourists frequent because the continued success of the community is dependent on maintaining a well-balanced mix of uses that keep the core and tourist areas alive and active day and night all year round.

While this recommendation will shift parking availability from private responsibility to public responsibility, this is a responsibility Ketchum is willing to absorb in order to promote a vibrant and successful year round economy.



For all other commercial uses in the Community Core and Tourist zones, such as office use and banking, the proposed recommendations establish a parking requirement of one parking space for every 1,000 gross square feet of floor area.

Acting on direction from Council, staff reviewed the commercial parking and retail parking requirements in eleven (11) peer cities in order to evaluate whether the proposed code amendments would adequately accommodate on-site parking for retail developments and office uses in the Community Core in particular. Additionally, staff considered revisions to exemptions for assembly uses that would further the goal of building a community core that is alive and active day and night, year round.

A table summarizing the peer city research is attached to this staff report as Attachment H.

After reviewing parking standards for retail and other commercial uses peer cities have adopted staff recommends no change to the recommended exemptions or the 1 parking space per 1,000 square feet ratio for all other commercial uses presented at the January 17, 2017 hearing. However, staff recommends adding a provision to allow additional uses to be exempted from parking requirements, if justified through a Parking Demand Analysis and approved by the Administrator.

**Table 2. Commercial parking exemptions in the CC and T zoning districts**

<b>Commercial parking exemptions in the CC and T zoning districts</b>	
<b>October 2, 2017 recommended</b>	
In the Community Core (CC) and Tourist (T) zoning districts the following uses meeting the definitions found in 17.08.020 are exempt from providing off street parking:	<ol style="list-style-type: none"> <li>1. In the Community Core (CC) and Tourist (T) zoning districts the following uses meeting the definitions found in 17.08.020 are exempt from providing off street parking:               <ol style="list-style-type: none"> <li>a. Community Housing;</li> <li>b. Food Service;</li> <li>c. The first 5,500 gross square feet of Retail Trade. The first 5,500 gross square feet of a space occupied by a tenant is exempt, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.</li> <li>d. Assembly existing as of April 17, 2017.</li> <li>e. The first 5,500 gross square feet for new assembly uses. The first 5,500 gross square feet of an assembly use established or constructed after April 17, 2017 is exempt, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.</li> </ol> </li> <li>2. Other uses may be exempted by the Administrator upon completion of a Parking Demand Analysis demonstrating the actual demands of the project are less than the minimum requirements of the code. A Parking Demand Analysis shall be prepared by a registered professional engineer licensed in the State of Idaho.</li> </ol>
<b>January 17, 2017 recommended</b>	
In the Community Core (CC) and Tourist (T) zoning districts the following uses meeting the definitions found in 17.08.020 are exempt from providing off street parking:	<ol style="list-style-type: none"> <li>a. Community Housing;</li> <li>b. Food Service;</li> <li>c. The first 5,500 gross square feet of Retail Trade<sup>1</sup>;</li> <li>d. Assembly existing at the time the ordinance is passed [insert date]; and</li> <li>e. The first 5,500 gross square feet for new assembly uses<sup>2</sup></li> </ol>

	<p>Note:</p> <ol style="list-style-type: none"> <li>1. The first 5,500 gross square feet of a space occupied by a tenant is exempt, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.</li> <li>2. The first 5,500 gross square feet of an assembly use established after the date the ordinance is passed is exempted, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.</li> </ol>
<b>December 19, 2016 recommended</b>	
In the Community Core (CC) and Tourist (T) zoning districts the following uses meeting the definitions found in 17.08.020 are exempt from providing off street parking:	<ol style="list-style-type: none"> <li>a. Community Housing;</li> <li>b. Food Service;</li> <li>c. Retail Trade; and</li> <li>d. Assembly existing at the time the ordinance is passed [insert date].</li> </ol>

**3. Light Industrial Zones Parking Requirements Comparisons – Existing Code and Proposed Amended Code**

Residential - Proposed parking recommendations for residential uses in the Light Industrial districts remain the same as the requirements in the existing code, which is one parking space per bedroom.

Commercial - Parking recommendations for commercial uses are generally the same as the existing code, except that uses with the bulk and scale representative of truly light industrial uses (such as warehouses and manufacturing) have been incentivized with a proposed reduction in required parking spaces per square foot of development.

The existing parking matrix, which contains twenty-five (25) uses permitted in the Light Industrial zones, has been condensed; similar uses have been grouped together.

Additionally, since the January 17, 2017 meeting staff evaluated parking requirements for auto repair and gas stations and their accessory uses and retail uses in light industrial/heavy commercial zones in eleven peer cities.

Staff has revised the proposed parking requirements for motor vehicle service and fueling stations for the October 2, 2017 hearing. All other proposed parking requirements for the Light Industrial districts remain the same as the January 17, 2017 hearing.

**Table 3. Proposed Code:**

<b>LI-1, LI-2, and LI-3 zoning districts</b>	<b>Parking Spaces Required</b>
<b>October 2, 2017 proposed revision</b>	
Motor Vehicle Fueling Station, Motor Vehicle Service	Where applicable: 1 space per 500 gross square feet and 2 short term holding spaces per fuel pump and 3 spaces per service/wash bay
<b>January 17, 2017 proposed</b>	
Motor Vehicle Fueling Station, Motor Vehicle Service	Where applicable: 1 space per 250 gross square feet and 2 short term holding spaces per fuel pump and

	5 spaces per service bay
<b>October 2 and January 17, 2017 proposed</b>	
Residential (multiple-family dwelling)	1 parking space per bedroom
Motor Vehicle Fueling Station, Motor Vehicle Service	Where applicable: 1 space per 250 gross square feet and 2 short term holding spaces per fuel pump and 5 spaces per service bay
Wholesale, Manufacturing, Industrial Laundry, Hybrid Production Facility, and all other permitted uses	1 space per 1000 gross square feet
Office, Professional Service, Business Support Service, Retail Trade, Convenience Store, Food Service, Commercial Studio, Laundromats and Dry Cleaners, Instructional Service, Health and Fitness Facility, Daycare	1 space per 250 gross square feet

**Table 4. Excerpt from the Parking Matrix in the existing code, uses permitted in Light Industrial zoning districts:**

<b>Specific Uses</b>	<b>Parking Spaces Required</b>
Residential units, industrial districts	1 space per bedroom
Building maintenance	1 space per 800 gross square feet, + adequate loading area for trucks
Car wash	2 short term holding spaces per service bay, + 1 per employee
Daycare, industrial districts <sup>1</sup>	1 space per 250 square feet
Gas station	2 short term holding spaces per fuel pump, + 3 spaces per service bay
Health and fitness facility, industrial districts	1 space per 250 gross square feet
Instructional service	1 space per 75 square feet usable dance floor area
Laundromats and dry cleaners	1 space per 250 square feet
Laundry facility, bulk industrial	1 space per 500 gross square feet, + adequate loading area for trucks
Manufacturing, industrial district	1 space per 500 gross square feet, + adequate loading area for trucks
Manufacturing or assembly establishment	1 space per employee, based on the greatest number of employees at any 1 time
Motor vehicle service	1 space per 250 gross square feet, plus 5 storage spaces per service bay
Office, industrial districts	1 space per 250 gross square feet
Printing and publishing services	1 space per 250 square feet
Public use	1 space per 1,000 gross square feet

Public utility facility	1 space per 500 gross square feet, + adequate loading area for trucks
Recording studio	1 space per 500 gross square feet, + adequate loading area for trucks
Recycling facility	1 space per 500 gross square feet, + adequate loading area for trucks
Research development and high technology industries	1 space per 250 square feet
Restaurant, industrial districts	1 space per 250 square feet
Retail trade, industrial districts	1 space per 250 square feet
Self-storage and warehouse	1 space per employee
TV and radio broadcast stations	1 space per 500 gross square feet, + adequate loading area for trucks
Veterinarian and pet grooming service	1 space per 250 square feet
Wholesale	1 space per 500 gross square feet, + adequate loading area for trucks

Note:1. For daycare businesses which require more than 1 drop off/pick up space, the additional spaces over 1 may be on the street; provided, that for each drop off/pick up space required, there are 3 legal spaces located within 50 feet of the property which can be reached without crossing a street.

**4. Additional revisions**

Staff recommends clarifying the way that square footage in a development, as it relates to required parking spaces, is calculated. Staff also recommends requiring that at least three (3) strategies for Transportation Demand Management (TDM) are included in proposed TDM plans.

**Table 5. Additional Revisions**

<b>October 2, 2017 recommended</b>
<b>Measuring square footage for calculating required parking</b>
<p>1. Area Measurements:</p> <ul style="list-style-type: none"> <li>a. Residential: Unless otherwise specifically noted, residential parking requirements for all square footage based parking and loading standards shall be computed on the interior square footage of each residential unit, as measured between the interior walls of the unit.</li> <li>b. Non-residential: Unless otherwise specifically noted, non-residential parking requirements for all square footage based parking and loading standards are to be computed on the basis of gross floor area (GFA) as defined by Title 17 of the Ketchum Municipal Code.</li> </ul>
<b>Parking reduction through Transportation Demand Management</b>
Transportation Demand Management plans shall consider at least three (3) strategies
<b>Removal of Payment In-Lieu Fee</b>
The opportunity to meet parking demand through a payment-in-lieu of constructing parking was removed because the City Attorney believes there is no nexus for the fee.

## **Section 2: Key features of the proposed parking ordinance that remain unchanged since the December 19, 2016 hearing**

**On-street credit:** The recommendations align current and past practice for on-street parking credit. Currently, in the Community Core, after a developer provides four (4) parking spaces on-site per 5,500 square footage of lot size, the developer is given a credit of four (4) parking spaces on the street to meet the required parking for the project. Currently, and for as long as the credit has existed, the credit is only applied to non-residential uses. Credit for residential parking has never been allowed to be shifted to the street. The proposed recommendations clarify this requirement.

**Bicycle Parking:** The recommendations require bicycle parking at a ratio of one bicycle rack, able to accommodate at least two bicycles, for every four vehicle parking spaces required by the proposed use. All uses, other than single family dwellings, are required to provide bicycle parking. Bicycle racks must be secured to the ground, each bicycle must be accessible without moving another bicycle, and the racks must be located on paved or pervious, dust free surfaces. These recommendations align with Comprehensive Plan goals of promoting alternative transportation use.

**Parking Demand Analysis:** A Parking Demand Analysis is a newly proposed analysis that allows a developer to submit a study to the city indicating that the proposed use, or mix of uses, has a parking demand that differs from the requirements of the chapter. A Parking Demand Analysis may be submitted for any project in any zone and the Administrator may also require a project to submit a Parking Demand Analysis. The analysis may indicate that more, or less, parking than the zoning code requires are needed for a proposed project and the analysis is subject to Administrator approval and acceptance. The analysis must contain a site plan, a narrative discussing the proposed use(s), the operational method(s), and the unique nature of the use(s) that result in a parking demand that differs from what the code requires.

**Shared Parking:** The zoning ordinance currently permits shared parking in limited circumstances. The proposed recommendations expand the applicability of shared parking. The utilization of shared parking allows a the parking demand of a proposed project to be met by private, off street parking spaces located at a nearby site, through an agreement between property owners. A Shared Parking Plan must indicate the hours of peak parking demand for each use sharing the parking resource and demonstrated that peak hours differ or are staggered. All Shared Parking Plans must be accompanied by a Parking Demand Analysis for the project. The number of parking spaces for a project may be reduced by 25% through the use of shared parking.

**Transportation Demand Management:** The proposed recommendations allow a developer to incorporate Transportation Demand Management (TDM) measures into a project in order to reduce the number of on-site private parking spaces required for the project. Transportation Demand Management measures facilitate the use of alternative modes of transportation, thereby reducing the demand for vehicle parking. All projects with a Floor Area Ratio greater than 0.5 are eligible to submit a TDM plan to the Administrator for approval. Transportation Demand Management plans must feature at least three TDM measures; the ordinance contains suggested, example measures, but developers may propose alternative measures. All TDM plans must be accompanied by a Parking Demand Analysis for the project. The number of parking spaces required for a project may be reduced by 25% through the use of TDM measures.

## **Section 3: Summary**

The proposed Zoning Ordinance amendments are intended to accomplish the following goals:

1. Encourage mixed use projects containing a balance of uses that contribute towards a vibrant, active, year round downtown;

2. Create incentives for development of smaller more affordable market rate units that could be occupied by year round residents;
3. Promote the reuse of existing buildings;
4. Provide incentives to encourage retention, expansion and development of commercial uses that contribute towards a vibrant, successful and busy downtown during the day and night;
5. Encourage the use of alternative modes of transportation to reduce traffic congestion, reduce the demand for parking and enhance the pedestrian and bicycle opportunities;
6. Encourage the production of on-site community housing.

These goals represent the core values that drove the 2014 Comprehensive Plan, which include a strong and diverse economy, a vibrant downtown, a variety of housing options, and a well-connected community. The city's zoning ordinance is the main tool for implementing policy and ensuring that the goals are realized. The proposed parking ordinance is the opportunity to facilitate, or to hinder, implementation of the vision defined in the Comprehensive Plan.

The Zoning Ordinance amendment as recommended by staff will largely facilitate the implementation of the Comprehensive Plan goals. This will not happen overnight as these amendments will apply to new development. Over time, as new development occurs, these goals will transform Ketchum into the community envisioned within the Comprehensive Plan.

**RECOMMENDATION AND MOTION:**

Staff recommends approval of Ordinance #1158 as presented.

Motion: "I move to approve the first reading of Ordinance #1158 in title only"

**ATTACHMENTS:**

- A. Proposed ordinance #1158
- B. "Parking Analysis for Changes to the City of Ketchum Zoning Code" report and appendix, Kushlan and Associates
- C. "Parking Code Amendments Recommendations" memo, Micah Austin, Planning and Building Director, June 14, 2016
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## ATTACHMENTS

**Attachment A:**

**Proposed ordinance #1158**



**Chapter 17.125**

**OFF STREET PARKING AND LOADING**

**17.125.010: PURPOSE AND INTENT:**

**17.125.020: GENERAL:**

**17.125.030: OFF STREET VEHICLE PARKING SPACE:**

**17.125.040: OFF STREET VEHICLE PARKING AND LOADING REQUIREMENTS:**

**17.125.050: COMMUNITY CORE DISTRICT OFF STREET PARKING REQUIREMENTS:**

**17.125.060: BICYCLE PARKING**

**17.125.070: PARKING DEMAND ANALYSIS**

**17.125.080: SHARED PARKING REDUCTION:**

**17.125.090: PARKING REDUCTION THROUGH TRANSPORTATION DEMAND MEASURES:**

**17.125.010: PURPOSE AND INTENT:**

Standards for off street parking and loading spaces are necessary to facilitate access to specific land uses and to ensure the efficient use of land. The standards are intended to support the goals of the Comprehensive Plan and in recognition of Ketchum as a geographically compact and historic mountain resort community sustained by both the full time resident population and the influx of seasonal residents, visitors, and workforce who travel within the community. The regulations of this chapter have been established to:

- A. Ensure the public health, safety, and welfare;
- B. Facilitate development and redevelopment by providing clearly defined minimum standards;
- C. Encourage a range of transportation alternatives designed for residents, visitors, and the workforce to travel safely and easily to their destinations;
- D. Promote Travel Demand Management techniques to improve the efficiency of the transportation system;
- E. Maximize the efficient use of existing surface parking lots by permitting Shared Parking.
- F. Provide safe, secure, and conveniently located bicycle parking facilities;
- G. Enhance pedestrian connectivity and comfort by limiting surface parking;
- H. Incentivize development and redevelopment, which will create more lively and activated commercial environments;
- I. Facilitate community design supported by multi-modal transportation in order to lessen dependence on vehicular transportation alone.

**17.125.020: GENERAL:**

A. Applicability: Except as otherwise stated in this Chapter, off-street vehicle and bicycle parking requirements of this Chapter apply to:

1. Any new development and to any new established uses.

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2. Any existing structure or use that is expanded or enlarged. Additional off street parking spaces shall be required only to serve the enlarged or expanded area, not the entire building or use.
3. Any change of use or change of operation that would result in a requirement for more parking than the existing use. Additional parking shall be required only in proportion to the extent of the change, not for the entire building or use.

**B. Delivery and Loading:**

Areas for deliveries and loading shall be required to ensure that loading and deliveries do not constrain fire access, street safety, or use public streets for deliveries.

**17.125.030: OFF STREET VEHICLE PARKING SPACE:**

- A. Minimum Parking Space: The minimum parking space and aisle dimensional requirements are as follows:

Angle	Width (Feet)	Length (Feet)	Aisle Width (Feet)
90 degrees	9 .0	18	24
60 degrees	9 .0	21	18
45 degrees	9 .0	19 .8	15
Parallel	8 .0	23	-

ADA spaces shall meet the dimensional requirements as outlined in the current ADA standards for accessible design.

**B. Compact Vehicle Spaces:**

1. Commercial uses and lodging establishments with a minimum of ten (10) or more spaces on the property may have up to ten percent (10%) of the required spaces marked for compact vehicles.
2. Compact vehicle spaces must be a minimum of eight feet (8') wide and sixteen feet (16') long with aisle widths in accordance with the table above.
3. These spaces shall be designed, designated, marked and enforced as compact spaces.

C. Area Unobstructed: All area counted as off street parking space shall be unobstructed and kept clear of snow and free of other uses.

D. Access to Streets: Unobstructed access to and from a street shall be provided for all off street parking spaces.

E. Location: In all zoning districts surface parking lots shall be located in the rear of a building or lot.  
Surfacing Material: Surface parking spaces shall be constructed with asphalt or cement concrete. Compacted gravel or other dustless material may be used for surfacing only upon approval by the Administrator.

**F. Lighting and Screening:**

1. Lighting used to illuminate off street parking areas shall be directed away from residential properties and shall comply with all requirements of 17.132, Dark Skies, of the Ketchum Municipal Code.

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2. Parking facilities and all off street and on-site parking spaces shall be effectively screened on any side adjoining a residential zoning district or residential use by a wall, fence or hedge to a height of six feet (6'), except for the front yard setback area of the adjoining residential property, in which case, the maximum height shall be three feet (3').
  3. All parking and service areas that are adjacent to a street shall be buffered from public views by a combination of landscaping and fences/walls. Such improvements will be for the purpose of beautification and to limit light and glare from vehicle headlights to nearby properties. For safety purposes, views of the parking and service areas from the sidewalk and street shall not be obscured.
- G. Street Frontage: A maximum of thirty five percent (35%) of the linear footage of any street frontage may be devoted to access off street parking. Corner lots that front two (2) or more streets may select either or both streets as access but shall still not devote more than thirty five percent (35%) of the total linear footage of street frontage to access off street parking.
- H. Alley Access:
1. Off street parking spaces may be located directly off the alley if the width of the alley can adequately accommodate ingress and egress to the parking spaces.
  2. No parking space shall project into an alley, sidewalk, or street.
  3. All alleys used as access to loading areas and/or to an off street parking space or spaces shall be surfaced with asphalt or cement concrete. Compacted gravel or other dustless material may be used for surfacing only upon approval by the Administrator.
- I. Condition of Parking Lots: The owner or manager of the property shall maintain parking facilities and all off street and on-site parking spaces so that they are in good, safe and usable condition and free of public nuisances such as trash and weeds.
- J. On Site Drainage Facilities: All parking lots shall be designed with adequate on site drainage facilities to prevent the drainage of storm water onto adjacent properties or walkways or into the public right of way.
- K. Snow: All surface parking lots shall be designed with either an underground heating system to facilitate the removal of snow or a storage area for plowed snow. The storage area shall be one hundred fifty (150) square feet for every fifty five feet (55') of linear lot width of the surface parking lot. (Ord. 1135, 2015)

**17.125.040: OFF STREET VEHICLE PARKING AND LOADING REQUIREMENTS:**

- A. The following rules apply when computing off street parking and loading requirements:
1. Multiple Uses: Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses, unless a reduction is approved through a shared parking plan or Parking Demand Analysis in compliance with this chapter.
  2. Fractions: When measurements of the number of required spaces result in fractions, any fraction of 0.49 or less shall be disregarded and any fraction of 0.50 or more shall be rounded upward to the next highest whole number.
  3. Area Measurements:
    - a. Residential: Unless otherwise specifically noted, residential parking requirements for all square footage based parking and loading standards shall be computed on the interior square footage of each residential unit, as measured between the interior walls of the unit.

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b. Non-residential: Unless otherwise specifically noted, non-residential parking requirements for all square footage based parking and loading standards are to be computed on the basis of gross floor area (GFA) as defined by Title 17 of the Ketchum Municipal Code.

4. Employee Based Standards: For the purpose of computing parking requirements based on employees the calculation shall be based on the largest number of persons working on any single shift.
5. Nonconforming Due To Lack of Parking and Loading: No lawfully existing building shall be deemed to be a nonconforming building solely because of lack of parking and loading spaces; provided, that space being used for off street parking or loading in connection with any such building at the effective date of this ordinance shall not be further reduced in area or capacity.
6. Off Street Parking Requirements: Off street parking requirements apply to uses in all districts, unless otherwise specified.

**B. Off Street Parking Matrix**

<b>Use Category</b>	<b>Parking Spaces Required</b>
Residential (multiple-family dwelling), in all applicable zoning districts, other than LI-1, LI-2 and LI-3	Units 750 gross square feet or less: 0 parking spaces required Units 751 gross square feet to 1,500 gross square feet: 1 space per dwelling unit Units 1,501 gross square feet and above: 2 parking spaces per dwelling unit
Residential (one family dwelling), in all applicable zoning districts	2.0 parking spaces per dwelling unit
Non-residential, in zoning districts other than LI-1, LI-2, and LI-3	1 parking space per 1,000 gross square feet <sup>1</sup>
<b>LI-1, LI-2, and LI-3 zoning districts</b>	<b>Parking Spaces Required</b>
Residential (multiple-family dwelling)	1 parking space per bedroom
Motor Vehicle Fueling Station, Motor Vehicle Service	Where applicable: 1 space per 500 gross square feet and 2 short term holding spaces per fuel pump and 3 spaces per service bay
Office, Professional Service, Business Support Service, Retail Trade, Convenience Store, Food Service, Commercial Studio, Laundromats and Dry Cleaners, Instructional Service, Health and Fitness Facility, Daycare	1 space per 250 gross square feet
Wholesale, Manufacturing, Industrial Laundry, Hybrid Production Facility, and all other permitted uses	1 space per 1000 gross square feet

<sup>1</sup>. Refer to definition Floor Area, Gross and with the additional exclusion of common and public areas.

**C. Exemptions:**

1. In the Community Core (CC) and Tourist (T) zoning districts the following uses meeting the definitions found in 17.08.020 are exempt from providing off street parking:

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- a. Community Housing;
- b. Food Service;
- c. The first 5,500 gross square feet of Retail Trade<sup>1</sup>;
- d. Assembly existing as of April 17, 2017; and
- e. The first 5,500 gross square feet for new assembly uses<sup>2</sup>.

Notes:

- 1. The first 5,500 gross square feet of a space occupied by a tenant is exempt, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.
- 2. The first 5,500 gross square feet of an assembly use established after April 17, 2017 is exempt, additional square footage is subject to the ratio of 1 parking space per 1,000 gross square feet.

- 2. In all zoning districts non-residential uses within 1,000 feet of a structured parking facility, with the distance calculated by measuring the sidewalk from the primary entrance of the use(s) to the location of the structured parking facility, are exempt from providing off street parking.
- 3. Other uses may be exempted by the Administrator upon completion of a Parking Demand Analysis demonstrating the actual demands of the project are less than the minimum requirements of the code. A Parking Demand Analysis shall be prepared by a registered professional engineer licensed in the State of Idaho.

D. Off Street Vehicle Loading Areas:

In the LI-1, LI-2, and LI-3 districts, off street loading areas shall be required as an accessory use for new construction or additions involving an increase in gross floor area as follows:

- 1. Number of Spaces:
  - a. One (1) off street loading space is required for Gross Floor Area in excess of two thousand (2,000) square feet.
  - b. No loading space shall occupy any part of a public street, alley, driveway, or sidewalk. Where practicable to do so, an alley may be used in lieu of the requirement for off street loading space(s) if permission is granted by the Administrator.
- 2. Dimensions: An off street loading space shall be a minimum of 180 square feet with no length of the space being less than ten feet (10').

**17.125.050: COMMUNITY CORE DISTRICT OFF STREET PARKING REQUIREMENTS:**

- A. Purpose: The parking requirements listed in this section are specific to the Community Core district and are in addition to requirements listed in this Chapter and the off street parking matrix, section 17.125.040.B. of this chapter.
- B. Minimum Requirements: The minimum number of parking spaces provided on site shall be four (4) spaces per five thousand five hundred (5,500) square feet of lot area, unless fewer spaces are required by the off street parking matrix, section 17.125.050 of this Chapter.
- C. On Street Parking Credit: In a circumstance where the off street parking matrix results in a requirement of more than four (4) parking spaces, four (4) on street parking spaces per five thousand five hundred (5,500) square feet of lot area may be credited toward the required parking demand after the required four (4) space minimum on site is satisfied. The credit spaces shall only be credited for use for the non-residential parking demand of the project.
- D. Shared Parking Plan: A reduction in off street parking may be obtained through the provision of an approved Shared Parking Plan in compliance with subsection 17.125.080 of this chapter.

**17.125.060: BICYCLE PARKING:**

- A. Purpose: To further the intent of this chapter, including the purposes of encouraging a range of transportation alternatives, facilitating community design supported by multi-modal transportation, promoting Travel Demand Management techniques and providing safe, secure and conveniently located bicycle parking facilities, the following bicycle parking requirements have been established.
- B. Spaces Required: All uses, other than one family dwellings, are required to provide one (1) bicycle rack, able to accommodate at least two (2) bicycles, for every four (4) parking spaces required by the proposed use. At a minimum, one (1) bicycle parking rack shall be required per development.
- C. Fractions: When measurements of the number of required spaces result in fractions, any fraction equal to or greater than (1/2) shall be rounded up to the next highest whole number.
- D. Location: Bicycle parking space(s) shall be clearly visible from the building entrance they serve and located no more than fifty feet (50') from the entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles. In cases where bicycle parking spaces are not visible from the primary street, signage shall be used to direct cyclists safely to bicycle parking areas.
- E. ADA: Bicycle parking space facilities shall not interfere with pedestrian circulation, accessible paths of travel or accessible parking as required by the Americans with Disabilities Act of 1990.
- F. Design: Bicycle parking spaces must contain a stationary device or devices, secured to the ground, to which bicycles can be locked. Each bicycle parking space must be accessible without moving another bicycle.
- G. Surfaces: Bicycle racks must be located on paved or pervious, dust free surface. Surfaces cannot be gravel, landscape stone or wood chips.

**17.125.070: PARKING DEMAND ANALYSIS:**

- A. Purpose: A Parking Demand Analysis is a study indicating that the requirements of this chapter regarding the number of off-street vehicle parking spaces required are not applicable to the proposed project because the project contains a unique mix of uses, the operational method is atypical, the use is not listed, or location or contextual factors affect the amount of off-street parking spaces required.
- B. Eligibility: A Parking Demand Analysis may be submitted by an applicant for any project in any zoning district.
- C. Analysis required: A Parking Demand Analysis is required for any project requesting a reduction in parking through a Shared Parking Plan or a Transportation Demand Management Plan. A Parking Demand Analysis may otherwise be required by the Administrator.
- D. Contents:

A Parking Demand Analysis shall be prepared in the following manner to demonstrate that the requirements of section 17.125.040.B, Off Street Parking Matrix, are not applicable:

  - 1. Preparation: The Parking Demand Analysis shall be prepared by a registered professional engineer licensed in the State of Idaho.
  - 2. Project Description: A project description shall be included. The project description shall include, but is not limited to:
    - a. Project location context map;
    - b. Gross and net square footage of existing and proposed uses that will be part of the new development under review; and

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- c. Table containing off-street parking and loading requirements for each use as required by this Chapter;
- 3. Project Analysis: A narrative analysis considering the following minimum factors shall be submitted:
  - a. Discussion of the project's mix of uses, operational method, unique nature of uses, and location, contextual, or other factors affecting the amount of off-street parking and loading spaces required;
  - b. Existing site plan; and
  - c. Proposed site plan;
  - d. Discussion of site specific parking needs.
- 4. Remedy: A narrative describing proposed measures to be taken to reconcile the project's parking demand with off-street parking and loading required for the project.
  - a. A Shared Parking Plan and/or a Transportation Demand Management Plan may serve as the remedy in part or in full.
- 5. Additional Considerations: The city may require additional information as part of the Parking Demand Analysis.
- E. Method of Approval: The Administrator shall review the Parking Demand Analysis and accompanying remedies and upon finding that the analysis uses the appropriate methodology and includes an acceptable and reasonable remedy which can be implemented the Analysis shall be approved or approved with conditions. Remedies contained in the Analysis are binding and may only be modified through a written finding made by the Administrator.
- F. Potential Parking Reduction: Up to 50% of the total required parking spaces may be waived if the Administrator finds the remedies proposed, which may include a Shared Parking Plan and a Transportation Demand Management Plan, are sufficient to reduce the parking demand generated by the project.

**17.125.080: SHARED PARKING REDUCTION:**

- A. Purpose: Dedicated parking areas for individual uses, especially when provided in new developments, can result in less efficient land usage, lower floor area ratios, and more significant impacts and implications for multi-modal transportation and the quality of the pedestrian environment. Shared Parking is a strategy that can reduce the amount of land devoted to parking while providing a sufficient number of spaces and encouraging development that is compact, walkable, bikeable, and conducive to transit. A reduction of up to 25% of on-site vehicle parking requirements may be approved by the Administrator. A Parking Demand Analysis must be submitted as part of a Shared Parking plan.
- B. Shared Parking Reduction: A shared parking reduction may be allowed by conditional use permit in all zoning districts as follows:
  - 1. A Shared Parking Plan shall be submitted for review and is subject to approval by the Administrator.
  - 2. The Plan shall, at minimum, identify or contain:
    - a. A Parking Demand Analysis in accordance with 17.125.070;
    - b. The hours of peak parking demand for each use;
    - c. All locations of parking spaces on private property utilized through Shared Parking and identified on a location context map;

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- d. All public parking that can be accessed within a 1,000 foot walk as measured along sidewalk connecting to the site of the subject uses.
- e. The plan shall include an agreement between property owners for sharing common parking on private property. However, in no case will the City manage shared parking agreements.
3. Shared parking spaces may be provided in areas designed to serve jointly two (2) or more buildings or users.
4. All Shared Parking shall be located no less than three hundred feet (300') from the uses utilizing the Shared Parking, as determined by measuring along existing sidewalk or sidewalk that shall be constructed as a condition of approving the shared parking reduction from the primary entrance of the use(s) to the location of Shared Parking spaces.
5. The total number of off-street parking spaces shall not be less than that required by this chapter for the total combined number of buildings or uses, unless a reduction is approved through a Shared Parking Plan, or otherwise specified.
6. A reduction to parking requirements for individual uses may be made after considering the following standards and criteria:
  - a. The hour(s) of peak parking demand for each use, with peak demand being different or staggered;
  - b. The operating hours of each use, with operating hours being staggered; and
  - c. There is existing on-street parking available for public use within a 1,000 foot walk as measured along the sidewalk connecting to the site of the subject use.

**17.125.090: PARKING REDUCTION THROUGH TRANSPORTATION DEMAND MANAGEMENT:**

- A. Purpose: For projects with a FAR greater than 0.5 a Transportation Demand Management (TDM) plan may be provided in order to demonstrate that alternative strategies will be utilized to offset the demand for parking. A reduction of up to 25% of on-site vehicle parking requirements may be approved by the Administrator. A Parking Demand Analysis must be submitted as part of the TDM plan.
- B. Transportation Demand Management plans shall consider at least three (3) of the following strategies:
  1. A Shared Parking Plan subject to the standards found in 17.125.070;
  2. Covered bicycle parking;
    - a. Covered bicycle parking can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. When not located within a building or a locker the cover must be permanent, designed to protect the bicycle from rainfall, and at least seven (7) feet above the floor or ground.
    - b. Secure bicycle parking.
  3. Secure bicycle parking can be in a locked room or area enclosed by a locked gate or fence, in an area that is monitored by a security camera, or in an area that is visible from employee work areas.
  4. On-site locker room and shower facilities.



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5. Provision of a public transit stop or demonstration of proximate access to an existing transit stop.
6. Demonstration of proximate access, within 1,000 feet, to the Wood River Trail.
7. Construction of a “spur” connecting the subject property to the Wood River Trail.
8. Reserved preferential parking spaces for high occupancy vehicles.
9. Reserved preferential parking spaces for hybrid, electric, or alternative fuel vehicles.
10. Installation of on-site electric vehicle charging stations.
11. Publicly accessible permanent display area for information on TDM strategies and options for alternative transportation modes.
12. Shuttle service.
13. Contribution to public transit or alternative modes of transportation fund(s).
14. Employer programs such as:
  - a. Car/van pool coordination and incentive programs;
  - b. Shuttle program;
  - c. Guaranteed emergency ride home program; and
  - d. Public transit passes.
15. Alternative strategies approved by the Administrator.

**Attachment B:**

**“Parking Analysis for Changes to the City of Ketchum Zoning Code” report and appendix**

**Kushlan and Associates**

# Parking Analysis for Changes to the City of Ketchum Zoning Code

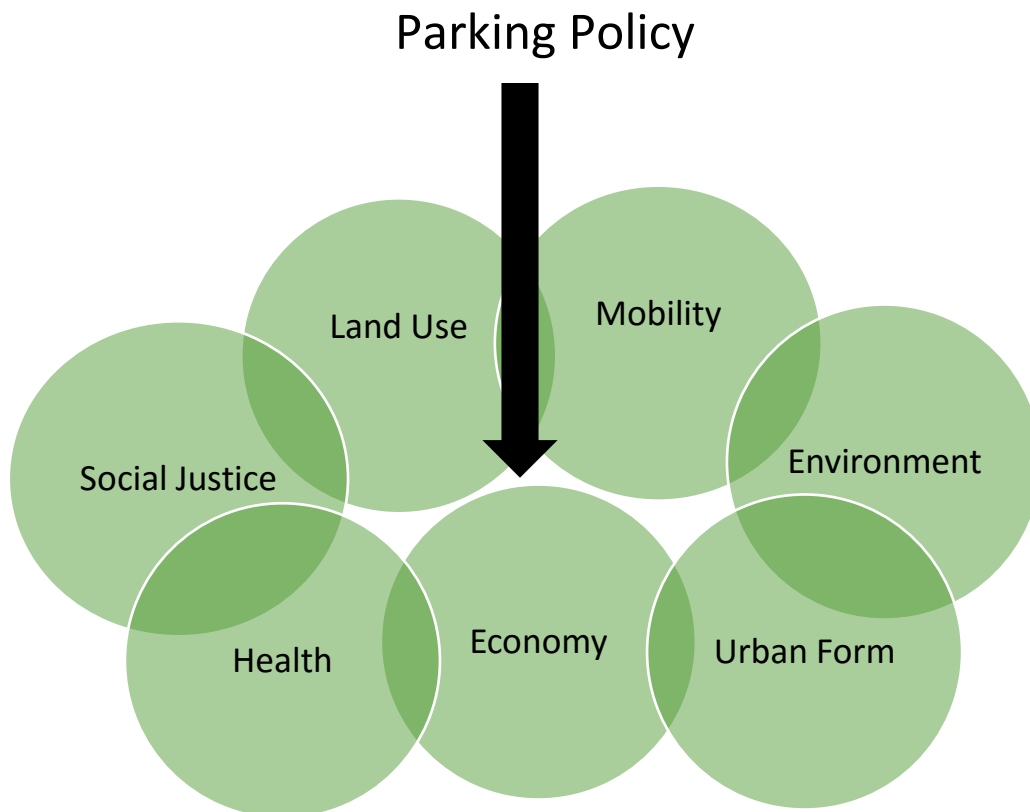
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**Task #1: Current Conditions.** Synthesize the current policy direction for parking regulations based on the Comprehensive Plan and conversations with City Officials. Identify where there may exist gaps in the policy direction. Evaluate the current parking standards for consistency with the adopted policies and identify general areas for code reform. Provide a written analysis of these findings for the City’s review.

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## Introduction

While we think of parking policies as having the most direct impact on mobility and land use, parking policies are also influential in the direction of other guiding principles for a community’s future, as depicted in this graphic.



## Community Core Values – Relationship to Parking

The City of Ketchum 2014 Comprehensive Plan sets forth ten core values, six of which are influenced by the direction the City takes on parking.

1. A Strong and Diverse Economy ✓
2. Vibrant Downtown ✓
3. Community Character Preservation ✓
4. A Variety of Housing Options ✓
5. Environmental Quality and Scenic Beauty
6. Exceptional Recreational Opportunities
7. Well-Connected Community ✓
8. Arts and Cultural Activities that Enliven the Community
9. Regional Cooperation
10. A “Greener” Community ✓

The following is an analysis of the goals identified for the Comprehensive Plan’s Core Values related to parking and the consistency of the current parking code with those goals. In addition, the Plan includes three direct and explicit policies for parking code reform. These follow in Table 1.

1. **A strong and diverse economy** The Comprehensive Plan goals for a strong and diverse economy include *expanding existing independent, small local businesses; diversification; support for tourism; and balancing the needs of both locals and tourists.*

Parking requirements directly impact the cost of construction, can impact new business formation and impact business operations. Parking is not free, and the costs of parking requirements are passed on to consumers and building tenants. It is estimated that current parking practices are comparable to about a 10% tax on development. In an environment of high land prices, parking requirements can be an impediment to small and local businesses. Currently, the highest valued land, the CC district, requires a minimum parking requirement of 4 spaces per 5,500 sf of lot area, regardless of the type of business (unless fewer spaces are required by the parking standards). This may be a disincentive to the goal of supporting independent, small local businesses.

The other challenge of parking requirements in meeting the goals of a strong and vibrant economy are the current standards, which have no basis in empirical data. These standards, like most city codes, were either borrowed from somewhere else or are based on some national average driven by suburban conditions that may or may not be the reality in the City of Ketchum. Who knows for certain if a medical clinic in Ketchum requires one parking space for every 300 square feet of gross

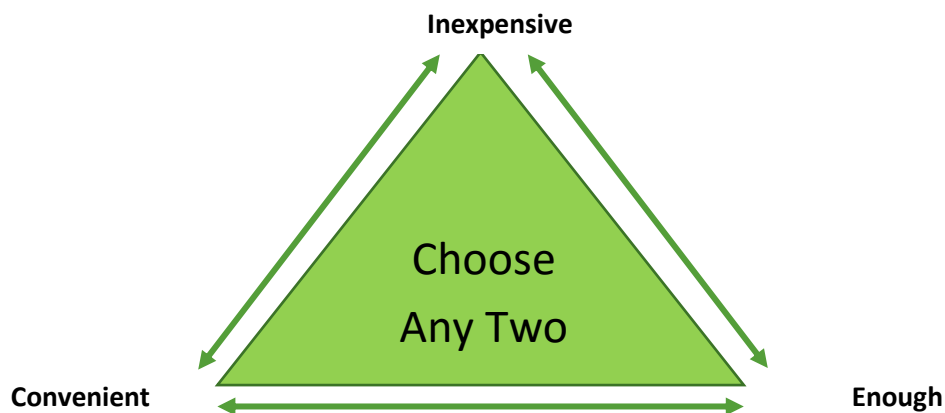
space? Most parking codes overestimate the actual parking need and in doing so contribute to the costs of development, and the costs of doing business. Nation-wide it is estimated that there are 3.4 parking spaces for every vehicle.

The new economies are looking for the type of quality of life infrastructure (sidewalks, public transit and trails) that is suggested in Policy E2-b. Realization of this type of infrastructure supports the inclusion of Transportation Demand Management (TDM) tools in parking requirements. If this type of infrastructure is in place, there are greater opportunities to allow for TDM measures to substitute for parking requirements. See Table 1 for more details on TDM measures.

2. **A vibrant downtown** – The goals for the Downtown are *as a place that people can reach easily by foot, bike, and transit, and as the City’s primary business district, retail core, and key gathering place.*

Through the policies decisions made on the requirements for off-street parking, incentives are created for the choice of one mode of transportation over another. Parking serves only one mode of mobility and by overly accommodating parking, a competitive advantage is created for vehicles over other travel modes, such as transit. If parking is over supplied and inexpensive, there is little incentive for using other forms of transportation, and this goal for creating a vibrant downtown (that it be “people based”) will be impeded.

However, parking is essential to a vibrant downtown. The question is how is parking provided and managed? Kimley Horn in the draft “Strategic Parking Plan for Downtown Boise”, notes that there are three attributes typically desired in downtowns: convenient parking, enough parking and inexpensive parking. Only two of these three can be provided and cities must make a policy decision on which of the two out of three will be their goal.



- If you have inexpensive and convenient parking, you will not likely have enough. This choice will drive the need for other viable mobility options.
- If you have inexpensive and enough parking, it may not be convenient. This requires remote or off-site parking with connections by walking or shuttle operations.

- If you have convenient and enough parking, it will not be inexpensive. This would drive a decision toward structured parking to meet parking needs.

The question of “enough parking” was recently addressed by the parking counts undertaken by staff during the shoulder and peak periods. Parking is generally considered at capacity when 85 percent of the spaces are utilized. In the counts that were taken during the slack time, except for the parking lot at 6<sup>th</sup> and Leadville and three of the five counts taken at 2<sup>nd</sup> and Washington, all areas were below that percentile. During the peak period, half of the counts were above 85 percent. Should the determination of what is “enough parking” be based on the peak or the shoulder season? This is a policy question fundamental to addressing parking management in the downtown.

Key to the goals of a vibrant downtown is a mix of land uses, and many times the off-street parking requirements based on land use alone can be an impediment to certain types of desired outcomes. Some communities have moved toward a “blended rate” parking standards that apply the same rate in the same area, regardless of the land use. This approach would benefit uses such as restaurants that typically have a higher parking generation rate, but in a downtown setting can take advantage of parking that is underutilized during the restaurant’s peak evening time.

3. **Community character preservation** – The goals are to *maintain the community’s small town and unique identity. Maintaining the scale of the community and protecting historic significant buildings are elements of this goal.*

Parking is a prodigious and inefficient use of land. Parking shapes the built environment through site design, lowering intensity/density and through accommodation of vehicles, contributing to sprawl. Surface lots break up the fabric of the pedestrian environment and screening is challenged by the equally important objective of safety. The potential for larger scale parking garages to meet community needs will be a challenge to ensuring that the small town character is maintained.

The current code provides design direction for landscaping of buildings and surface lots to mitigate the impact on the small scale character. Surface lots require a conditional use and maybe in some area should be prohibited altogether to maintain the small town identity. Consideration should also be given to changing the allowance for up to 35% of the street frontage in parking access. In smaller lot frontages this is a reasonable standard, but for property with longer frontage it seems excessive for ensuring pedestrian safety and comfort.

The current code requirement for a review of the off street parking whenever there is change in use influences the market’s interest in the re-use of existing, older and possibly significant historical, buildings. Older buildings may be passed by because of the burden of the additional parking requirements that cannot be accommodated on a built-up site. The result can be vacant and deteriorating buildings that not only have an impact on the vibrancy of the area, but in the

long term can result in the elimination of important structures to the historic fabric of the community.

4. **A variety of housing options** – The goals for housing are to *increase the supply of housing, including rental, special needs housing and to provide a mix of housing types and style. Policy H3.1 explicitly identifies parking as an incentive to be used to encourage greater housing diversity.*

Based on typical affordable housing development costs, one parking space per unit increases costs approximately 12.5%, and two parking spaces can increase costs by up to 25%. Since parking costs increase as a percentage of rent, for lower priced housing, minimum parking requirements are regressive. Smaller affordable housing costs less than a larger luxury unit, but the parking space costs the same. Table 1 that follows provides some additional direction for bringing the current code into consistency with the goals for a variety of housing options.

5. **A well connected community**- The goals of a well-connected community are the most relevant section of the Plan to the parking code. They include goals for *promoting safe and efficient mobility through land use, effective and efficient transit system that is competitive with the single-occupant vehicle and by using travel demand management (TDM) techniques. Also are goals for providing key multi-modal transportation connections to the Core Area; and enhancing pedestrian and bicycling connectivity and comfort.*

Parking provisions that require each development to build the parking necessary for the individual development is an inefficient way to ensure adequate parking in the community. The current shared and in lieu parking provisions are positive ways in which under the current regulations, greater efficiencies can be achieved, and should be broadened and expanded.

Transportation Demand Techniques (TDM) that support a more competitive transit system are outlined in Table 1. A transit hub and jitney service (Policy M2.2) provide an opportunity to refine the parking code to eliminate or reduce parking requirements in conjunction with the hub location and services.

6. **A greener community**- most relevant goals are to *protect surface water quality and promote energy conservation and the reduction of greenhouse gases.*

Off-street parking requirements do not promote a sustainable community; the requirements promote a drivable and unsustainable community, and stand in the way of Ketchum being truly sustainable. Parking requirements that favor vehicle use over transit and active transportation result in increases in greenhouse gas emissions, contributing to global warming and reducing air quality. To meet its goals to be a good steward to the environment and promote a greener community as directed in the Comprehensive Plan, parking requirements need to be addressed in parallel with efforts to accommodate and support alternative modes of access and transportation.

**TABLE 1 EXPLICIT COMPREHENSIVE PLAN POLICY DIRECTION RELATED TO PARKING**

Plan Policy	Consistency of Current Parking Code	Direction for Change
<p><b><u>Policy H-3.1 Mixture of Housing Types in New Development</u></b> The City should encourage the private sector, through land-use regulations and incentive programs, to provide a mixture of housing types with varied price ranges and densities that meet a variety of needs. The City will evaluate the use of incentives, such as flexibility in height, density and parking requirements to achieve greater housing diversity.</p>	<ul style="list-style-type: none"> <li>• Other than shared parking reduction and no parking requirements for community housing in the CC district, there is no incentive provided in the current code for mixed housing products.</li> <li>• The current minimum standard is based on housing unit size of 1500 sf. which is a disincentive for smaller units, and greater diversity.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish parking requirements based on the size of units; reduce the minimum size.</li> <li>• Exempt smaller size units from parking requirements in all mixed housing products.</li> <li>• Provide flexibility in parking requirements for mixed housing products.</li> <li>• Unbundle the parking requirements, so that residents have a choice to have parking or not will reduce the costs of housing and may lead to greater diversity.</li> </ul>
<p><b><u>Policy M-8.1 Incentives to Improve System Efficiency</u></b>. The City will create incentives, such as reduced parking requirements or deferred development impact fees when a development implements specific travel demand management techniques.</p>	<p>Travel demand management (TDM) and the relationship to parking is not addressed in the current code.</p>	<p>Parking requirements determined by the number of TDM elements included in the development. Consideration include: subsidized bus passes, provision of commuter buses, transportation coordinator, priority parking for car sharing, bicycle space requirements, and facilities and storage, lockers and showers.</p>
<p><b><u>Policy M-8.3 Shared Parking</u></b> The City will provide incentives for shared parking agreements to maximize the use of existing surface lots.</p>	<p>The current code provides provisions for shared parking through a conditional use permit for limited uses and locations.</p>	<p>Expand the application of shared parking. Consider an administrative process and re-think minimum parking requirements.</p>



## Conclusion

This first task has intended to be an overview of the direction set out in the Comprehensive Plan that relates to parking, a general review of the existing parking code consistency with that direction and some beginning ideas of areas of parking code reform. From the city review and comment on these findings, the next task will be to take a deeper dive into best and emerging practices that appear most appropriate to Ketchum. At this point, these appear to include:

1. Integrating Transportation Demand Management (TDM) into the parking requirements.
2. Expanding and/or changing the application of the shared and in lieu parking provisions.
3. Re-thinking the land based parking standards for greater flexibility.
4. Considering area based parking standards for the downtown.
5. Reviewing the various ways parking can be an incentive for the desired and mix of housing.
6. Examine ways to de-regulate parking for older or historic structures.

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**Task #2: Review Best and Emerging Practices.** Examine the relevance of best and emerging practices of parking regulations for Ketchum considering the land uses, transportation modes, population, resort setting, and the findings from Task #1. Review the relationship between parking and land use and the way in which parking is used to or not to incentivize certain desired land uses. Recommend some options for changes to the parking code prioritized by easiest to more difficult to implement; and changes that can occur overtime.

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### Summary:

There is a dearth of innovation in parking regulations for resort communities that would be considered a peer to the City of Ketchum. Attachment A highlights the notable features of twenty resort communities around the west that were researched for this report. Attachment B provides excerpts of relevant code provisions from some of these cities. Here is a bullet summary of the review of these twenty peer cities:

- While there are some good examples of bicycle parking standards and provisions for transit, these requirements are typically stand-alone provisions, and not well integrated with the parking requirements as would be desired in a Transportation Demand Management approach to parking as suggested in the Ketchum Comprehensive Plan.
- Most communities have provisions for in lieu and shared parking. Ketchum is one of the few cities that have taken this a step further by allowing a reduction in the overall parking requirements when there is shared use.
- Many resort communities have special parking provisions for downtowns, historic districts, or the community's core.
- There are few good examples of communities using parking as an incentive for certain types of land uses.
- There are many examples of simplified code provisions and parking standards.
- There are a variety of means used by the peer cities to exempt, or reduce the parking standards.

The Task #1 report for this project and the subsequent discussion with city officials, identified seven topical areas for further research and comparison with peer communities. What follows is the findings from this further research. Recommendations for amendments to the Ketchum parking code follows that discussion.

### 1. Integrating Transportation Demand Management (TDM) in the Parking Requirements.

It is not surprising that the peer resort cities have few TDM provisions in their parking regulations since the application of TDM is most common for employment based land uses. Most of the communities reviewed do not have large employment industries.

Standards for bicycle parking most frequently appeared in these codes, but in only one community was the provision of bike parking tied to a reduction in vehicular parking. Location to bus stops or provision of a transit facility were other TDM examples that provided a basis for parking reduction. Here is a menu of TDM provisions for the city to consider:

- Adopt the TDM strategies identified in the Warm Springs Base Area Overlay universally for all zones in the City.

- Provide for bike parking and storage as a requirement for all uses; or as a requirement for some uses that normally generate bicycle use such as health clubs, spas, parks and uses near trails; or as a substitute for vehicular parking.
- Provide for shower and lockers facilities for employment based uses of a certain size as a requirement, or as a substitute for vehicular parking.
- Provide for locational factors to be a basis for parking reduction, such as within ¼ mile of a bus stop or the Wood River Trail.
- Dedicate the in-lieu fund to alternative mobility only such as support for Mountain Rides, shuttle services for remote lots, trail improvements, and bike or car sharing. Under this scenario, consider incentivizing the in lieu fund as an alternative to on-site parking by changing the ratio of the number of in lieu spaces to on-site spaces or reducing the per space costs for in lieu.

## 2. Expanding the application of the shared and in lieu parking provisions.

Most of the peer cities have shared parking provisions, but fewer have parking reduction allowances in shared circumstances. The current Ketchum parking code provisions allow for shared parking reduction in the Tourists Districts and in the CC District by means of a conditional use permit or parking analysis. Recommendations for expanding the shared parking provisions include:

- Provide for clearer direction on what is the content of a parking analysis. Include information on the uses, peak hour parking, adjustments for uses that would not generate new trip (the noncaptive factor), location, connections and distances between uses and parking, and the opportunities for capture uses.
- With improved criteria for the content of the parking analysis, eliminate the need for a conditional use permit review.
- Allow for a shared parking reduction of 20% as a right for any mixed use project in any zone. Provide provisions for additional reduction through a parking analysis.
- Identify uses, because of their varying peak parking periods that can share parking. Develop standards for the location and connectivity of remote lots in relationship to the uses.
- Establish a standard agreement to be used between shared parking property owners that identify how conflicts will be resolved, responsibilities for maintenance, and liability requirements.
- Establish a standard cross-access agreement that can be used by adjacent properties for sharing parking facilities.
- See the provisions in #1 regarding in lieu parking requirements.

## 3. Re-think the land based parking standards for greater flexibility

In addition to shared parking and TDM provisions that move away from the land based parking standards, other tools for creating flexibility in parking requirements have been employed by the peer communities. Most have the standard laundry list of uses followed by provisions by which the requirements can be reduced or modified. These provisions include (1) a variance process; (2) conditional use permit; (3) other discretionary body decision; or (4) administrative decision.

The criteria for the basis for the decision to exempt or reduce parking standards also varies from none to a detailed parking analysis. Some decisions are based on the location and others on the nature of the specific use. A minority of communities also impose a layer of discretion if the applicant request is for more parking

than is required by the code. One community that has very minimal requirements also has provisions that allow the city to require more parking for a specific project than is identified by parking standards.

This recommendation to allow for greater flexibility is closely related to Finding #7 to simplify the Code standards. If the city's choice is to keep the current parking standards (the off-street parking matrix) with some minor consolidation of uses, then a process might be needed to allow for requests for parking reduction. The basis for approval of such a request could be a variety of reasons including the inclusion of TDM measures mentioned in #1, shared parking, or availability of on-street parking as is currently provided for in the CC District. The more detailed the criteria, the less need for a discretionary body to make the decision.

If the City is to move toward more reform of the chart of parking standards (the off-street parking matrix) and with minimal parking requirements, then imposing an additional process check to ensure adequate parking in all situations might be needed. Parking is very much market driven, and there are few instances when a developer or applicant will not provide the parking they feel is needed to support the project and satisfy their lending institutions. The role of the city is to ensure that amount of parking is appropriate for the circumstances of the use and location, and that there are no parking externalities on surrounding properties or on-street parking. As the city's efforts at creating more modal choices expand, there also may be a future requirement to set maximums on the number of parking provided, as in the case of one peer community.

Recommendations:

- Develop minimum parking standards (see #7 that follows) for all uses with a provision for requiring more parking through an administrative determination.
- Allow for parking reduction from the minimum standards through the provision of TDM measures (outlined in #1)
- Determine parking requirements on a case by case basis with adjustment factors that take into account the unique characteristics of the proposed development: size, location, density of employees or units, mix of land uses, access to transit, walking-bicycling connections, shared parking opportunities, and availability of both public and private parking in the vicinity.

#### 4. Consider area based standards for the Downtown

A majority of the peer communities had different standards for their downtown or core, compared to standards for other zones in the city. None had adopted area based or one parking generation standard for all uses in the downtown. One community had no parking requirements in their downtown (except for gaming and lodging) and another had no parking requirements in urban renewal districts or areas within a building improvement district (BID). Two other cities required remote or in lieu parking only. Another community code provides that for their downtown, the minimum standards are the maximum, and prohibits the additional parking over what is allowed in the code.

Given the inherent mixed use character of the downtown, there seems to be a basis for a different set of standards, but determining what those standards should be, regardless if there is one standard for all uses or a reduced standard from the rest of the city, is a challenge. Ideally, setting such a standard should be based on some empirical evidence on the nature of uses, parking utilization rate, peak parking demand, and the

impacts of other modes of transportation to access the downtown. This consideration is further complicated by the direction to incentivize certain uses in the downtown through the parking standards.

Recommendations for changing standards in the downtown:

- Maintain the current code provision to exempt community housing from the parking requirement.
- Exempt from the parking requirements other uses the City would like to incentivize.
- Allow by right a parking reduction of 20% for all uses in the downtown from the standards contained on the parking matrix.
- Adopt simplified parking standards for the downtown with four categories: commercial, residential, lodging, and assembly.
- Adopt a one parking standard such as 2 spaces/1000 and eliminate the provision of on-street parking to be used in partial satisfaction of the parking requirement.
- In the long term, substitute parking requirements for investment in transit, pedestrian and bicycle improvements funded through in lieu fees, LID or other mechanisms.

## 5. Review the way in which parking can be an incentive for the desired uses and mix of housing.

The peer city review provides little direction on this issue: parking reductions are provided to restaurants in two communities that were reviewed. Ketchum's interest to incentivize certain uses is to create vibrancy, especially in the downtown. Vibrancy can be accomplished by adjusting the parking standards as described above in #4, which would create an incentive for uses such as retail and restaurants that generate higher parking needs.

Incentivizing for a mix of housing is more challenging. Standardizing the parking requirement, for example one space per unit regardless of size, or unbundling the parking requirement from housing altogether are two approaches to consider. While not necessarily incentivizing a mix of housing, both of these approaches would create a more level playing field for any type of housing. If the objective is to create smaller more affordable housing, then eliminating parking for housing below a certain size, for example 750 square feet may be an approach.

The current code parking standard is based on gross square feet. This may create a disincentive for common areas, such as courtyards or interior atriums that can contribute to vibrancy. Consideration should be given to basing the standard on net leasable area instead of gross square feet. Also surface lots, which are dead zones and require driveway cuts that interrupt pedestrian flow, are also a land use that negatively impacts vibrancy. Some consideration should be made to prohibiting or limited surface lots in the downtown.

Recommendations:

- Establish parking requirements based on the size of dwelling units; reduce the minimum size.
- Exempt smaller size dwelling units from parking requirements in all mixed housing developments.
- Provide flexibility in parking requirements for mixed housing products.

- Unbundle the parking requirements, so that residents have a choice to have parking or not. This approach reduces the costs of housing and may lead to greater diversity.
- Base parking requirements on leasable rather than gross floor area.
- Prohibit surface lots in the downtown.

## 6. Examine ways to de-regulate parking for older or historic structures.

Only Aspen had provisions which specifically addressed parking for historic structures. In that Code, the parking requirement is under the review the Historic Commission and specific criteria is outlined to direct their review of waiving or varying parking requirements.

Other ways to de-regulate parking for older structures would be to identify certain structures, locations or uses that would be exempt from additional parking requirements. Criteria for identifying such exemptions could be historic buildings, building that have been vacant for extended period of time, uses that City desires to incentivize, or locations where the provision of additional parking would be infeasible. The exemption could be provided outright or through a discretionary process.

## 7. Streamline and simplify the parking standards. Expand the on-street parking credit to other districts.

The peer cities provide several models for simplifying the parking standards. Among the best are Telluride and Cripple Creek. (Copies attached in Attachment B). Telluride has just seven land use categories and Cripple Creek has eight with the addition of different standards by district.

Several other cities allow for on-street credits to be applied to off-street parking requirement. These include: a one to one allowance or a 0.75 to 1 space. One example, restricts the allowance for residential uses that responds to Ketchum's concern about street clearance overnight for snow removal.

Recommendations for simplifying the parking standards:

- Reduce the number of land use categories
- Expand the current provisions that allow for on-street parking to satisfy the parking requirements, except for residential uses.

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## Parking Analysis for Changes to the City of Ketchum Zoning Code

### Attachment A

### Peer City Review Summary

	City	In lieu	Shared Parking	Core Area Provisions	Notable features
1.	Aspen, CO	X	X		<ul style="list-style-type: none"> <li>• Special provisions for historic structures</li> </ul>
2.	Breckenridge, CO	X	X		<ul style="list-style-type: none"> <li>• Relief from parking through variance process</li> </ul>
3.	Carmel, CA	X	X	X	<ul style="list-style-type: none"> <li>• No off-street parking is allowed in Core-must be in-lieu or shared</li> </ul>
4.	Coeur d’Alene, ID	X	X	X	<ul style="list-style-type: none"> <li>• Parking Commission</li> <li>• Tandem parking allowed</li> <li>• Reduction in core and in-fill overlay areas</li> <li>• Bike Parking standards</li> </ul>
5.	Crested Butte, CO	X		X	<ul style="list-style-type: none"> <li>• Grandfathers certain restaurant and residential uses</li> <li>• Allow for payments over time of in-lieu parking fees</li> <li>• Allows on-street parking credits in core</li> </ul>
6.	Cripple Creek, CO		X	X	<ul style="list-style-type: none"> <li>• No minimum standards, except for gaming and lodging in core area</li> <li>• Allows parking requirements to be satisfied on-street, off-street or combination in all zones</li> </ul>
7.	Frisco, Co		X	X	<ul style="list-style-type: none"> <li>• Reduced parking requirements in the core</li> <li>• On-street allowed for any “non-overnight” uses in the core and MU districts</li> <li>• Reduced parking for shared up to 25%</li> </ul>
8.	Hood River, OR	X	X	X	<ul style="list-style-type: none"> <li>• Bike parking standards</li> <li>• In lieu required in certain districts</li> </ul>
9.	Jackson, WY	X	X	X	<ul style="list-style-type: none"> <li>• On-street parking credits in core</li> </ul>

	City	In lieu	Shared Parking	Core Area Provisions	Notable features
					<ul style="list-style-type: none"> <li>• Independent assessment for some uses</li> <li>• Administrative adjust for reducing parking standards</li> </ul>
10.	LaConner, WA	X	X		<ul style="list-style-type: none"> <li>• Up to 50% of parking can be provided through in lieu.</li> <li>• 50% of parking must be provided on-site.</li> </ul>
11.	Leavenworth, WA		X		<ul style="list-style-type: none"> <li>• Simple joint use provisions</li> <li>• Electric vehicle (EV) charging station provisions</li> </ul>
12.	McCall, ID	X			<ul style="list-style-type: none"> <li>• Bike parking standards</li> <li>• Parking exemption in BID or Urban renewal district</li> <li>• Reduction in parking allowed by Commission action</li> </ul>
13.	Park City, UT		X		<ul style="list-style-type: none"> <li>• Allows for tandem parking</li> <li>• Reduction with conditional use or master plan</li> <li>• Bicycle Parking standards</li> </ul>
14.	Sandpoint, ID	X	X	X	<ul style="list-style-type: none"> <li>• In lieu only in downtown</li> </ul>
15.	Santa Fe, NM	X	X	X	<ul style="list-style-type: none"> <li>• Simple core area parking standards</li> <li>• Reduction for providing transit facilities</li> <li>• Reduction in shared parking circumstances</li> <li>• Reduction in core area by special use permit</li> <li>• Bike Parking requirements</li> </ul>
16.	Steamboat Springs, CO				<ul style="list-style-type: none"> <li>• Incentives for eliminating curb cuts</li> <li>• Maximum standards in core district</li> </ul>
17.	Taos, NM				<ul style="list-style-type: none"> <li>• Reduction in parking allowed by Commission action up to 20%</li> <li>• Bike parking requirements</li> </ul>
18.	Telluride, CO	X			<ul style="list-style-type: none"> <li>• Simple parking standards with PZ approval for some uses.</li> <li>• Tandem parking allowed</li> </ul>
19.	Truckee, CA	X	X	X	<ul style="list-style-type: none"> <li>• Use permits, specific plans, similar supersede zoning requirements</li> <li>• Minimum and maximum parking requirements</li> </ul>



	City	In lieu	Shared Parking	Core Area Provisions	Notable features
					<ul style="list-style-type: none"> <li>• Restaurant along Truckee River exempt from parking requirements up to 10 spaces</li> <li>• Bike Parking requirements</li> <li>• Good parking structure design requirements</li> <li>• On-street parking allowed in core at ration of 0.75/1 space requirement</li> </ul>
20.	Vail, Co	X	X	X	<ul style="list-style-type: none"> <li>• Parking standards for within core and outside core</li> <li>• City Council can create “exempt areas” based on criteria</li> <li>• PZ can reduce parking based on studies and criteria</li> <li>• In-lieu “zones”</li> </ul>

Attachment B  
Sample Code Provisions for Peer Cities

**In lieu Provisions**

**9-3-13: USE OF IN LIEU FEES BY TOWN**

4. The provision or operating expenses of transit facilities and equipment designed to reduce reliance on private automobiles; provided that such transit facilities or equipment shall, in the determination of the town council, provide a benefit to the service area. (Breckenridge)

**Shared Use**

**17.44.225 B.** For the purposes of this chapter, the following table provides examples of shared use parking that will be permitted between the uses or activities listed below as having primarily daytime or evening hours of operation:

TABLE A	
<u>Uses With Daytime Hours</u>	<u>Uses With Evening Hours</u>
Banks	Auditoriums
Business offices	Bars
Churches	Bowling alleys
Grade schools/high schools and daycare centers	Dance halls
Manufacture/wholesale (with limited hours)	Hotels/motels
Medical clinics	Meeting halls
Professional offices	Nightclubs
Retail stores (with limited hours)	Restaurants
Service stores	Theaters

(Coeur d'Alene)

**Reduction in Standards**

**(I) Reduction Of Requirements:** Where there is an adequate public transit system, or where, for any other reason parking demand is unusually low, such as where uses with differing operating hours or needs share parking under a formal, written agreement to which the city is a party, then the parking space provisions cited herein may be reduced proportionately by the commission. If the owner, whose parking

facility is under such an agreement which requires the facility to be available to the patrons of the other use(s), fails or refuses to make such parking available in accordance with the agreement, such failure or refusal is a violation of this title.

**(J) Alternative Proposals:** Where special conditions exist which make compliance with these standards impractical, the commission will consider alternative proposals presented according to the procedures and standards for a variance. (McCall)

#### **16.20.040.2: SPACES REQUIRED**

F. Commission Review: The commission may modify the provisions herein set forth establishing required parking areas so long as the public health, safety and welfare is not adversely affected. Modification of parking space quantity within twenty percent (20%) of requirements may be acceptable to the commission at their discretion under guidelines established by the code administrator and adopted by the commission. (Taos)

#### **9-3-16: RELIEF PROCEDURES:**

A. The planning commission, or the town council if the decision of the planning commission is called up, may grant a variance, exception or waiver of condition from any requirement of this chapter, upon written request by a developer or owner of property subject to this chapter, following a public hearing, and only upon finding that: 1) a strict application of such requirement would, when regarded as a whole, result in confiscation of the property or 2) that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal or requirement. No variance, exception or waiver of condition shall have the effect of nullifying the intent and purpose of these regulations. The planning commission or town council shall not approve a variance, exception or waiver of condition unless it makes findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance, exception or waiver of condition will not be detrimental to the public health, safety, or welfare or injurious to other property;
2. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The relief sought will not in any manner vary the provisions of the development code, town master plan or other town law, except that those documents may be amended in the manner prescribed by law. (Breckenridge)

### **Downtown Area Based Standards**

#### **17.38.030 Exceptions**

A. On-Site Parking in the Central Commercial (CC) Land Use District. In contrast to the other districts within the City, on-site parking is prohibited in the central commercial (CC) land use district. This policy eliminates the need for curb cuts in sidewalks and the

interference with free pedestrian traffic flow that would result from an excessive number of driveways. This policy is also intended to enhance the opportunities for creating intra-block courts and walkways between properties and buildings.....

B. Use of Another Site. Parking requirements may be fulfilled by supplying the required parking on another site upon approval of a use permit.

C. Parking Adjustment In-Lieu Fees. The Planning Commission may authorize the satisfaction of parking requirements through the granting of a use permit and the payment of in-lieu fees when on-site parking is not practical or when on-site parking is prohibited by City policies. (Carmel)

#### **7.05.725: BASIC DEVELOPMENT STANDARDS; PARKING STANDARDS:**

A. Parking Ratios: Subject to the requirements of [chapter 17.44](#) of this title, the parking ratios for uses in the DC district shall be as follows:

1. Retail/Restaurant Uses: Retail/restaurant uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet. However, retail/restaurant uses less than three thousand (3,000) square feet are exempt from this requirement.
2. Office Uses: Office uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet.
3. Residential And Hotel Uses: Residential/hotel uses in the DC district must provide at least 0.5 but no more than two (2) parking stalls per unit.
4. Senior Housing Uses: Senior housing uses in the DC district must provide at least 0.25 but no more than one parking stall per unit. (Coeur d'Alene)

#### **4-8.6 OFF-STREET PARKING AND LOADING (C) Provisions for Specific Districts (2) BCD, C-2**

(a) In the BCD district, there shall be provided the minimum number of *off-street parking* spaces as follows:

- (i) For *residential* uses, one space for each *dwelling unit*;
- (ii) For commercial uses: (1) One parking space for each five hundred (500) square feet of net leasable floor area for office uses; (2) One parking space for each three hundred fifty (350) square feet of net leasable floor area for other commercial uses, except that the requirements for *hotels* and *motels* shall be one parking space for each rental unit;
- (iii) For all uses not classified as commercial or *residential*, the applicable standards set forth in Table 14-8.6-1 located in the appendix following Section 14-12 shall apply. (Santa Fe)

3-209.D.1.a. Parking Requirements in the Accommodations One Zone District	
Use Category	Required Parking
Residential Dwelling Units	1 space per unit
Short-term Dwelling Units	2 spaces for every 3 units
Hotel, Lodge, Roominghouse, Boardinghouse	2 spaces for every 3 units
High Intensity Use	One space per 500 square feet of floor area
Low Intensity Use	One space per 1,000 square feet of floor area
Assembly Areas	One space per 500 square feet of floor area

(Telluride)

### Special Provision for Historic Structures

For properties listed on the Aspen Inventory of Historic Landmark Sites and Structures, fewer spaces may be provided and/or a waiver of cash-in-lieu fees may be approved, pursuant to Chapter 26.430, Special review and according to the review criteria set forth below.

#### **26.515.040. Special review standards**

A. A special review for establishing, varying or waiving off-street parking requirements may be approved, approved with conditions or denied based on conformance with the following criteria:

1. The parking needs of the residents, customers, guests and employees of the project have been met, taking into account potential uses of the parcel, the projected traffic generation of the project, any shared parking opportunities, expected schedule of parking demands, the projected impacts on the on-street parking of the neighborhood, the proximity to mass transit routes and City of Aspen Land Use Code Part 500 – Parking Page 5 the downtown area and any special services, such as vans, provided for residents, guests and employees.
2. An on-site parking solution meeting the requirement is practically difficult or results in an undesirable development scenario.
3. Existing or planned on-site or off-site parking facilities adequately serve the needs of the development, including the availability of street parking. (Aspen)

### Incentivize Uses

#### **Sec. 16-16-90. - Restaurant uses.**

(a) Restaurant uses existing on May 14, 1994, shall be deemed to have satisfied all provisions of parking requirements for such uses and then-existing square footage.

(b) In the event a conditional use permit is sought for a restaurant use in the same location that is of the same footprint and general configuration and of the same square footage amount as a restaurant use existed on May 14, 1994, no additional parking shall be required for such restaurant use.

(c) In the event that a conditional use permit is sought for a restaurant use that is in the same location but not of the same footprint and general configuration as previously used on May 14, 1994, the provision of parking for such different space shall be required, and the parking requirement for such different space shall be calculated as an increment to the square footage of the original restaurant use.

(d) In the event a conditional use permit sought is for a restaurant use with a square footage amount greater than the restaurant use as it existed on May 14, 1994, the provision of additional parking shall be required for any such additional square footage, which shall be calculated as an increment to the square footage of the original restaurant use. (Crested Butte)

**18.48.040 - Number of Parking Spaces Required Each use**

Outdoor seating and dining areas for restaurants and cafes (except counter-service restaurants) adjacent to the Truckee River shall be exempt from complying with the parking requirements of this Chapter and paying in-lieu parking fees, up to a maximum of 10 parking spaces. (Truckee)

## Simplified Parking Requirements

TABLE 3-4 PARKING REQUIREMENTS FOR USE CATEGORIES	
USE CATEGORIES	PARKING REQUIRED
<b>All Residential Uses</b> , including Accommodations Units with a kitchen	One space per unit
Short-term Dwelling Unit	Two spaces per three units
Hotel, Lodge, Roominghouse, Boardinghouse	Two spaces per three units
<b>Low Intensity uses:</b> Assembly areas - exhibit rooms; gymnasiums; and skating rinks. Retail stores and shops. Offices - professional (excluding medical and dental); general business offices; utility; telephone; telegraph; radio and broadcasting. Personal Services.	One space per 1,000 square feet of floor area
<b>High Intensity Uses:</b> Assembly areas - restaurant; bar; theater; auditorium; dance floor (including room or hall); church; chapel; assembly hall; bowling alley (assembly area only); stadium (bleacher area only); and swimming pool (including deck area); laundromat. Offices - medical and dental (including clinics); financial institutions, banks and loan companies; and public buildings for administration (including city and county offices).	One space per 500 square feet of floor area
<b>Automotive Uses:</b> Gas Stations and Vehicle Repair Auto Service, Car Rentals, Auto and Truck Sales	One space per gasoline pump; Two spaces per grease rack or wash rack; and One space per 200 square feet of area usable for repair work, exclusive of drives, equipment, storage, utilities, etc. One space for each vehicle, exclusive of service and repair area, which shall meet the requirements for gas stations and vehicle repair.
<b>Hospitals and Schools</b>	Set by review of P&Z

(Telluride)

Table 1-4 Required Parking Spaces					
For This Use:	The required minimum number of Parking Spaces in this Zoning District shall be:			The required parking spaces shall be located:	
	B	BB	R3/4, R2		R1
Residential	No minimum	1 space per dwelling unit		2 spaces per dwelling unit	Off-street
Lodging	.5 spaces per lodging bedroom	.75 spaces per lodging bedroom		N/A	Off-street
Office/Service or Retail	No minimum	2 spaces per 1,000 square feet of retail or office space		N/A	Off-street, on-street or a combination of off-street and on-street
Gaming	2 spaces per 1,000 square feet of gaming space	5 spaces per 1,000 square feet of gaming space		N/A	Off-street, on-street or a combination of off-street and on-street
Assembly	No minimum	1 space per each 5 seats		1 space per each 5 seats	Off-street, on-street or a combination of off-street and on-street
Civic Uses other than Assembly	No minimum	1 space per 1,000 square feet		1 space per 1,000 square feet	Off-street, on-street or a combination of off-street and on-street
Commercial Uses other than Lodging, Office/Service, Retail or Gaming	No minimum	2 spaces per 1,000 square feet		N/A	Off-street, on-street or a combination of off-street and on-street
Industrial	No minimum	1 space per 1,000 square feet		N/A	Off-street, on-street or a combination of off-street and on-street

(Cripple Creek)

## Bicycle Parking Standards

**7.44.100 Bicycle Parking Space:** Where off street parking is required by this chapter, one bike rack capable of accommodating at least two (2) bikes is required for the first ten (10) required parking stalls. Additional bike racks will be installed on a ratio accommodating one bike for each additional ten (10) parking stalls. The required bike racks must be located on the same lot as, and within a reasonable distance of, the principal use or structure. The bike racks must be placed in a location that will not



interfere with pedestrian or vehicular traffic and the area where the rack is placed must meet the paving requirement contained in section [17.44.310](#) of this chapter. A reduction in the total number of off street parking spaces may be available for providing special accommodations for bicyclists as provided in section [17.44.200](#) of this chapter. (Coeur d'Alene)

**3.8.063: BICYCLE PARKING:** Uses shall provide long and short term bicycle parking spaces, as designated in table [3.8.063](#) of this section. Where two (2) options are provided (e.g., 2 spaces, or 1 per 8 bedrooms), the option resulting in more bicycle parking is used.

TABLE 3.8.063  
MINIMUM REQUIRED BICYCLE PARKING SPACES

Uses	Long Term Spaces (Covered Or Enclosed)	Short Term Spaces (Near Building Entry)
Boarding houses, rooming houses, dormitories	1 per 8 bedrooms	None
Churches and places of worship	2, or 1 per 4,000 square feet of net building area	2, or 1 per 2,000 square feet of net building area
Daycare	2, or 1 per 10,000 square feet of net building area	None
Hotels, motels	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Manufacturing and production	2, or 1 per 15,000 square feet of floor area	None
Multi-family	1 per 4 units	2, or 1 per 20 units
Office, banks, and similar uses	2, or 1 per 10,000 square feet of floor area	2, or 1 per 40,000 square feet of floor area
Retail sales and service	2, or 1 per 12,000 square feet of floor area	2, or 1 per 5,000 square feet of floor area
Schools - grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
Schools - grades 6-12	2 per classroom, or per CU review	4 per school, or per CU review

Other categories	Determined through conditional use (CU) and design review
------------------	---

- (A) Location And Design: Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet (50'), whichever is less. Long term (i.e., covered) bicycle parking should be incorporated whenever possible into building design. Short term bicycle parking, when allowed within a public right of way, should be coordinated with the design of street furniture, as applicable.
- (B) Visibility And Security: Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.
- (C) Options For Storage: Long term bicycle parking requirements for multiple-family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.
- (D) Lighting: For security, bicycle parking shall be at least as well lit as vehicle parking.
- (E) Reserved Areas: Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- (F) Hazards: Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards. (McCall)

**16.20.040.2: SPACES REQUIRED: B. Parking Requirements For Bicycles:**

1. Any commercial and industrial development shall include adequate bicycle parking spaces equal to five percent (5%) of automobile parking spaces.
2. All bicycle parking spaces shall be located within fifty feet (50') of the building entrance. Bicycle parking may be located in a building as long as the area is easily accessible to the bicycle.
3. Bicycle parking shall be provided in a well lighted and secure location that is in convenient proximity to the building or employee entrance. The location should be visible from employee work areas and shall not be farther than the nearest employee automobile parking space (excluding disabled parking).
4. Bicycle parking stalls shall be six feet (6') long and two feet (2') wide with an overhead clearance of seven feet (7'). All stalls shall have a five foot (5') accessible aisle.
5. The town of Taos may reduce or eliminate the number of bicycle spaces required when it is demonstrated that bicycle activity will not occur at the location. Such uses include, but are not limited to:
  - a. Motor vehicle service and repair establishments;
  - b. Personal storage; and
  - c. Agricultural uses.

6. If a use is determined to generate an increased volume of bicycle parking, the town of Taos may require additional bicycle parking spaces. Such uses include, but are not limited to:
  - a. Park;
  - b. Library;
  - c. Museum;
  - d. Health spa or fitness club; and
  - e. Commercial uses located along bike lanes or trails. (Taos)

### **Bicycle Parking Tied to a Reduction in Vehicular Standards**

**14.44.200 Bicyclist Accommodations:** The planning director may authorize a fifteen percent (15%) reduction in the number of required off street parking spaces for developments or uses that make special provision to accommodate bicyclists. Examples of accommodations include enclosed bicycle lockers, employee shower facilities and dressing areas for employees. A reduction in parking may not be granted merely for providing outdoor bicycle parking spaces. (Coeur d'Alene)

**Attachment C:**

**“Parking Code Amendments Recommendations” memo**

**Micah Austin, Planning and Building Director, June 14, 2016**



City of Ketchum  
Planning & Building

Date: June 14, 2016  
To: Mayor Jonas and City Council  
From: Micah Austin, Planning and Building Director  
Subject: Parking Code Amendments Recommendations

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### Objective for Parking Code Amendments

The current parking standards are in conflict with the objectives of the Comprehensive Plan and modern principals for creating a livable and multi-modal community. While the city invests in transit services, pedestrian and bicycle infrastructure, and other improvements to create a more walkable and accessible community, the current parking standards promote a car oriented culture by prioritizing the convenience of drivers above the goals of a healthy community. Further, the current standards discourage the mix of retail, restaurant and entertainment uses that create a vibrant, successful community. The old methodologies and approach towards parking are out dated and revisions are long overdue.

The Planning and Building Department conducted research and analysis on the City of Ketchum's current parking regulations and has prepared a list of recommendations for changes. The objective is to accomplish the following:

1. Align the parking regulations with the community's values and the 2014 Comprehensive Plan that requires the community to become less dependent on the automobile and encourages public transit and active modes of transportation
2. Promote uses, such as retail establishments, restaurants, and theaters, that contribute to vitality of Ketchum's downtown.
3. Incentivize community housing.

The proposed revisions are targeted to accomplish one or more of these objectives. The revisions are provided to Council for information only, the next step will be engaging the public in this discussion and seeking input from all community members that are interested in these changes. Following an active public process, staff will present to Council the results of the community outreach and recommendations for changes prior to proceeding to the Planning Commission with amendments to the Zoning Ordinance.

### Proposed Revisions to the Parking Code

1. **Off-Street Parking Matrix.** The current parking matrix is outdated and does not reflect current community values or actual parking demands for projects. Staff proposes to simplify the matrix to include three categories: 1) Residential; 2) Commercial; and 3) Exempt Uses. Based on staff's analysis these three categories are adequate to accommodate on-site parking requirements. Generally, staff proposes a minimum standard of 1 space per 1000 square feet of commercial

gross floor area and 1 space per residential unit up to 750 gross square feet. For larger units, more parking space would be required based on the size of the residential units. The exempt uses would be those business activities that are highly desired in Ketchum and disproportionately impacted by current parking regulations.

2. **Parking Demand Analysis.** Staff proposes allowing any development to submit a Parking Demand Analysis if the parking code requirements do not reflect the actual demands of a development. In these cases, a parking demand analysis may be submitted to the Administrator to show the actual parking demands of a particular project. After considering the Parking Demand Analysis, the Administrator may waive any portion of parking requirements. Application requirements for the Analysis will be specific and must quantify actual parking demand and assess availability of on-street or shared parking resources.
3. **On-Site Requirement for All Residential.** During winter, overnight parking is prohibited on streets to allow for snow removal. There is no opportunity for residents to use on-street parking to meet their parking demand. Staff proposes requiring all residential parking to be located on-site and fully accounted for because of parking prohibitions in the winter. The standards would clarify that in no situations will residential parking demands be allowed on-street or off-site.
4. **Exemptions.** Certain uses are beneficial and necessary to maintain the vibrancy and economic vitality of Ketchum's downtown. For that reason, staff proposes exempting the following uses from the parking requirements:
  - a. Community housing units (already exempted by code)
  - b. Desired uses (incentivized): restaurants, retail and existing assembly.
  - c. Any use, except residential, that is within ¼ mile of a structured parking facility. At the moment, Ketchum does not have a structured parking facility but this exemption would provide a market incentive for building a structure parking facility.
  - d. Other exemptions may be allowed by the Administrator when a Parking Demand Analysis is submitted to show the actual demands of a project are less than required by code.
5. **Parking Reduction through TDM.** The community is moving towards using more public transit and the Comprehensive Plan requires in numerous places that we incorporate transit into zoning decisions and regulations. In response, staff proposes for commercial development allowing for a 25% parking reduction from the minimum standards through the provision of Transportation Demand Measures (TDM) including:
  - e. TDM strategies identified in the Warm Springs Base Area Overlay universally for all zones in the City.
  - f. Locational factors, such as within ¼ mile of a bus stop or the Wood River Trail.
  - g. Provision of shower and lockers facilities.
  - h. Provision of bike storage or sheltered bicycle parking.
6. **Bicycle Standards.** The current parking regulations do not recognize bicycle parking infrastructure as an appropriate mode of satisfying parking demands. Staff proposes requiring all uses to provide onsite bike parking spaces equal to 25% of the minimum number of required onsite parking spaces. For example, if four (4) vehicle spaces are required, one (1) bike parking space is required. This would not relieve any vehicular parking requirements but require additional bike parking spaces.

7. **Shared Parking.** While the code currently allows for a Shared Parking Plan, staff proposes expanding on this tool so that it can be used more frequently. A Shared Parking Plan could be submitted as part of the Parking Demand Analysis to accommodate parking requirements. The shared parking plan should also include an agreement between property owners for sharing common parking on private property and would be reviewed by staff. In all cases, staff proposes that all shared parking must be located no less than 300 feet from the project. In no case would the City manage shared parking agreements.
8. **Calculation of Gross Floor Area.** For calculation of parking requirement, staff proposes using Gross Floor Area, as defined by 17.08.020 for calculation parking requirements. This has been an area of confusion for several years and can be easily corrected. In addition to this, staff proposes deducting common area spaces from the calculation to avoid artificially inflated parking requirements.
9. **Surface Lot Restrictions.** As a way to maximize the limited space in Ketchum's downtown, staff proposes prohibiting new surface lots in the CC. For all other zones, new surface lots should be located only in the rear of a building or lot.

#### **Background on Ketchum's Parking Ordinance**

Our authority to regulate parking is derived from Idaho State code which permits municipalities to establish a zoning ordinance to manage land use. The purpose of the zoning ordinance is to "promote the health, safety and general welfare" of the public. The scope of most parking regulations is to ensure efficient use of land by requiring property owners to provide onsite parking commensurate with the use of their property. Parking requirements are typically connected to land use categories related to commercial, residential, public and industrial uses and are generally calculated on a square footage or per business/use basis

Ketchum began regulating parking in 1961 when it adopted the city's first zoning ordinance. Over the course of five decades the zoning ordinance was amending 273 times causing regulations to become disjointed, internally conflicted and difficult to navigate. In July of 2015 the city approved major amendments to the zoning ordinance which included consolidating all parking regulations into Chapter 17.125 "Off-Street Parking and Loading." Chapter 17.125 regulates the dimensions for parking spaces, establishes minimum parking requirements for individual land uses, addresses on-street parking credit and provides allowance for shared parking between multiple users. The recommendations for amendments are entirely focused on Chapter 17.125 of the Zoning Ordinance.

**Attachment D:**

**August 2016 online parking survey results**





**Constant Contact Survey Results**

**Survey Name:** 2016\_08\_12 Survey Parking




**Response Status:** Partial & Completed

**Filter:** None

8/26/2016 10:47 AM MDT

How far are you willing to walk to go to the following:



1 = 0 Blocks, 2 = 1-2 Blocks, 3 = 3-4 Blocks, 4 = More

Answer	1	2	3	4	Number of Response(s)	Rating Score*
Grocery Store					295	2.1
Restaurant					288	2.9
Movies					283	2.8

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.




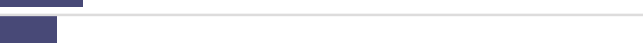

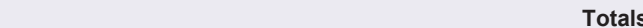
Would you be willing to pay to park in the following locations:

1 = Yes, 2 = No, 3 = Maybe




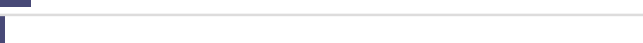


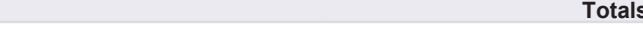
Answer	1	2	3	Number of Response(s)	Rating Score*
Parking Garage				293	1.8
Parking Meter				292	2.0

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

How many cars/trucks do you own?

Answer	0%	100%	Number of Response(s)	Response Ratio
0			1	<1 %
1			92	31.0 %
2			133	44.9 %
3			40	13.5 %
More than 3			27	9.1 %
No Response(s)			3	1.0 %
<b>Totals</b>			<b>296</b>	<b>100%</b>

How many of your cars/trucks do you park in a garage?

Answer	0%	100%	Number of Response(s)	Response Ratio
0			48	16.2 %
1			90	30.4 %
2			109	36.8 %
3			16	5.4 %
More than 3			5	1.6 %
I don't have a garage.			27	9.1 %
No Response(s)			1	<1 %
<b>Totals</b>			<b>296</b>	<b>100%</b>

Do you think there is adequate bicycle parking in the downtown?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			182	61.4 %
No			103	34.7 %
No Response(s)			11	3.7 %
<b>Totals</b>			<b>296</b>	<b>100%</b>

If no, is it because of the following reasons:

1 = Yes, 2 = No, 3 = No opinion on this question., 4 = I don't ride a bike.

Answer	1	2	3	4	Number of Response(s)	Rating Score*
Lack of Security					135	2.4
Lack of Shelter					135	2.4
Not Enough Locations					148	1.9

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

How many days per week do you use the following forms of transportation to reach downtown?

1 = Never, 2 = 1-2 Times a Week, 3 = 3-4 Times a Week, 4 = More than 4 Times a Week, 5 = Every Day

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Bus						256	1.3
Bicycle						272	2.1
Walk						276	2.3

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Do you think it is okay for studios and 1-bedroom units to have only 1 parking space?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			193	65.2 %
No			47	15.8 %
Neutral			34	11.4 %
No opinion on this question.			18	6.0 %
No Response(s)			4	1.3 %
<b>Totals</b>			<b>296</b>	<b>100%</b>

Do you think it is okay for studios and 1-bedroom units to have no requirement for parking spaces if their cars are parked in a private garage?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			162	54.7 %
No			61	20.6 %
Neutral			31	10.4 %
No opinion on this question.			38	12.8 %
No Response(s)			4	1.3 %
<b>Totals</b>			<b>296</b>	<b>100%</b>

Do you think the following uses should be required to have on-site parking spaces?

1 = Yes, 2 = No, 3 = Neutral, 4 = No opinion on this question..

Answer	1	2	3	4	Number of Response(s)	Rating Score*
Community Housing					290	1.4
Retail Establishments					286	2.0
Places of Assembly					290	1.6
Restaurants					289	2.0

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Do you have any comments you would like to share with us on parking in Ketchum?

147 Response(s)

**Attachment E:**

**Historical summary of city parking requirements**

History of On-Site Parking Standards

<b>Land Use</b>	<b>Parking Required</b>							
	1961 (Ord 62)	1965 (Ord 85)	1974 (Ord 208)	2000 (Ord 849) CC District	2001 (Ord 875) CC District	2005 (Ord 954) LI District	2006 (Ord 994) CC District	2015 (Ord 1135)
<b>RESIDENTIAL</b>								
<i>Single Family Dwellings</i>	1 spaces per unit	1 space per unit	1.5 spaces per unit, 1 space per unit in business district	2 spaces per unit	2 spaces per unit		1 space per 1500 net sf	1.5 per unit, 1 space per 1500 net sf in CC District
<i>Multi Family</i>	1 space per unit	1 space per unit	1.5 spaces per unit, 1 space per unit in business district	1 space per unit or 1 space per 1,375 sf	1 space per unit		1 space per 1500 net sf	Less than 4 units and CC District, 1.5 for every 1500 net sf. Over 4 units, 1.5 spaces per unit plus 1 guest space for every 4 units.
<i>Community Housing</i>					0 spaces		0 spaces	0 spaces
<b>COMMERCIAL</b>								
<i>Assembly</i>	1 space per 4 seats	1 space per 6 seats or 1 space per 60 sf	1 space per 6 seats or 1 space per 60 sf					1 space per 6 seats or 1 space per 60 sf
<i>Bowling Alley</i>			3 spaces for each lane					3spaces for each lane

History of On-Site Parking Standards

<b>Land Use</b>	<b>Parking Required</b>							
	1961 (Ord 62)	1965 (Ord 85)	1974 (Ord 208)	2000 (Ord 849) CC District	2001 (Ord 875) CC District	2005 (Ord 954) LI District	2006 (Ord 994) CC District	2015 (Ord 1135)
<i>Drive Thrus</i>								1 space per 60 sf
<i>Government/Public Use</i>								1 space per 1,000 sf
<i>Grocery Stores</i>			1 space per 200 sf					1 space per 200 sf
<i>Health and Fitness</i>								1 space for every 6 seats or 1 space per 60 sf; In LI 1 space per 250 gsf
<i>Hospital</i>			1 space for 1,000 sf and 1 space for every 4 employees					1 space for 1,000 sf and 1 space for every 4 employees
<i>Hotels, Motels</i>	1 space per employee	1 space per room or every 3 beds	1 space per room or every 3 beds	.75 spaces each unit and 1 space per employee	.75 spaces each unit and 1 space per employee		.75 spaces per room	.75 spaces per room
<i>Instructional Use</i>								1 space per 75 sf of usable dance floor
<i>Laundromats</i>								1 space per 250 sf
<i>Laundry, Bulk</i>								1 space per 500 sf plus truck parking

History of On-Site Parking Standards

<b>Land Use</b>	<b>Parking Required</b>							
	1961 (Ord 62)	1965 (Ord 85)	1974 (Ord 208)	2000 (Ord 849) CC District	2001 (Ord 875) CC District	2005 (Ord 954) LI District	2006 (Ord 994) CC District	2015 (Ord 1135)
<i>Manufacturing</i>	1 space for every 2 employees		1 space for each employee			1 space per 500 sf		1 space for each employee; LI District, 1 space per 500 sf
<i>Mixed Use, Residential/Commercial</i>				1 space per 13.75 linear feet of lot frontage	1 per 1400 sf			
<i>Motor Vehicle Service</i>								1 space per 250 sf plus 5 spaces per bay
<i>Nursing Home/Assisted Living</i>			1 space per 4 beds, 1 space per each Dr on staff, 2 spaces for each 3 employees					1 space per 4 beds, 1 space per each Dr on staff, 2 spaces for each 3 employees
<i>Offices, Retail, and Retail Services</i>	1 space per employee and 1 space per 400 sf of merchandise area	1 space per 300 sf	1 space per 300 sf	1 space per 13.75 of linear feet of lot frontage	1 space per 1400 sf	1 space per 250 sf	2 spaces per 1,000 gsf	1 space per 300 gsf; CC District, 2 spaces per 1,000 gsf; LI District, 1 space per 250 sf
<i>Printing Services</i>								1 space per 250 sf



History of On-Site Parking Standards

<b>Land Use</b>	<b>Parking Required</b>							
	1961 (Ord 62)	1965 (Ord 85)	1974 (Ord 208)	2000 (Ord 849) CC District	2001 (Ord 875) CC District	2005 (Ord 954) LI District	2006 (Ord 994) CC District	2015 (Ord 1135)
<i>Public Utility</i>						1 space per 250 sf		1 space per 500 gsf plus truck parking
<i>Recording Studio; TV Radio Broadcasting</i>								1 space per 500 gsf plus truck parking
<i>Recycling Use</i>								1 space per 500 gsf plus truck parking
<i>Research/High Tech</i>								1 space per 250 sf
<i>Restaurants/Bars</i>			1 space per 100 sf of assembly	1 space per 13.75 of linear feet of lot frontage	1 space per 1400 sf			1 space per 100 sf of assembly; LI District, 1 space per 250 sf
<i>Schools</i>	1 per employee	1 space per 6 seats or 1 space per 60 sf	1 space per 6 seats or 1 space per 60 sf					1 space per 6 seats or 1 space per 60 sf
<i>Self Storage</i>								1 space per employee

History of On-Site Parking Standards

<b>Land Use</b>	<b>Parking Required</b>							
	1961 (Ord 62)	1965 (Ord 85)	1974 (Ord 208)	2000 (Ord 849) CC District	2001 (Ord 875) CC District	2005 (Ord 954) LI District	2006 (Ord 994) CC District	2015 (Ord 1135)
<i>Veterinarian; Pet Grooming</i>								1 space per 250 sf
<i>Wholesale</i>								1 space per 500 sf plus truck parking
<i>All Other Uses</i>		1 space per every 2 employees	1 space for every 2 employees	N/A				

**Attachment F:**

**Impacts of Proposed Recommendations on Past and Future Developments**

*This analysis was prepared using the parking ratios recommended on October 24, 2016 by the Planning and Zoning Commission*

## **On Street Parking Impact Analysis**

The purpose of this analysis was to compare the number of parking spaces that a development with known uses and square footage would be required to be provided on site based on the requirements of the existing parking ordinance and the proposed parking ordinance. The intent was to determine whether the proposed parking ordinance, which proposes less on-site parking for commercial uses and more on-site parking for large residential units, would result in a greater number of cars parking off-site, in the street.

If a project would require more on-site parking spaces under the proposed ordinance than were required under the existing parking code the project was counted as not increasing the number of off-site (street) parking spaces. If a project would require less on-site parking spaces under the proposed ordinance the project was counted as ncreasing the total number of vehicles parking off-site, in the street. Where an increase in the number of vehicles parking in the street existed, staff referred to these vehicles as being “pushed into the street.”

The total number of projects analyzed for the years 2000-2016 was 76, 19 of which were excluded from the study because the projects were remodels or Design Review applications with no associated change in parking, resulting in a total number of 57 projects in the analysis. Projects in the Community Core, Light Industrial, Tourist, and General Residential-High Density were analyzed. There were 38 projects located in the Community Core, 9 projects located in the Light Industrial Districts, 9 projects located within the Tourist District, and 1 project located in the General Residential District-High Density. The uses for these projects included commercial/industrial, residential, and/or mixed-use.

The analysis contained in this report shows the maximum possible parking spaces, placed on street, had these projects been constructed under the proposed code versus the code that they were approved under.

### **All Projects Analyzed: 2000-2016**

The table below displays the total number of projects that were analyzed for all districts included in this analysis between the years 2000 and 2016. The total number of projects included was 57 and the total number of spaces that would have been placed on street, had these developments occurred under the proposed code was 94. This number is the absolute maximum and is likely to decrease when evaluating units above 2000 square feet.

#### **On Street Parking for projects from 2000-2016**

<b>District</b>	<b># of projects</b>	<b># of on-street spaces</b>
COMMUNITY CORE DISTRICT	38	57
LIGHT INDUSTRIAL DISTRICT	9	30
GENERAL RESIDENTIAL	1	0
TOURIST	9	7
Total	57	94

Note: 20 of the commercial spaces placed on street in the CC are accounted for in one project, 27 spaces in the LI are accounted for by three projects. All of these projects occurred between 2000 and 2007.

**Average Growth 2000-2016 – Projected on street parking over a 5-year period:** Based on the maximum total number of on-street parking spaces projected in this analysis, staff expects that 5.5 vehicles per year would be added to the street over a 5-year period.

**Projects Analyzed: 2000-2007**

The period between 2000 and 2007 was a time of high-growth for the City of Ketchum and the nation. This section is intended to capture the parking required for the type of development that the City of Ketchum was experiencing during this high-growth period. The table below displays the total number of projects that were analyzed for all districts included in this analysis between the years 2000 and 2007. The total number of projects included was 57 and the total number of spaces that would have been placed on street, had these developments occurred under the proposed code was 94. This number is the absolute maximum and is likely to decrease when evaluating units above 2000 square feet.

**On Street Parking for projects from 2000-2007**

District	# of projects	# of on-street spaces
COMMUNITY CORE DISTRICT	23	48
LIGHT INDUSTRIAL DISTRICT	7	29
GENERAL RESIDENTIAL	1	0
TOURIST	4	3
Total	35	80

Note: 20 of the commercial spaces placed on street in the CC are accounted for in one project, 27 spaces in the LI are accounted for by three projects.

**High Growth - Projected on street parking over a 5-year period:** Based on the maximum total number of on-street parking spaces projected in this analysis, staff expects that a high of 10 vehicles per year would be added to the street over a 5-year period.

**Projects Analyzed: 2008-2016**

The table below displays the total number of projects that were analyzed for all districts included in this analysis between the years 2008 and 2016. The total number of projects included was 57 and the total number of spaces that would have been placed on street, had these developments occurred under the proposed code was 94. This number is the absolute maximum and is likely to decrease when evaluating units above 2000 square feet.

**On Street Parking for projects from 2008-2016**

District	# of projects	# of on-street spaces
COMMUNITY CORE DISTRICT	15	9
LIGHT INDUSTRIAL DISTRICT	2	1
GENERAL RESIDENTIAL	0	0
TOURIST	5	4
Total	22	14

**Low Growth - Projected on street parking over a 5-year period:** Based on the maximum total number of on-street parking spaces projected in this analysis, staff expects that a low of 1.5 vehicles per year would be added to the street over a 5-year period.

## Community Core

### Projects Analyzed: 2000-2007

The period between 2000 and 2007 was a time of high-growth for the City of Ketchum and the nation. This section is intended to capture the parking required for the type of development that the City of Ketchum was experiencing during this high-growth period. The table below displays the total number of projects within the Community Core included in this analysis between the years 2000 and 2007. The total number of projects included was 57 and the total number of spaces that would have been placed on street, had these developments occurred under the proposed code was 94. This number is the absolute maximum and is likely to decrease when evaluating units above 2000 square feet.

#### On Street Parking in the CC 2000-2007

District	Commercial or Residential projects		Mixed-Use Projects		Total
	Commercial	Residential	Commercial	Residential	
COMMUNITY CORE DISTRICT	14	0	34	0	
Total		14		34	48

Note: 20 of the commercial spaces placed on street in the CC are accounted for in one project, 27 spaces in the LI are accounted for by three projects.

**High Growth - Projected on street parking over a 5-year period:** Based on the maximum total number of on-street parking spaces projected in this analysis, staff expects that a high of 6 on-street vehicles per year would be added to the street over a 5-year period.

### Projects Analyzed: 2008-2016

The table below displays the total number of projects within the Community Core included in this analysis between the years 2008 and 2016. The total number of projects included was 57 and the total number of spaces that would have been placed on street, had these developments occurred under the proposed code was 94. This number is the absolute maximum and is likely to decrease when evaluating units above 2000 square feet.

#### On Street Parking in the CC 2008-2016

District	Commercial or Residential projects		Mixed-Use Projects		Total
	Commercial	Residential	Commercial	Residential	
COMMUNITY CORE DISTRICT	8	0	1	0	
Total		8		1	9

**Low Growth - Projected on street parking over a 5-year period:** Based on the maximum total number of on-street parking spaces projected in this analysis, staff expects that a low of 1 on-street vehicles per year would be added to the street over a 5-year period.

## **Known Projects With Anticipated On-Street Parking Demand in Next 24 Months**

There are two known projects anticipated to be under construction within the next 24 months that are anticipated to generate additional vehicles parking on-street rather than on-site, based on the parking regulations in the proposed new parking code.

**NextStage Theater** - Anticipated 82 parking spaces

**The Kneadery (remodel/expansion)** - 2 parking space

**Attachment G:**

**Parking Supply and Utilization Study**



Study Area	Max Capacity	Parking Count S1: Nov. 23, 2015 (PM)		Parking Count S2: Nov. 24, 2015 (AM)		Parking Count S3: Nov. 25, 2015 (AM)		Parking Count S4: Dec. 9, 2015 (EVE)		Parking Count S5: Dec. 10, 2015 (EVE)		Parking Count S6: Nov 28, 2016 (EVE)		Parking Count P7: Christmas Dec 23, 2015 (3:00 pm)		Parking Count P8: New Years Dec. 31, 2015 (5:00 pm)		NEW - Parking Count P9: Dec. 30, 2016 (PM)		NEW - Parking Count P10: Dec. 30, 2016 (EVE)	
		Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity	Count	% Capacity
1	293	182	62.1%	189	64.5%	159	54.3%	162	55.3%	101	34.5%	30	10.2%	266	90.78%	198	67.58%	212	72.35%	175	59.73%
2	232	112	48.3%	128	55.2%	162	69.8%	138	59.5%	127	54.7%	57	24.6%	216	93.10%	202	87.07%	282	121.55%	217	93.53%
3	300	162	54.0%	180	60.0%	174	58.0%	212	70.7%	193	64.3%	61	20.3%	285	95.00%	299	99.67%	261	87.00%	197	65.67%
4	239	111	46.4%	117	49.0%	85	35.6%	141	59.0%	102	42.7%	72	30.1%	184	76.99%	158	66.11%	229	95.82%	223	93.31%
5	308	126	40.9%	114	37.0%	102	33.1%	126	40.9%	106	34.4%	36	11.7%	122	39.61%	166	53.90%	161	77.40%	245	117.79%
6	440	216	49.1%	247	56.1%	175	39.8%	125	28.4%	108	24.5%	26	5.9%	214	48.64%	181	41.14%	209	47.50%	113	25.68%
<b>Totals</b>	<b>1812</b>	<b>909</b>	<b>50.2%</b>	<b>975.0</b>	<b>53.8%</b>	<b>857</b>	<b>47.3%</b>	<b>904</b>	<b>49.9%</b>	<b>737</b>	<b>40.7%</b>	<b>282</b>	<b>15.6%</b>	<b>1287</b>	<b>71.0%</b>	<b>1204</b>	<b>66.4%</b>	<b>1354</b>	<b>74.72%</b>	<b>1170</b>	<b>64.57%</b>
<b>Public Parking Lot</b>																					
LDS Church Lot	50	14	28.0%	10	20.0%	8	16.0%	17	34.0%	9	18.0%	1	2.0%	34	68.00%	21	42.00%	20	40.00%	12	24.00%
6th and Leadville	26	26	100.0%	26	100.0%	24	92.3%	32	123.1%	21	80.8%	0	0.0%	27	103.85%	26	100.00%	23	88.46%	4	15.38%
2nd and Washington	30	28	93.3%	33	110.0%	21	70.0%	27	90.0%	24	80.0%	18	60.0%	28	93.33%	29	96.67%	27	90.00%	31	103.33%
<b>Totals</b>	<b>106</b>	<b>68</b>	<b>64.2%</b>	<b>69</b>	<b>65.1%</b>	<b>53</b>	<b>50.0%</b>	<b>76</b>	<b>71.7%</b>	<b>54</b>	<b>50.9%</b>	<b>19</b>	<b>17.9%</b>	<b>89</b>	<b>83.96%</b>	<b>76</b>	<b>71.70%</b>	<b>70</b>	<b>66.04%</b>	<b>47</b>	<b>44.34%</b>
<b>Grand Totals</b>	<b>1918</b>	<b>977</b>	<b>50.9%</b>	<b>1044</b>	<b>54.4%</b>	<b>910</b>	<b>47.4%</b>	<b>980</b>	<b>51.1%</b>	<b>791</b>	<b>41.2%</b>	<b>301</b>	<b>15.7%</b>	<b>1376</b>	<b>71.7%</b>	<b>1280</b>	<b>66.7%</b>	<b>1424</b>	<b>74.24%</b>	<b>1217</b>	<b>63.45%</b>







**Legend**  
AM= before noon  
PM= Noon to 6:00pm  
EVE= 6:00 to 9:00 pm

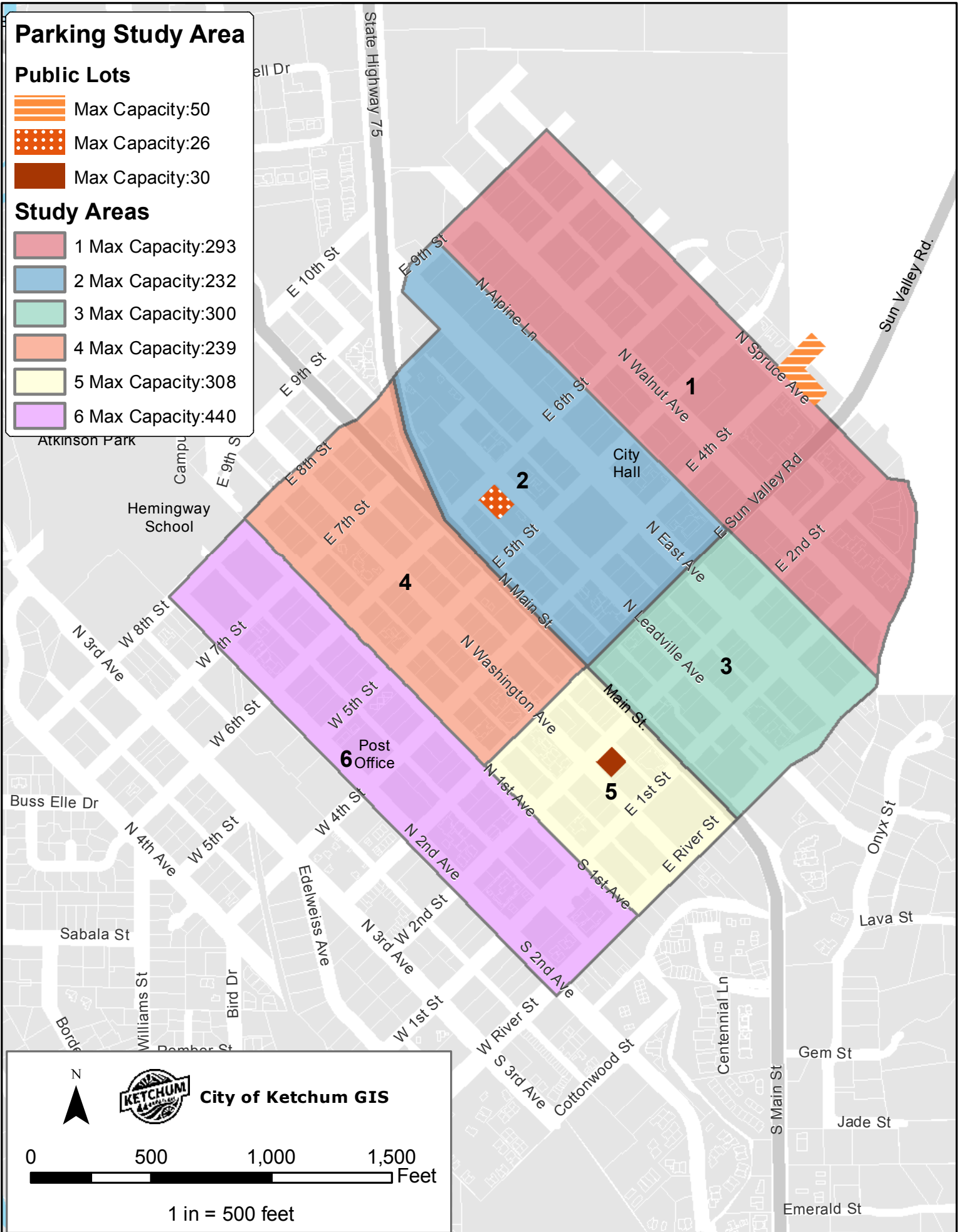
# Parking Study Area

## Public Lots

-  Max Capacity:50
-  Max Capacity:26
-  Max Capacity:30

## Study Areas

-  1 Max Capacity:293
-  2 Max Capacity:232
-  3 Max Capacity:300
-  4 Max Capacity:239
-  5 Max Capacity:308
-  6 Max Capacity:440



**Attachment H:**  
**Parking in Peer Cities**

**Retail Use – Parking Requirements in Ketchum and in Peer Cities Peer Cities**

<b>City</b>	<b>Retail - Downtown</b>	<b>Retail – Other Districts</b>
<b>Ketchum: Proposed January 17, 2017</b>	Commercial Core – First 5,500 gross square feet are exempt, addition square footage requires 1 space per 1,000 gross square feet	Tourist – First 5,500 gross square feet are exempt, addition square footage requires 1 space per 1,000 gross square feet  Light Industrial 1, 2, 3 – 1 space per 250 gross sq ft
<b>Ketchum: Existing code</b>	<i>Commercial Core – 2 spaces per 1,000 gross square feet</i>	<i>Light Industrial 1,2,3 – 1 space per 250 square feet</i>  <i>All other districts – 2 spaces per 300 square feet</i>
<b>Aspen, CO</b>	1 per 1,000 net leasable sq ft of commercial space. 100% may be provided through a payment in lieu.	3 per 1,000 net leasable square feet of commercial space.
<b>Steamboat Springs, CO</b>	1 per 900 net sq ft	1 space per 300 net sq ft
<b>Jackson, WY</b>	4.5 per 1,000 sf	4.5 per 1,000 sf
<b>Park City, UT</b>	(Minor) 3 per 1,000 sf (Major) 5 per 1,000 sf	
<b>Bozeman, MT</b>	1 space per 300 square feet of floor area	1 space per 300 square feet of floor area
<b>Bellevue, WA</b>	(Zone 0:1-2): Min- 3.3 per 1,000 net sq ft; Max- 5 per 1,000 net sq ft  (Zone R,MU,OLB): Min – 4 per 1,000 net; Max- 5 per 1,000 net sq ft  Within Mixed Development (except hotel): (Zone 0:1-2) Min- 0 per 1,000 net sq ft; Max- 3.3 per 1,000 net sq ft (Zone R,MU,OLB) Min- 2 per 1,000 net sq ft; Max-4 per 1,000 nsf.	Retail/mixed retail/shopping center – Less than 15,000 net sq ft Min- 5 per 1,000 net sq ft; Max- 5.5 per 1,000 net sq ft  Retail/mixed retail/shopping center – 15,000-400,000 net sq ft Min- 4 per 1,000 nsf; Max=- 4.5 per 1,000 net sq ft
<b>McCall, ID</b>	1 per 500 sq ft	1 per 500 sq ft
<b>Sandpoint, ID</b>	1 per 250 sq ft	1 per 250 sq ft
<b>Coeur d’Alene, ID</b>	1 space per 330 sq ft of floor area	1 space per 330 sq ft of floor area
<b>Breckenridge, CO</b>	1.4 per 1,000 gross sq ft	1 per 400 sq ft GFA (minimum 2 per building)
<b>South Lake Tahoe, CO</b>	1 space per 300 gross sq ft	1 space per 300 gross sq ft

**Automobile Related Uses – Parking Requirements in Ketchum and in Peer Cities**

<b>City</b>	<b>Auto Repair</b>	<b>Gas Station</b>
<b>Ketchum: Proposed December 19, 2017</b>	1 space per 250 gross square feet and 5 spaces per service bay	1 space per 250 gross square feet and 2 short term holding spaces per fuel pump
<b><i>Ketchum: Existing code</i></b>	<i>1 space per 250 gross square feet, plus 5 storage spaces per service bay</i>	<i>2 short term holding spaces per fuel pump, + 3 spaces per service bay</i>
Aspen, CO	Three spaces per 1,000 net leasable square feet of commercial space.	Three spaces per 1,000 net leasable square feet of commercial space.
Steamboat Springs, CO	Three (3) spaces/service bay or pump station	Three (3) spaces/service bay or pump station
Jackson, WY	2 per 1,000 sf + 3 per repair bay + 1 per wash bay	2 per 1,000 sf + 3 per repair bay + 1 per wash bay
Park City, UT	5 spaces per 1,000 sf of net leasable floor area	5 spaces per 1,000 sf of net leasable floor area
Bozeman, MT	2 spaces per service stall, but no less than 4 spaces per station	Undefined
Bellevue, WA	Undefined	Undefined
McCall, ID	2 per service bay	1 per 4 gasoline pumps
Sandpoint, ID	2 per service bay	1 per 2 gasoline pumps
Coeur d'Alene, ID	2 per each repair bay	1 per each pump
Breckenridge, CO	3 per bay	1 per pump
South Lake Tahoe, CO	1 space/300 s.f. retail/office area; and 2 spaces/service bay (this space does not include the space within the bay)	1 space/300 s.f. retail/office area; and 2 spaces/service bay (this space does not include the space within the bay)

**Other Uses - Light Industrial Zones Parking Requirements in Ketchum and in Peer Cities**

City	Retail – Light Industrial
<b>Ketchum: Proposed January 17, 2017</b>	Wholesale, Manufacturing, Industrial Laundry, Hybrid Production Facility, and all other permitted uses - 1 space per 1000 gross square feet  Office, Professional Service, Business Support Service, Retail Trade, Convenience Store, Food Service, Commercial Studio, Laundromats and Dry Cleaners, Instructional Service, Health and Fitness Facility, Daycare - 1 space per 250 gross square feet
<b>Ketchum: Existing</b>	<i>Generally the same as proposed</i>
<b>Aspen, CO</b>	<ul style="list-style-type: none"> <li>• Three spaces per 1,000 net leasable square feet of commercial space.</li> </ul>
<b>Steamboat Springs, CO</b>	<ul style="list-style-type: none"> <li>• Cottage industry: One space per 500 hundred s.f. net floor area</li> <li>• Office in non-downtown zone districts: One space per 300 s.f. net floor area</li> <li>• Industrial uses: 2 spaces per 3 employees</li> <li>• Manufacturing: One space per 500 s.f. net floor area</li> </ul>
<b>Jackson, WY</b>	<ul style="list-style-type: none"> <li>• Light industry: 1 per 1,000 sf + 1 per company vehicle</li> <li>• Service: 3 per 1,000 sf</li> </ul>
<b>Park City, UT</b>	<ul style="list-style-type: none"> <li>• Retail &amp; Service Commercial, Minor, Personal Service: 3 spaces per 1,000 sf of net leasable floor area</li> <li>• Retail &amp; Service Commercial, Major: 5 spaces per 1,000 sf of net leasable floor area</li> <li>• Light Industrial and Wholesale establishments:</li> <li>• 1 per 2 employees in the largest shift plus 1 space per vehicle used in conducting the business and wholesale, storage uses at 1 per 1,000 sf of floor area and light manufacturing at 2.5 per 1,000 sf of floor Area</li> </ul>
<b>Bozeman, MT</b>	<ul style="list-style-type: none"> <li>• Manufacturing and industrial uses: 1 space per 1,000 square feet of floor area, plus 1 space per 2 employees on maximum working shift</li> <li>• Warehousing, storage or handling of bulk goods: 1 space per 1,000 square feet of floor area devoted to storage of goods; plus appropriate spaces to support accessory office or retail sales facilities at 1 space per 350 square feet of floor area</li> </ul>
<b>McCall, ID</b>	<ul style="list-style-type: none"> <li>• All types of manufacturing, storage and wholesale uses permitted in any</li> <li>• manufacturing zone: 1 per every 2 employees (on the largest shift for which the building is designed), plus 1 for each vehicle used on the premises</li> </ul>
<b>Sandpoint, ID</b>	<ul style="list-style-type: none"> <li>• 1 for every 2 employees (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business</li> </ul>
<b>Coeur d’Alene, ID</b>	<ul style="list-style-type: none"> <li>• General construction services: 1 space for every 330 square feet of floor area</li> <li>• Building maintenance: 1 space for every 500 square feet of floor area</li> <li>• Custom manufacture: 1 space for each 1,000 square feet of floor area</li> </ul>
<b>Breckenridge, CO</b>	<ul style="list-style-type: none"> <li>• Construction – contracting: 1 per 200 square feet plus 1 loading bay per 1,000 square feet</li> <li>• Industrial use: 1 per 400 square feet plus 1 loading bay per 1,000 square feet</li> </ul>
<b>South Lake Tahoe, CO</b>	<ul style="list-style-type: none"> <li>• Contract construction services: 1 space/1,500 s.f. GFA storage; and 1 space/300 s.f. GFA office</li> <li>• Repair services: 1 space/400 s.f. non-storage area; and 1 space/1,000 s.f. storage area</li> <li>• Printing and Publishing: 1 space/500 s.f. non-storage area; and 1 space/1000 s.f. storage area</li> <li>• Small Scale Manufacturing: 1 space/400 s.f. GFA</li> <li>• Wholesale and distribution: 1 space/nonstorage area; and 1 space/1000 s.f. storage</li> </ul>

## Coeur d'Alene, ID

Residential Uses	Requirement	Commercial Uses	Requirement
Single family	2 spaces per unit	Community Assembly	Public meeting hall: 1 space per 330; Museum, art galleries, observatories: 1 space per 1,000 sqft.
Detached housing, group	0.50 space per sleeping room		
Duplex housing	2 per dwelling unit		
Pocket residential			
Multi-family	Studio:1 spaces; 1 bedroom=2 spaces; >2=2 spaces		
Mobil home:	<8 = 2 per unit; mobile home park = 2 space per unit and 1 visitor.		
Boarding house (>2 room)	0.50 space per rented room, in addition to basic residential req.		
Elderly housing	0.50 space per dwelling unit.		

### Downtown Core

- A. Parking Ratios: Subject to the requirements of [chapter 17.44](#) of this title, the parking ratios for uses in the DC district shall be as follows:
1. **Retail/Restaurant Uses:** Retail/restaurant uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet. However, retail/restaurant uses less than three thousand (3,000) square feet are exempt from this requirement.
  2. **Office Uses:** Office uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet.
  3. **Residential And Hotel Uses:** Residential/hotel uses in the DC district must provide at least 0.5 but no more than two (2) parking stalls per unit.
  4. **Senior Housing Uses:** Senior housing uses in the DC district must provide at least 0.25 but no more than one parking stall per unit.
  5. **Other Uses:** Parking requirements for uses other than those listed in this section shall be determined in accordance with section [17.44.220](#) of this title.
- B. **Common Parking Facilities:** In addition to any reduction in the required number of parking stalls by entering into a shared use parking agreement as allowed by section [17.44.225](#) of this title, uses in the DC district that share a common parking facility may reduce the required number of stalls by an additional twenty five percent (25%).
- C. **Off Site Parking:** Notwithstanding the distance requirements of section [17.44.250](#) of this title, parking may be located off site, so long as it is within one thousand feet (1,000') of the property, is connected to the property by sidewalks or walkways, and is tied to the site by a contractual agreement. The agreement must run with the land and not be terminable without the prior authorization of the city council. (Ord. 3268 §23, 2006)

### Exemptions

**Exceptions:**

1. Off street parking for portable classrooms will not be required if: a) the school is either a tax supported school accredited by the Idaho department of education or is a nonprofit; and b) the added area in the portable classroom facilities do not exceed 12 percent of the gross area of the permanent school buildings (elementary schools may add an additional 3 classrooms or teaching stations above the 12 percent threshold); and c) the portable classrooms or other like facilities are temporary (remaining at the school for 5 years or less).
2. Alternative parking arrangements proposed by the specific school may be acceptable as determined by the planning director or director's designee pursuant to section [17.44.220](#) of this chapter.
3. Existing permanent structures may be expanded without providing additional off street parking provided the expansion does not exceed 125 percent of the existing floor area.
4. Required off street parking for permanent school buildings must meet the requirements of this code, unless the school enters into an agreement with the city to install the improvements. The agreement shall provide that the improvements will be installed within 5 years of the city council approval of the agreement, and the school shall secure the agreement by a performance bond or other sufficient security acceptable to the city attorney. Such bonding or security shall be for 150 percent of the estimated costs of the improvements as determined by the city engineer. The educational institution may provide additional temporary unpaved parking spaces in excess of the minimum requirements that are not subject to the mandatory design standards contained in this chapter for up to 5 years. The temporary parking spaces must be maintained with a dustless surface, approved by the city, capable of preventing tracking of mud or dirt onto public streets.

### Diane Kushlan's Findings

In Lieu	Shared Parking	Core Area Provisions	Notable features
X	X	X	<ul style="list-style-type: none"> <li>• Parking Commission</li> <li>• Tandem Parking allowed</li> <li>• Reduction in Core and in-fill overlay areas</li> <li>• Bike Parking Standards</li> </ul>

### Note

- Height restrictions in the CC are (75') presuming that they comply with bulk requirements.

Sandpoint, ID			
Residential Uses	Requirement	Commercial Uses	Requirement
Apartment/multi-family	1.4 per unit	Retail stores	1 per each 250 sf
Bed and breakfast	2 per owner; 1 per room	Office	1 per 300 sf
Boarding houses	2 per each room; 2 for owner occupancy	Restaurant	1 per each 3 patrons based on maximum legal occupancy.
Single family/two-family dwelling	1.4 for each unit	Theater assembly	1 per each 4 seat
Commercial Zoning District			
<b>9-2-2-11: OFF STREET PARKING REQUIREMENTS:</b>			
A. As prescribed in <u>chapter 5</u> of this title.			
B. <b>No off street parking is required for nonresidential uses in the mixed use residential district, unless such uses exceed two thousand (2,000) square feet of gross floor area</b> , in which case off street parking must be provided in accordance with city standards for the floor area in excess of two thousand (2,000) square feet.			
C. Off street parking spaces must be located to the rear or side of the principal building and otherwise screened so as not to be visible from public right of way or residential zoning districts. Locating parking between the building and the street shall be prohibited, except when associated with detached single-family residential development. (Ord. 1305, 10-15-2014)			
Exemptions			
None Found			
Diane Kushlan's Findings			
In Lieu	Shared Parking	Core Area Provisions	Notable features
X	X	X	<ul style="list-style-type: none"> <li>In Lieu only in downtown</li> </ul>

Park City, UT			
Residential Uses	Requirement	Commercial Uses	Requirement
Accessory bedroom	1 per bedroom	Assembly hall	1 space per bedroom
Lockout unit in single family/duplex units	1 per bedroom	Office, General	3 per, 1,000 sf
Single family dwelling	2 per dwelling unit	Office, Intensive	5 per 1,000 sf
Duplex	2 per dwelling unit	Retail/service minor	3 spaces per 1,000 sf
Triplex	2 per dwelling	Retail/service major	5 spaces per 1,000 sf
Multi-unit	Apartment/condo <650 = 1 space; 651-1000 = 1.5 spaces; 1001 - 2500 = 2 spaces; > 2,500 = 3 per dwelling unit	Restaurant, standard	1 per 100 sf
Secondary living quarters	1 per bedroom in addition to requirement for primary residence.	Restaurant, with drive up	15 per 1,000 sf
		Indoor entertainment, theater	1 space per 4 seats or 5 spaces per 1000 sf depending on type of facility
Diane Kushlan's Findings			
In Lieu	Shared Parking	Core Area Provisions	Notable features
	X		<ul style="list-style-type: none"> <li>Allows for tandem parking</li> <li>Reduction with conditional use or master plan</li> <li>Bicycle parking standards</li> </ul>



**McCall, ID**

<b>Residential Uses</b>	<b>Requirement</b>	<b>Commercial Uses</b>	<b>Requirement</b>
Apartments/multi-family	1.5 per unit	Office	1 for 500 sf
Boarding houses	1 per room, 1 per permanent occupant	Retail	1 per 500 sf
Mobile home park	1 per unit + 1 per 5 unit	Theater/ assembly	1 per 5 seats
Single-family or two-family dwelling	2 for each unit		

**Commercial Development District**

Off street parking areas shall be provided according to the standards specified in chapter 8, "General Development Standards", of this title. In the CBD, the required parking spaces must be provided as follows:

(A) On Site: On site, or pursuant to shared parking agreement approved as provided in chapter 8 of this title; or  
 (B) **Parking Lot Trust Fund:** For each required space, the owner may contribute the amount most recently specified by resolution

of the council to the city's parking lot trust fund which shall be used exclusively for the purchase of land or air rights for, and the construction and maintenance of, public parking lots or structures within or adjacent to the central business district; or

(C) Combination: By a combination of subsections (A) and (B) of this section to provide the required number of parking spaces.

(D) Improvement District Or Renewal District Exemption: Commercial, business park, or industrial uses within established and current business improvement district or urban renewal districts are exempt from providing off street parking as required by this section and section 3.8.062 of this title. (Ord. 923, 5222014).

**9.2.085: PARKING, OVERFLOW AND STORAGE**

Condominium projects in residential zones shall provide overflow parking and enclosed storage for guests and for the use of owners with snowmobile trailers or boat trailers. Condominium projects shall provide a minimum of two (2) parking spaces per residential unit and one parking space, in addition to that required by this section, of no less than ten feet by twenty feet (10' x 20') dimension, for every two (2) units within the development. In some cases, this additional parking may be utilized for snow storage in the winters. In all other zones, the association bylaws shall state that the storage of anything other than licensed motor vehicles in parking spaces is prohibited. (Ord. 822, 2-23-2006, eff. 3-16-2006)

**9.2.094: PARKING, OVERFLOW AND STORAGE**

Residential townhouse projects in residential zones shall provide overflow parking and enclosed storage for guests and for the use of owners with snowmobile trailers or boat trailers. Townhouse projects shall provide a minimum of two (2) parking spaces per residential unit and one parking space, in addition to that required by this title, of no less than ten feet by twenty feet (10' x 20') dimension, for every two (2) units within the development. In some cases, this additional parking may be utilized for snow storage in the winters. In all other zones, the association bylaws shall state that the storage of anything other than licensed motor vehicles in parking spaces is prohibited. (Ord. 822, 2-23-2006, eff. 3-16-2006)

**Exemptions**

None Found

**Diane Kushlan's Findings**

In Lieu	Shared Parking	Core Area Provisions	Notable features
X			<ul style="list-style-type: none"> <li>• Parking exemption in BID or Urban renewal district</li> <li>• Reduction in parking allowed by Commission Action</li> <li>• Bike Parking Standards</li> </ul>

**Note**

- Industrial standards are employee based. 1 per 2 employee

**Jackson, WY**

<b>Residential Uses</b>	<b>Requirement</b>	<b>Commercial Uses</b>	<b>Requirement</b>
Detached single-family	2 per DU	Office	3.3 per 1,000 sf
Attached single-family	2 per DU + 0.5 per DU if ≥ 3 units served by lot	Retail	4.5 per 1,000 sf
Apartment	2 per DU + 0.5 per DU if ≥ 3 units served by lot	Service	3 per 1,000 sf
Mobil home	2 per DU	Restaurant/Bar	1 per 55 sf dining area + per 30 sf bar area
Dormitory	1 per bed	Heavy retail/service	2 per 1,000 sf + 3 per repair bay + 1 per wash bay
Group Home	0.5 per bed	Light industry	1 per 1,000 sf + 1 per company vehicle
Live/work unit	1.5 DU or 1.5 per SF	Heavy industry	2 per 1,000 sf + 1 per company vehicle
Short term rental	2 per LU		
ADU	1.25 per DU		

**Shared Parking**

If two or more uses occupy a site or structure, the required parking, queuing and loading shall be the additive total for each individual use unless the Planning Director determines uses are compatible for sharing parking based on the following standards.

1. Residential and Nonresidential Uses. A percentage of the parking spaces required for nonresidential uses may be considered shared with on-site residential uses in accordance with the table below, and the extent to which:
  - a. The residential use provides on-site employee housing; and
  - b. The location and design of the development enhances the shared parking function.

Percentage of nonresidential parking spaces that may be shared

Nonresidential Use	Affordable/Employee Housing or ARU	Other Residential
Retail	100%	25%
Office	100%	75%
Restaurant/Bar	100%	20%
Service	100%	25%
All Industrial Uses	100%	75%
Other nonresidential	100%	20%

2. Other Compatible Uses. Notwithstanding the standard percentages established in the table above, reductions in total parking requirements between and among any uses may be granted in one or more of the following circumstances:
  - a. When it is intended that patrons frequent more than one use in a single trip (example: lodging and restaurant)
  - b. When operating hours are substantially different (example: movie theater and office)
  - c. When peak trip generation characteristics are substantially different (example: lodging and retail)

**Diane Kushlan's Findings**

<b>In Lieu</b>	<b>Shared Parking</b>	<b>Core Area Provisions</b>	<b>Notable features</b>
X	X	X	<ul style="list-style-type: none"> <li>• On-street parking credits in core.</li> </ul>

**Note**

1. Administrative Adjustment. The Planning Director may establish a lesser parking requirement pursuant to the procedure of Sec. 8.8.1. based on information from reliable sources that demonstrates a lesser standard is workable due to anticipated parking demand and alternative transportation services available.
2. Change of Use. An applicant for a change of use shall only be required to additionally provide the difference between the parking requirement of the existing use and proposed use, regardless of the actual parking that exists.

**Bozeman, MT**

Residential Uses	Requirement	Commercial Uses	Requirement
ADU	1 space	Public Assembly area	1 per 5 seats, except that total off-street parking for public assembly may be reduced by 1 space for every 4 guest rooms.
Lodging house	0.75 spaces per person	Office	1 per 250 sf
One-bedroom	1.5 (1.25 in R-5 and B-2M)	Retail	1 per 300 sf of floor area
Two-bedroom	2 (1.75 in R-5 and B-2M)		
Three-bedroom	3 (2.5 in R-5 and B-2M)		
Dwellings with more than 3 bedroom	4 (3 in R-5 and B-2M district)		

**Exemptions**

A **car-sharing agreement** meeting the criteria established by the planning director may be used to meet the required number of parking spaces. To use this option the development must have more than five dwelling units. Each vehicle provided through a car sharing agreement counts as required parking at a ratio of one dedicated car-share space to five standard spaces, up to a maximum of 50 percent of the total required residential parking.

**Transit availability.** A residential development subject to site plan review may take a ten percent reduction in required parking spaces where the development is within 800 feet of a developed and serviced transit stop. For the purpose of this subsection a transit stop is eligible when it has a shelter installed which meets the standards of and is approved by the transit provider, and service is provided on not less than an hourly schedule a minimum of five days per week.

Reduction allowed:

Retail = 40%; Restaurant = 50%; Office = 20%; All others 30%

**Note**

Residential uses in mixed-use projects. In order to utilize this section, the long term availability of the nonresidential parking spaces upon which the use of this section was based shall be ensured to the residents of the project. For the purpose of this section a building is considered mixed-use if the nonresidential portion of the building is at least one-quarter of the gross square feet not used for parking. Residences in mixed-use buildings may count on-street parking per subsection 1.a.(1) of this section even if the area is subject to occupancy time limits. The use of this section does not preclude the use of other sections of this chapter which may have the effect of reducing the required amount of parking. When calculating the amount of required parking for residential uses within a mixed-use project the amount of parking may be reduced subject to Table 38.25.040-2.

## Aspen, CO

Residential Uses	Requirement	Commercial Uses	Requirement
Residential: Single Family & Duplex-Aspen Infill Areas	<i>Lesser of one space per bedroom or two spaces per unit. Fewer spaces may be approved, pursuant to ch. 26.430, Special Review and according to the review criteria of section 26.515.040.</i>	Commercial-Aspen Infill	<i>One space per 1,000 net leasable sqft of commercial space. 100% may be provided through a payment in lieu.</i>
Residential: Single Family & Duplex-All Other Areas	<i>Lesser of one space per bedroom or two spaces per unit.</i>	Commercial – All Other Areas	<i>Three spaces per 1,000 net leasable square feet of commercial space.</i>
Residential: ADU & Carriage Houses-Aspen Infill Area; Residential: ADU & Carriage Houses- All other areas	<i>One space per unit. Fewer spaces may be approved, pursuant to Ch. 26.430, Special review and according to the review criteria of Section 26.515.040.</i>	Hotel/Lodge – Aspen Infill	0.5 spaces per unit. Fewer spaces may be approved, pursuant to Ch. 26.430, Special review and according to the review criteria of Section 26.515.040. No requirement for lodging units in the CC and C-1 Zone Districts.
Residential: Multi-Family (as single use) – Aspen Infill Areas	One space per unit. Fewer spaces may be approved, pursuant to Ch. 26.430, Special Review and according to the review criteria of Section 26.515.040.	Hotel/Lodge – All Other Area	0.7 spaces per unit. Fewer spaces may be approved, pursuant to Ch. 26.430, Special review and according to the review criteria of Section 26.515.040.
Residential: Multi-Family (as single use) – All Other Areas	Lesser of one space per bedroom or two spaces per unit.	All Other Uses (civic, cultural, public uses, essential public facilities, child care centers, etc.) – Aspen Infill & All Other Areas	Established by special review according to the review criteria of Section 26.515.040.
Residential: Multi-Family within a mixed use building – Aspen Infill Areas	One space per unit. 100% may be provided through a payment in lieu. No requirement for residential units in the CC and C-1 Zone Districts.		
Residential: Multi-Family within a mixed use building – All Other Areas	One space per unit. Fewer spaces may be approved, pursuant to Ch. 26.430, Special review and according to the review criteria of Section 26.515.040.		

### Note

**Cash-in-Lieu for Mobility Enhancements:** provisions for cash in lieu are provided where appropriate.

#### 26.515.040 – Special Review

**A.** Special review for establishing, varying or waiving off-street parking requirements may be approved, approved with conditions or denied based on conformance with the following criteria: **1.** The parking needs of the residents, customers, guests and employees of the project have been met, taking into account potential uses of the parcel, the projected traffic generation of the project, any shared parking opportunities, expected schedule of parking demands, the projected impacts on the on-street parking of the neighborhood, the proximity to mass transit routes and the downtown area and any special services, such as vans, provided for residents, guest, and employees; **2.** An on-site parking solution meeting the requirement is practically difficult or results in an undesirable development scenario; **3.** Existing or planned on-site or off-site parking facilities adequately serve the needs of the development, including the availability of street parking.

**B.** A special review to permit a commercial parking facility may be approved, approved with conditions or denied based on conformance with the following criteria: **1.** The location, design and operating characteristics of the facility are compatible with the mix of development in the immediate vicinity of the parcel in terms of density, height, bulk, architecture, landscaping and open space, as well as with any applicable adopted regulatory master plan; **2.** The project has obtained growth management approvals or is concurrently being considered for growth management approvals; **3.** The location, capacity and operating characteristics, including effects of operating hours, lighting, ventilation, noises etc., of the facility are compatible with the existing land uses in the surrounding area; **4.** Access to the facility is from an acceptable location that minimizes staging problems, conflicts with pedestrian flow, conflicts with service delivery and elimination of on-street parking; **5.** The proposed style of operation is appropriate (manned booth, key cards etc.); **6.** The massing, scale and exterior aesthetics of the building or parking lot are compatible with the immediate context in which it is proposed; **7.** Where appropriate, commercial uses are incorporated into the exterior of the facility's ground floor to mimic conventional development in that zone District.

**Other:** There is one parking facility near downtown Aspen, with the option to purchase spaces monthly; There are residential permit parking zones.

## Bellevue, WA

Residential Uses	Requirement	Commercial Uses	Requirement
<i>Parking Requirements Outside Downtown</i>			
Single-Family	Min= 2:unit; Max: No Max	Restaurant – sit down	Min= 14:1,000 nsf; No Max
One-bedroom or studio unit	Min= 1.2:unit; No Max	Restaurant – with takeout serv.	Min= 16:1,000 nsf; No Max
Two-bedroom unit	Min= 1.6:unit; No Max	Retail/mixed retail/shopping center – Less than 15,000 nsf	Min= 5:1,000 nsf; Max = 5.5:1,000 nsf
Three or more bedroom unit	Min= 1.8:unit; No Max	Retail/mixed retail/shopping center – 15,000-400,000 nsf	Min= 4:1,000 nsf; Max= 4.5:1,000 nsf
Rooming/boarding	Min= 1:rented room; No Max	Retail/mixed retail/shopping center – 400,000 – 600,000 nsf	4:1,000 nsf; Max= 5:1,000 nsf
		Retail/mixed retail/shopping center – > 600,000 nsf	Min=5:1,000 nsf; Max= 5:1,000 nsf
		Office (1) business service/professional service/general office	Min= 4:1,000 nsf; Max=5:1,000 nsf
		Office (2) Medical/dental/health related services	Min= 4.5:1,000 nsf; Max= 5:1,000 nsf
		Auditorium/assembly room/exhibition hall/theater/commercial recreation (4)	Min= 1:4 fixed seats or 10:1,000 nsf (if no fixed seats)

### Downtown Parking Requirements

*Note: Parking requirements in the downtown are broken up by sub-district.*

Residential (Per Unit)	(Zone 0:1-2) Min=0: Unit nsf; Max=2:Unit nsf. (Zone R,MU,OLB) Min=1: Unit nsf; Max=2:Unit nsf.	Restaurant	(Zone 0:1-2) Min=0; Max=15:1,000 nsf. (Zone R,MU,OLB) Min=10:1,000 nsf; Max=20:1,000 nsf.
		Retail	(Zone 0:1-2) Min=3.3:1,000 nsf; Max=5:1,000 nsf. (Zone R,MU,OLB) Min=4:1,000 nsf; Max=5:1,000 nsf.
		Retail in Mixed Development (except hotel)	(Zone 0:1-2) Min= 0:1,000 nsf; Max=3.3:1,000 nsf. (Zone R,MU,OLB) Min=2:1,000 nsf; Max=4:1,000 nsf.
		Auditorium/assembly room/exhibition hall/theater/commercial recreation (1) (per 8 fixed seats or per 1,000 if no fixed seats)	(Zone 0:1-2) Min= 1:1,000 nsf; Max=2:1,000 nsf. (Zone R,MU,OLB) Min=1.5:1,000 nsf; Max=2.0:1,000 nsf.
		Office (3) business service/professional service/general office	(Zone 0:1-2) Min= 2:1,000 nsf; Max=2.7:1,000 nsf. (Zone R,MU,OLB) Min=2.5:1,000 nsf; Max=3.0:1,000 nsf.
		Office - Medical/dental/health related services	(Zone 0:1-2) Min= 3:1,000 nsf; Max=4:1,000 nsf. (Zone R,MU,OLB) Min=4:1,000 nsf; Max=5:1,000 nsf.

### Exemptions

(4) Restaurant and retail uses located in existing buildings with 1,500 nsf or less floor area in Downtown-OB have a minimum parking ratio of 0. Restaurant and retail use located in existing buildings with more than 1,500 nsf floor area in Downtown-OB shall provide parking according to the above table for any floor area above 1,500 nsf.

### Note

(5) The minimum requirement for studio apartment units available to persons earning 60% or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60% or less of the median income shall be recorded with the King County Division of Records and Elections.

Other: Shared parking arrangements, off-site parking arrangements, parking demand analysis.

## Steamboat Springs, CO

Residential Uses	Requirement	Commercial Uses	Requirement
<b>Single-family/duplex residential</b>	Two (2) spaces per dwelling unit	<b>Auditorium/theater/church</b>	One space/four (4) seats
<b>Employee/secondary unit</b>	One space per dwelling unit.	<b>Neighborhood store</b>	One space per 500 net sqft
<b>Affordable housing units</b>	One space per unit	<b>Office in the CO,CY,CN &amp; G-2</b>	One space per 500 net sqft
<b>Multifamily/bed &amp; breakfast (per-bedroom)</b>	One-bedroom = 1 ½ space Two-bedroom = 2 spaces Three- bedroom = 2 spaces Each additional room = 1 spaces	<b>Office in all other zone districts</b>	One space per 300 net sqft
<b>Multifamily in CO,CY and CN Zone</b> CO = Commercial Old Town CY = YAMPA Street Commercial CN = Commercial Neighborhood	<b>Units &lt; 2,000 sqft =</b> 1 ½ spaces <b>Units ≥ 2,000 sqft =</b> 2 spaces <b>Units ≥ 3,000 sqft</b> 2 1/2 spaces	<b>Restaurant/Tavern in CO,CY,CN &amp; G-2 zone districts</b>	One space per 900 net sqft
		<b>Restaurant/Tavern in all other zone districts</b>	One space per 150 net sqft
		<b>Retail in CO,CY,CN &amp; G-2 zone districts</b>	One space per 900 net sqft
		<b>Retail in all other zone districts</b>	One space per 300 net sqft
		<b>Studio</b>	One space per 300 net sqft

### Note

**Cash-in-Lieu:** Available instead of providing parking spaces where specifically allowed or required in the applicable zone district.

**On-Street spaces to count as required off-street parking spaces:** When a development creates an on-street parking space through the elimination of a curb-cut or driveway and installs a curb along a public right-of-way where on-street parking is permitted, a one-half parking space credit may be applied to satisfy the off-street parking requirements after review and approval of such parking spaces.

**Excessive parking:** No development required to have twenty-four or more parking spaces shall provide surface parking that exceeds the required number of spaces by more than twenty-five percent.

#### Of note

- A.** Their parking code was last updated in 2001. There did not seem to be any institutional knowledge present regarding their residential parking requirements. The current parking code is seen as prohibitive and staff there stated that it is very difficult to work with. They are currently in the process of re-writing their parking ordinance.
- B.** Most of the projects that they deal with are infill or located in areas with very difficult topography, and/or are located on small lots.
- C.** Steamboat has not seen multi-family development since the recession. There have been multiple projects proposed, but none that have been built. The micro-unit project from the newsletter is in pre-application and it was unclear how that project would meet parking requirements.
- D.** Variances are very common and seem like the typical work around for many projects.

**Attachment I:**

**“How Parking Influences Development & Density in Ketchum, Idaho”**

**Love Schack Architecture, July 19, 2017**



# How Parking Influences Development & Density, in Ketchum, Idaho.

Love Schack Architecture, P.C.  
[www.loveschackarchitecture.com](http://www.loveschackarchitecture.com)



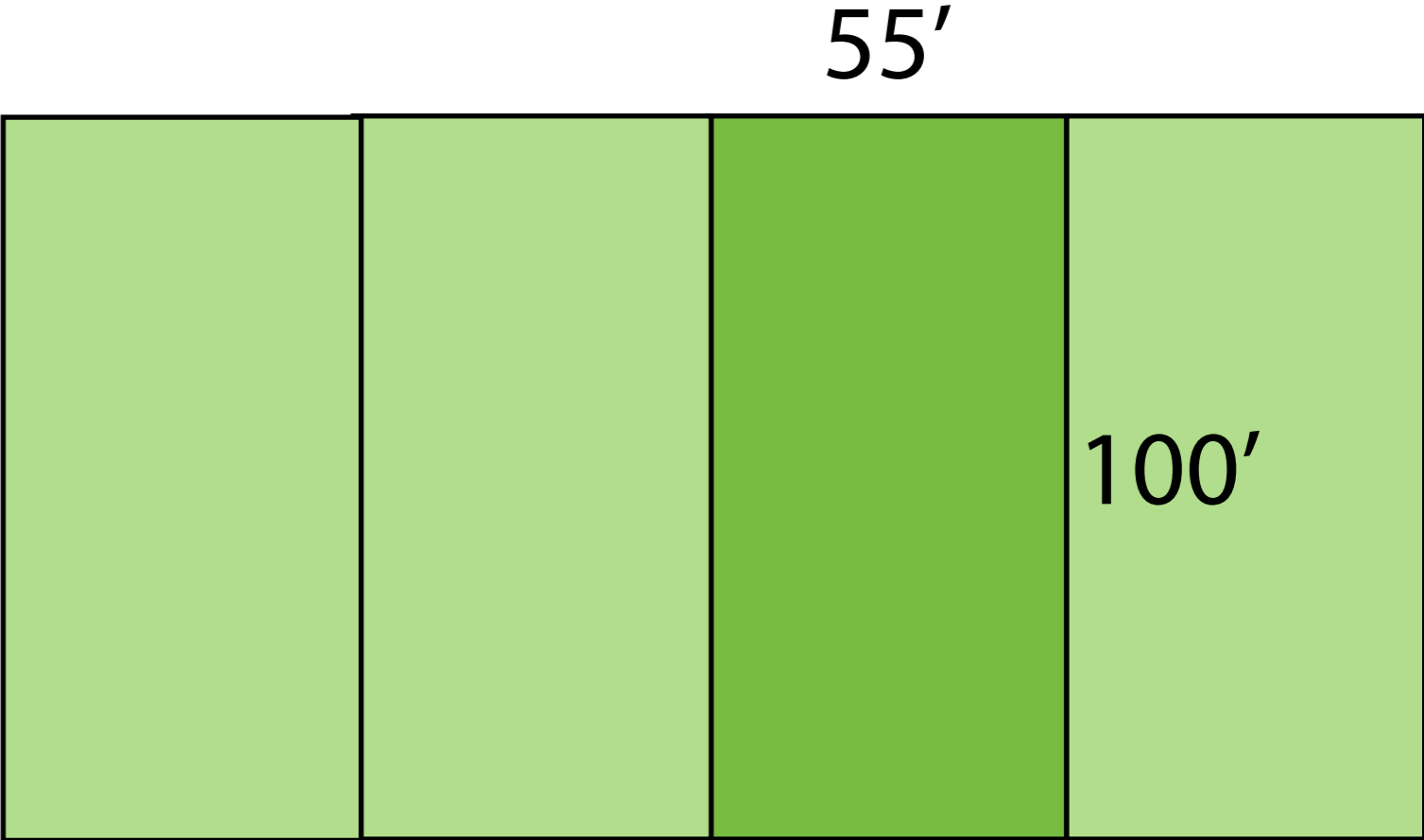
City of **Ketchum**



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Typical Property within the  
Community Core is  
55' x 100', or 5500 sqft area.



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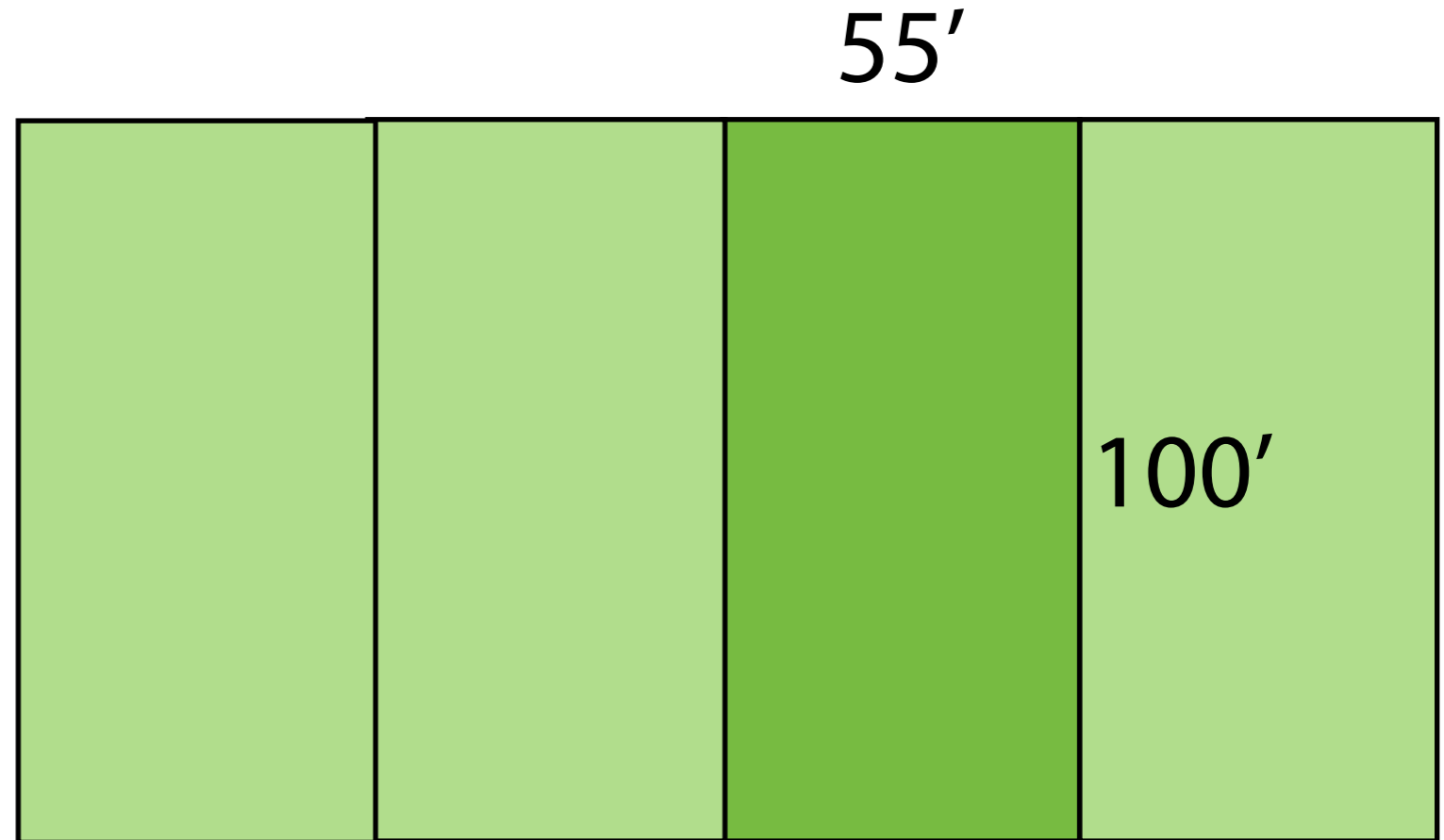


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**What is the development potential?**

In addition to local parking requirements, how do other components of Local Zoning and National Building Code impact the allowable density and viability of development?

**What are the opportunities?**



**City of Ketchum**



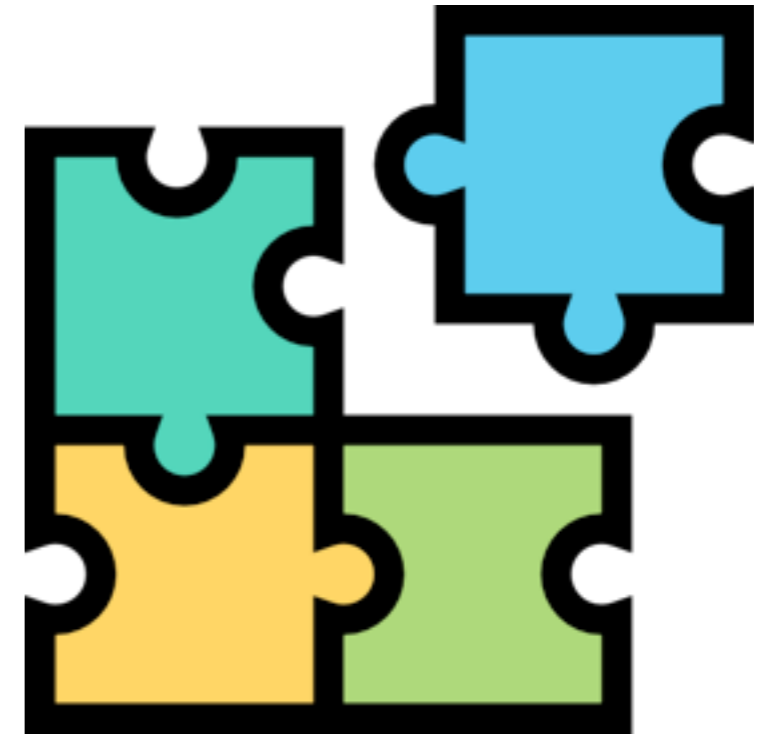
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## Approach :

Code Review and Zoning Analysis with guidelines provided by the Ketchum Planning Department to objectively determine the maximum development potential. Five prototypes were developed.

## Zoning Considerations :

- **Minimum Parking Requirements**
- **Density Bonuses for Community Housing**
- Lot Sizes
- Allowed Uses
- Setbacks
- Maximum Height



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## Building Code, IBC 2012

### Underground Parking Car Ramp Requirements Egress & Life Safety

Construction Type

Building Use & Occupancy

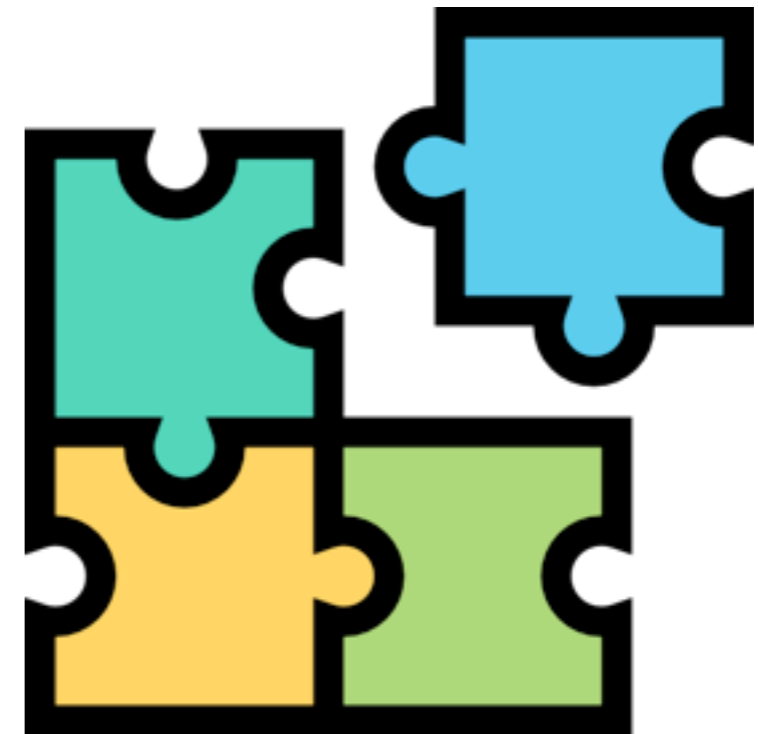
Allowed Footprint/Maximum Stories

Fire Sprinkler Requirements

Fire Rating for Exterior Walls & Allowed Adjacencies

Requirement of ADA Units

Requirement of ADA Parking Spaces



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# Existing

based on *cumulative sq.ft.* of each use

**residential** = 1 car/1500 sq.ft.

**commercial** = varies:

- 1 car/100 sq.ft. of assembly in restaurants
- 1 car/500 sq.ft. of retail



\* 4 on-street parking places are credited for commercial use, after 4 spaces provided on-site

0 parking req'd for CH



# Proposed

**residential** = based on ranges of sq.ft., parking spaces are required per unit

**commercial** = varies:

- 1 car/1000 sq.ft. generally
- all restaurants exempt
- first 5,500 sq.ft. of retail exempt

\*note: on-street parking credit remains available for developments providing on-site parking

0 parking req'd for ground level retail, up to 5,500 sq.ft., and restaurant

0 parking req'd for CH

0 parking req'd for small residential units

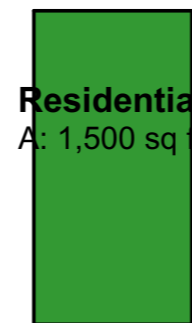
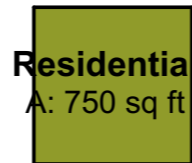
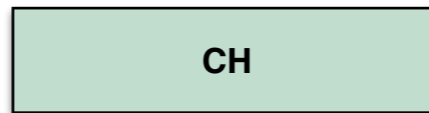
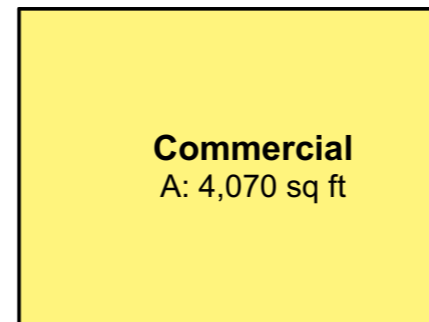
<750 sqft



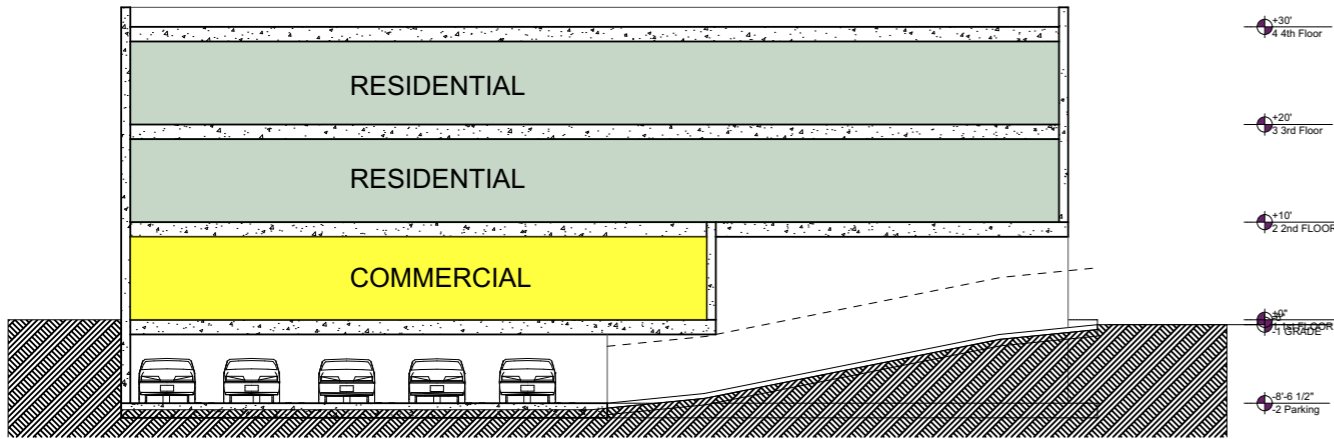
750-1500 sqft



1500+ sqft



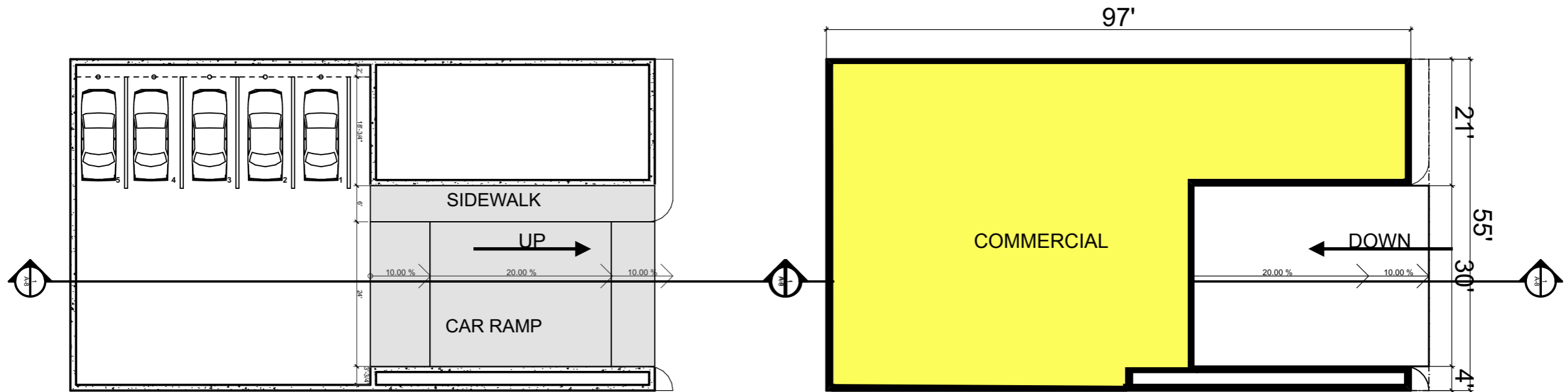
# Underground parking $\neq$ a solution for 1 lot



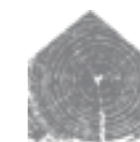
1 Building Section  
SCALE: 1/16" = 1'-0"



*\*based on minimum head heights allowed by code, trucks and vans do not fit!*



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7 A significant amount of ground level developable area is lost

**FAR ( Floor Area Ratio ) =**  
developable square footage  
(floor area) compared to square  
footage of lot

When Community Housing (CH) is included in development, or when CH is met by payment-in-lieu of construction, a significant density bonus is added to the FAR.

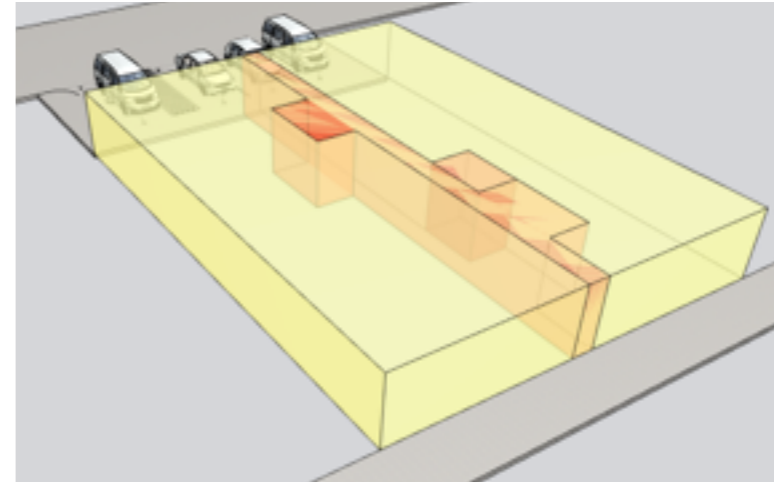
**Example:**

If a lot is 100' x 55' = 5500 sqft, including CH allows up to 12,375 sqft w/ an FAR of 2.25 to be developed

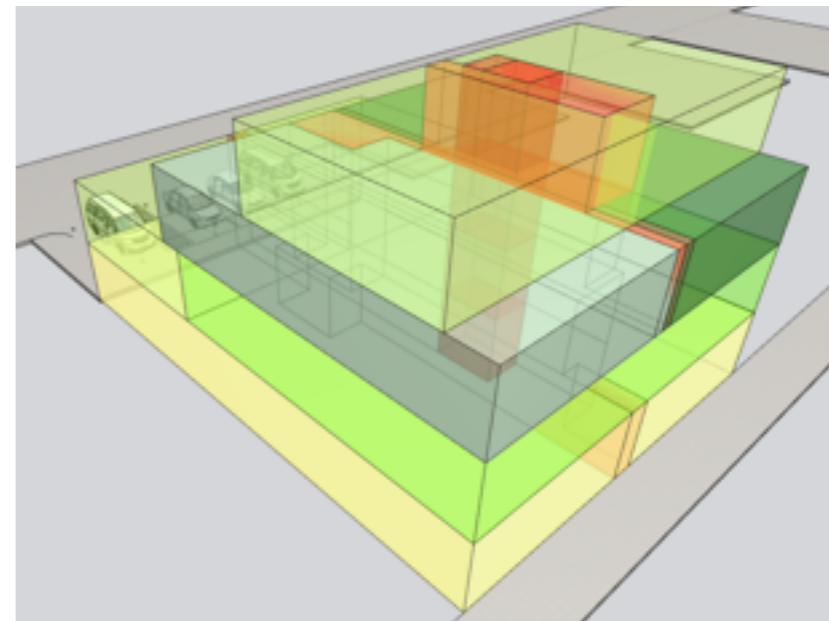
With an FAR of 2.25, 1375 sqft of CH is required, or a fee-in-lieu for 1,375 sq ft can be paid.

For the following development prototypes CH is included on site.

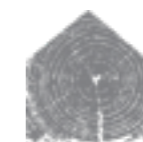
**FAR 1.0**



**FAR 2.25**

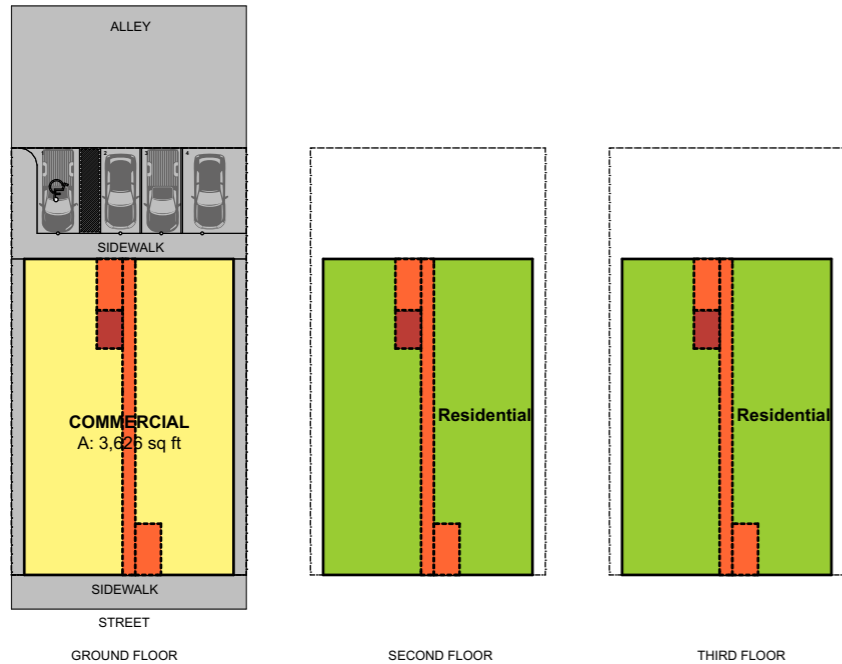



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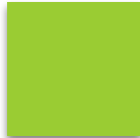


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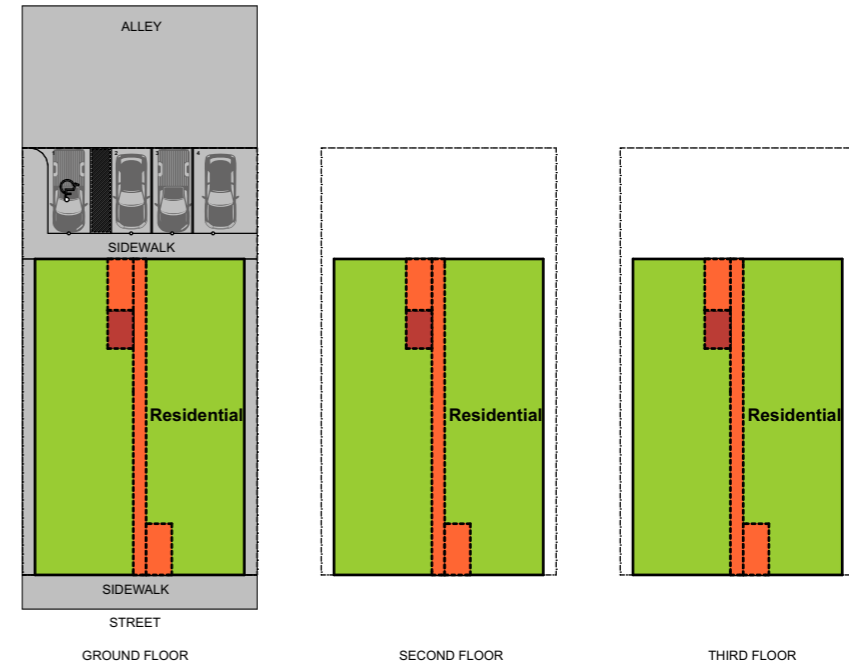
**Mixed Use** defined by ground floor being 100% commercial and upper floors residential.



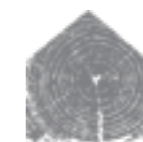
 = COMMERCIAL USE

 = RESIDENTIAL USE

**Residential Only** = all units residential.



City of **Ketchum**



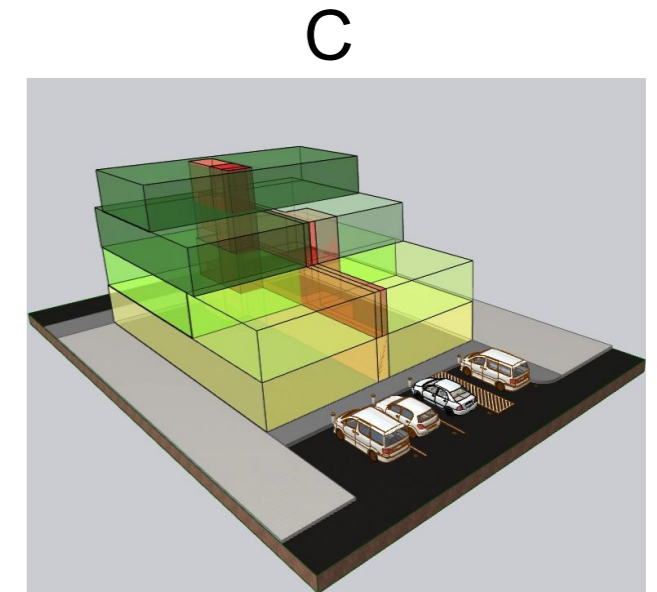
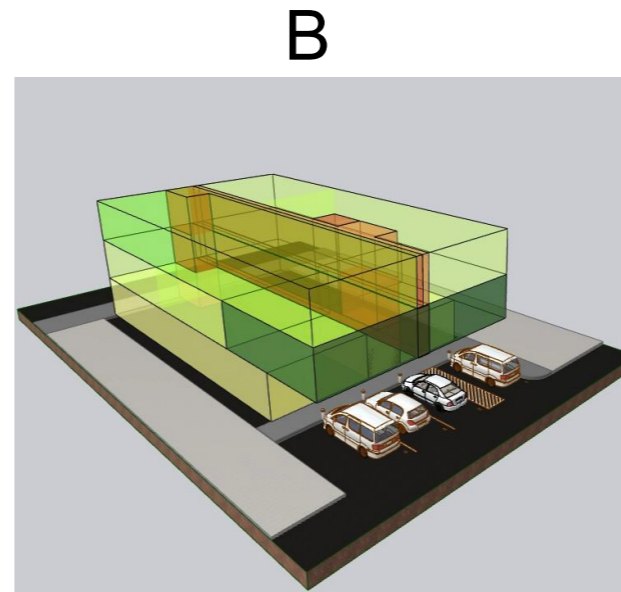
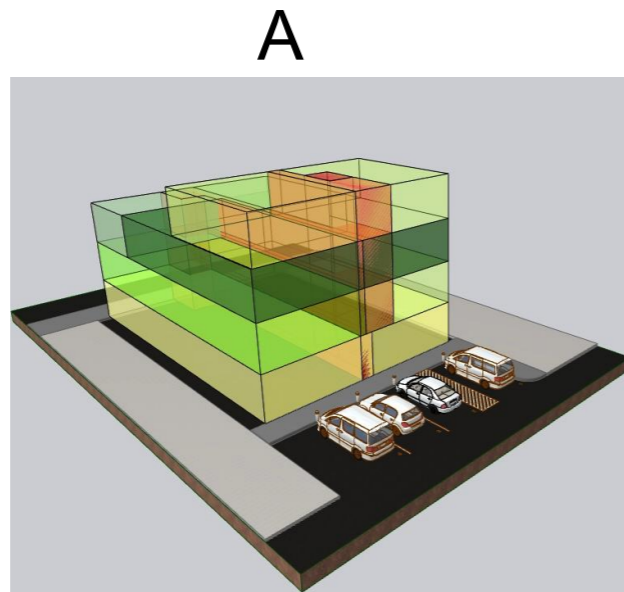
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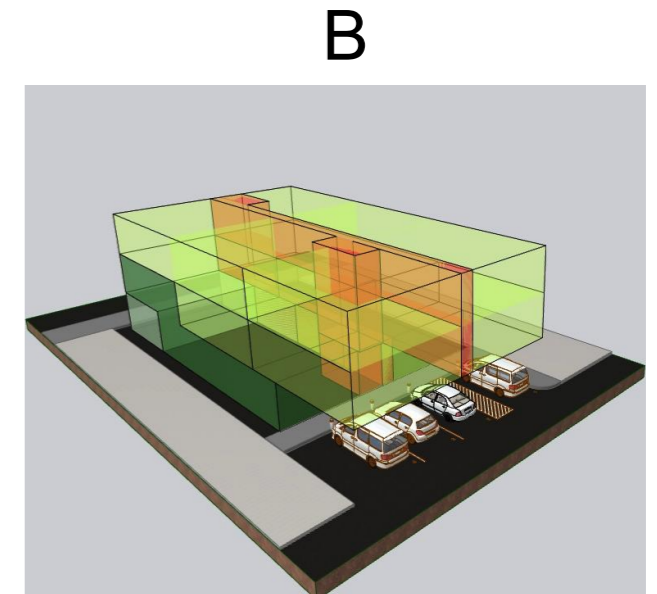
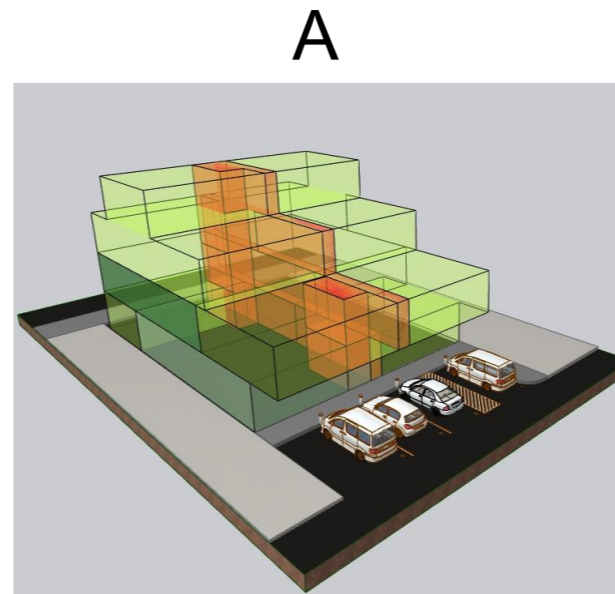
# Floor Area Ratio (FAR) Scenarios

All Scenarios are 2.25 FAR  
All Scenarios included the required 1,375 sq ft of CH on site.

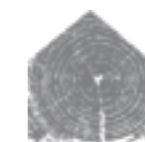
## MIXED USE OPTIONS



## RESIDENTIAL ONLY OPTIONS



*\*we did not consider all of the potential options, but considered options with different priorities, i.e. maximizing commercial sqft on the ground level or avoiding side setbacks, or maintaining a simple rectangular building vs. keeping the height low, all the while, maintaining the full build-out of 12,375 sqft to achieve the maximum FAR of 2.25*



# Mixed Use - Option A ( 12,375 sqft ) 2.25 FAR

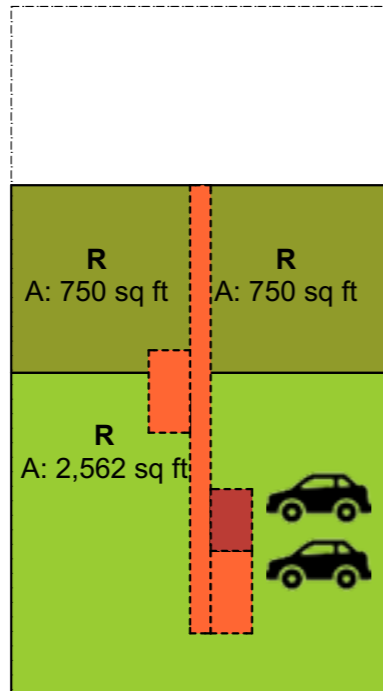
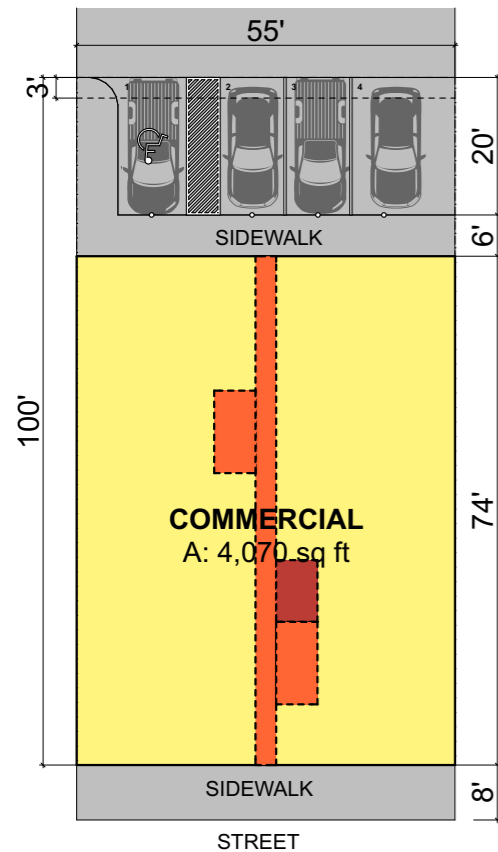
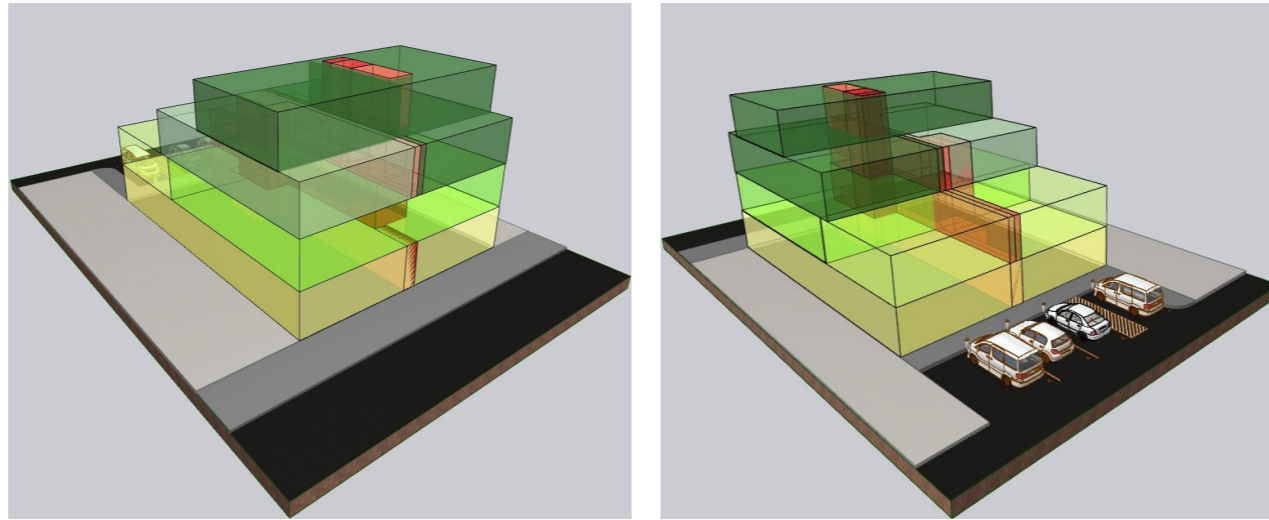
Community Core - Subdistrict A

Development Priority: Maximize commercial = no side setbacks

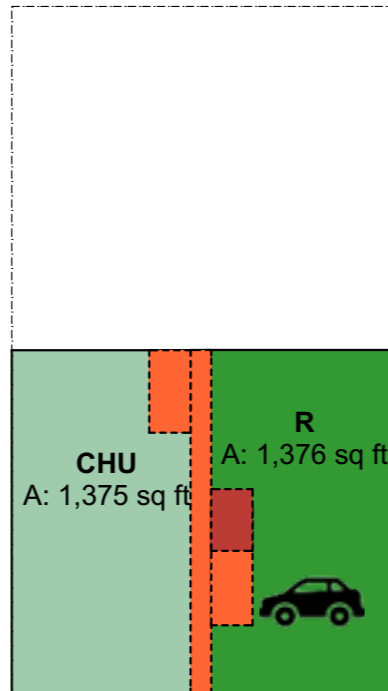
*\*all Mixed Use options require an elevator to reach ADA unit above ground floor*

*\*\*max of 4 units/floor by fire code*

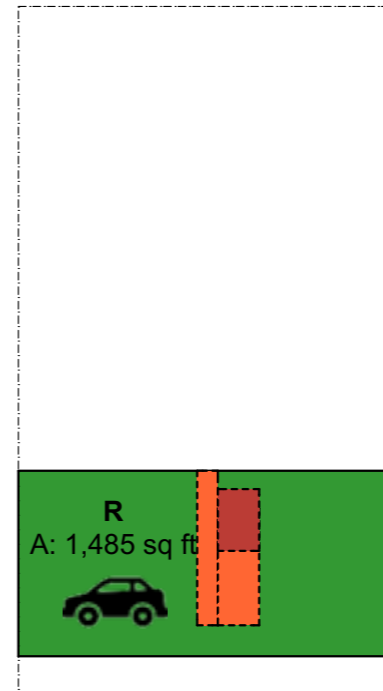
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR

**Current On-Site Parking**  
Regs Require :  
13 total spaces, 9 after credit

**New On-Site Parking**  
Regs Require :  
4 spaces

# Mixed Use - Option B ( 12,375 sqft ) 2.25 FAR

Community Core - Subdistrict A

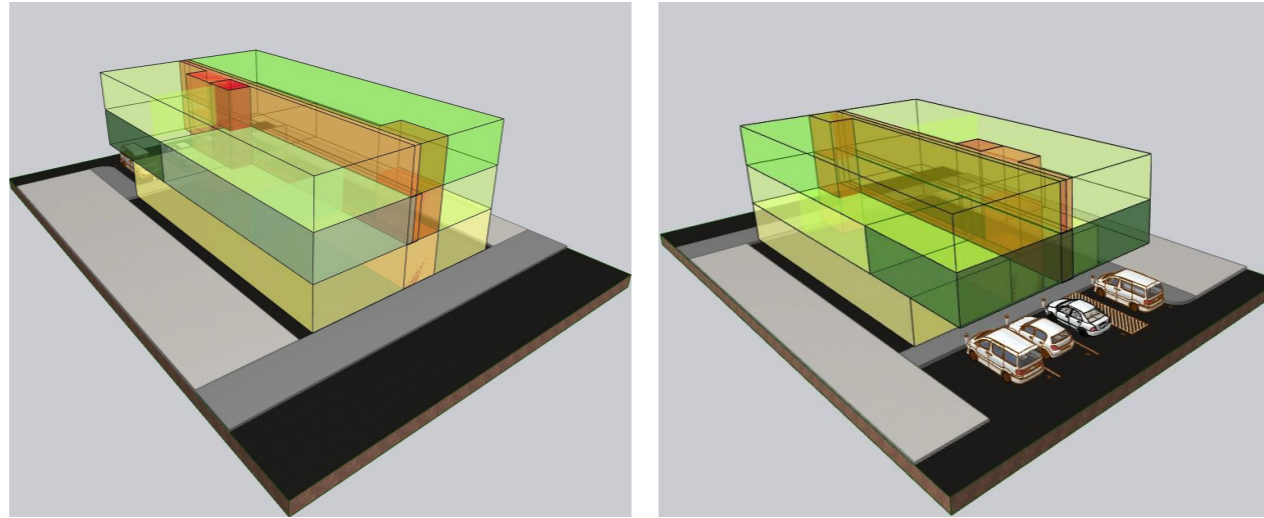
Development Priority = Maximize Residential, 3 stories only

*\*all Mixed Use options require an elevator to reach ADA unit above ground floor*

*\*\*requires 3' side setbacks per fire code*

*\*\*\*no limit on # of units/story*

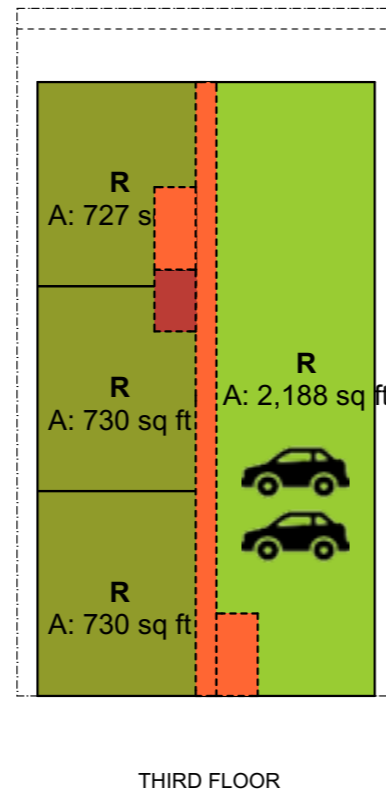
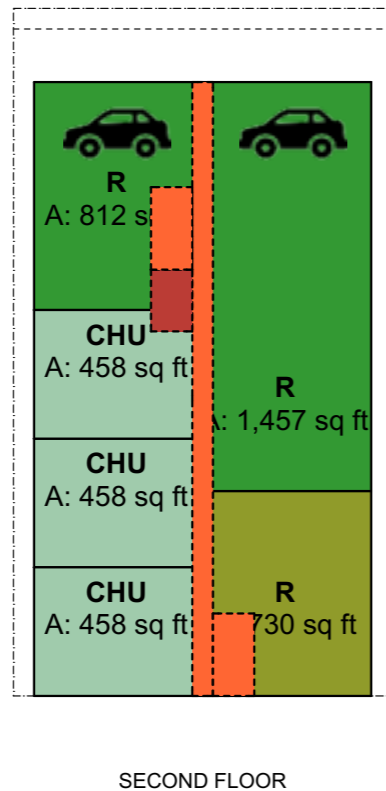
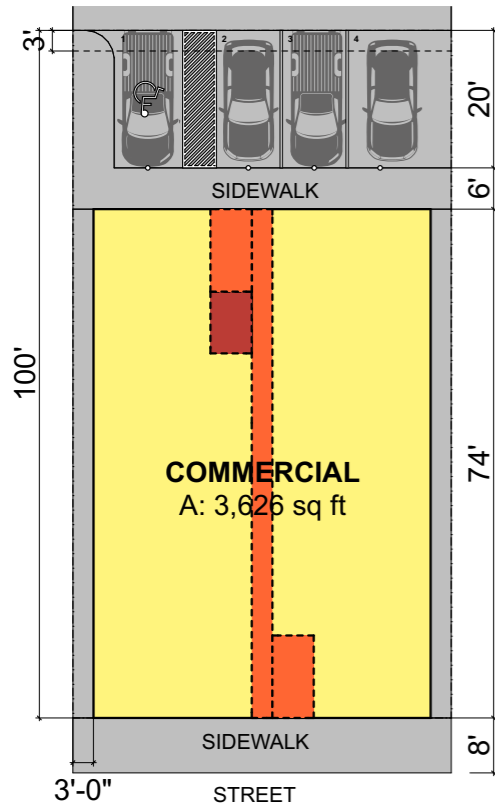
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



Current On-Site Parking  
Regs Require :  
12 spaces  
After Credit : 8



New On-Site Parking  
Regs Require :  
4 spaces





# Mixed Use - Option C ( 12,375 sqft ) 2.25 FAR

*\*all Mixed Use options require an elevator to reach ADA unit above ground floor*

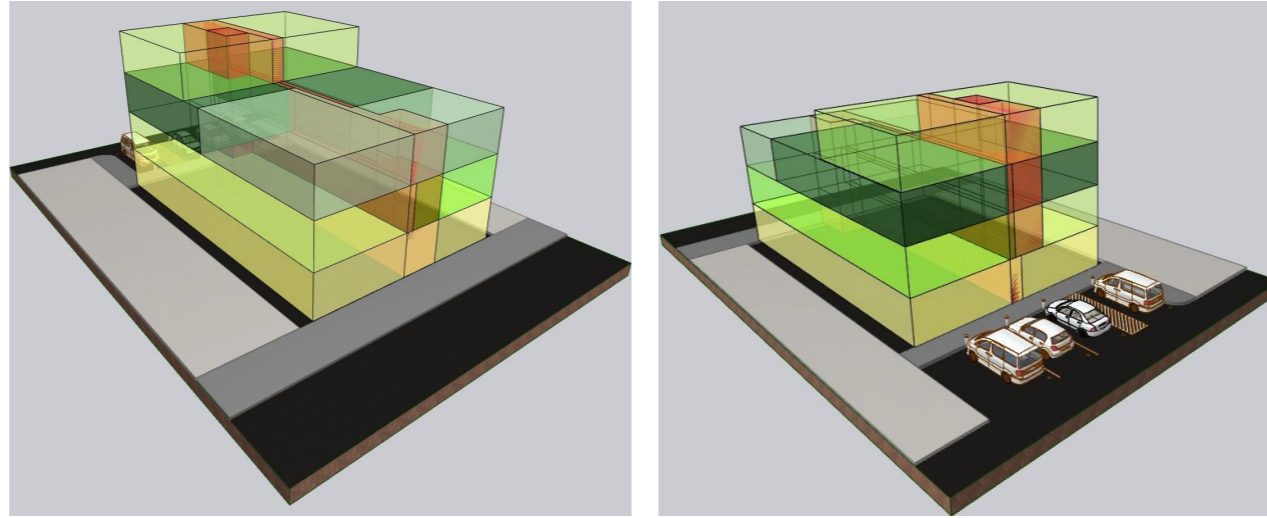
Community Core - Subdistrict A

Development Priority = Maximize Residential, maintain simple rectangle (no overhang over parking)

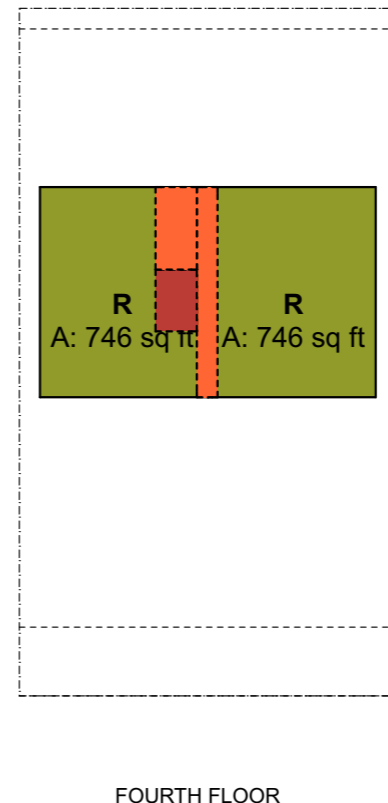
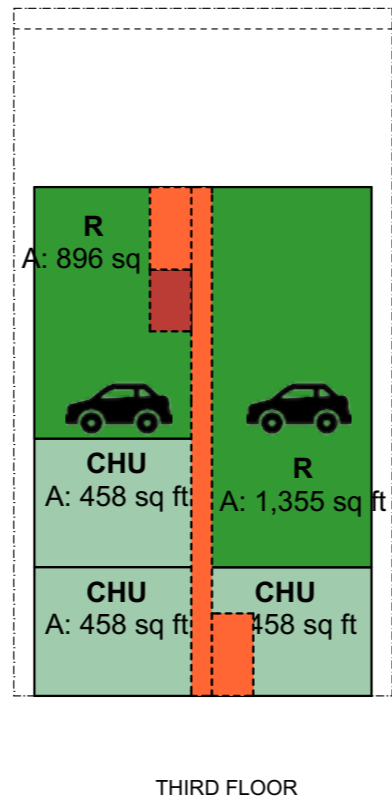
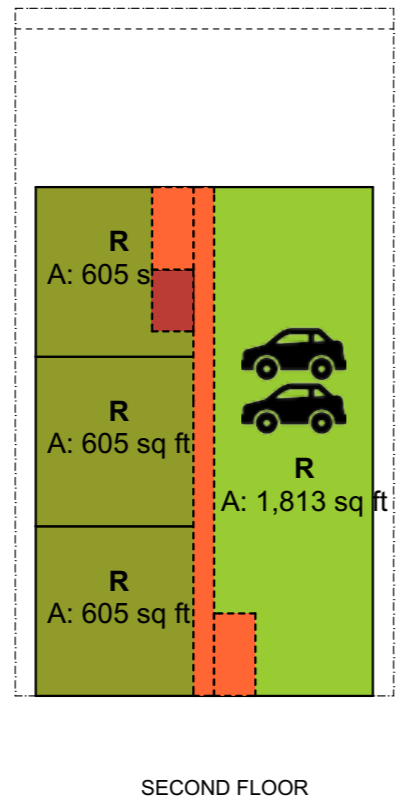
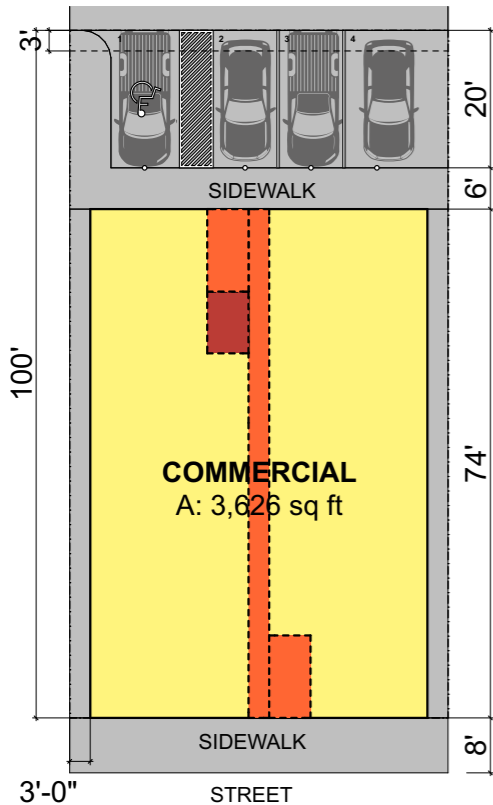
*\*\*requires 3' side setbacks per fire code*

*\*\*\*no limit on # of units/story*

- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



**Current on-Site Parking**  
Regs Require : 12 spaces  
After Credit : 8



**New On-Site Parking**  
Regs Require : 4 spaces

# Residential Only- Option A ( 12,375 sqft ) 2.25 FAR

Community Core - Subdistrict C

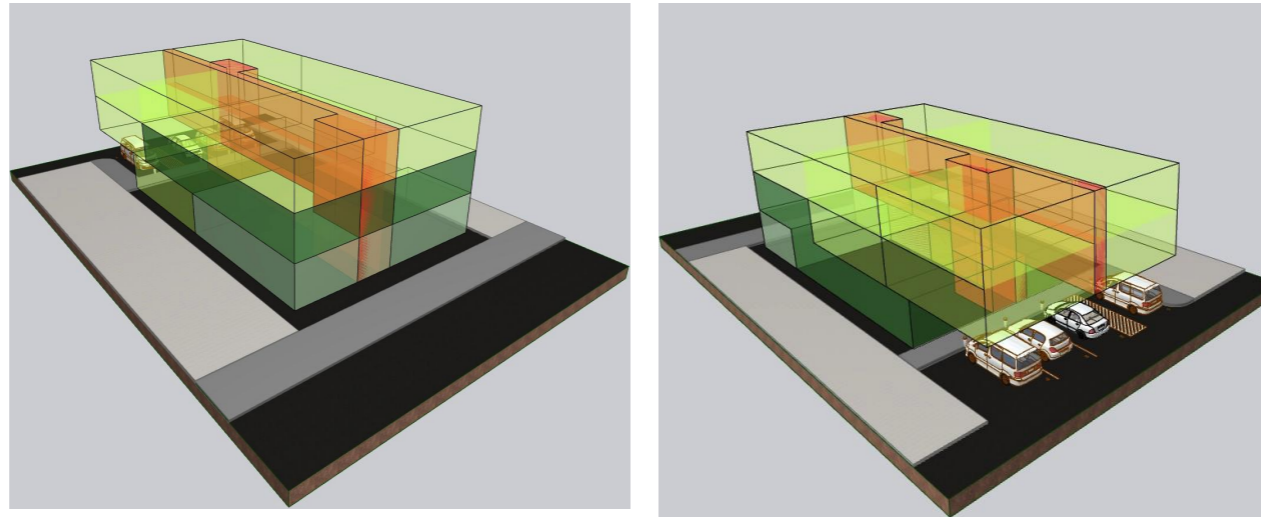
Development Priority = Maximize Residential

*\*Residential Only allows ADA unit on ground floor, no elevator required*

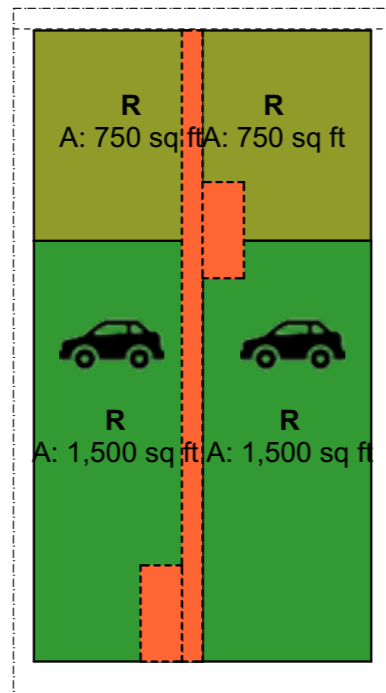
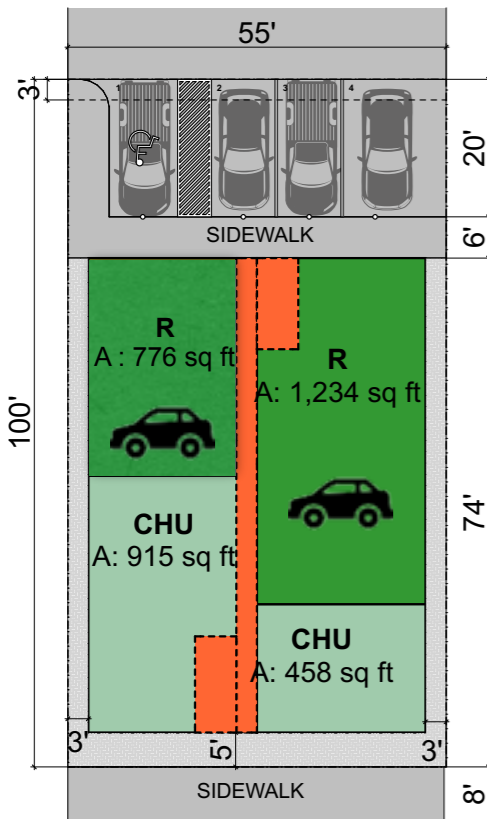
*\*\*requires 3' side setbacks per fire code*

*\*\*\*no limit on # of units/story*

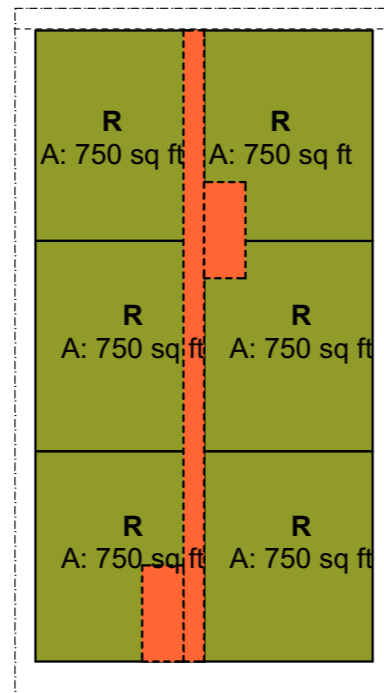
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



**Current On-Site Parking**  
Regs Require :  
7 spaces



SECOND FLOOR



THIRD FLOOR

**New On-Site Parking**  
Regs Require :  
4 spaces

# Residential only - Option B ( 12,375 sqft ) 2.25 FAR

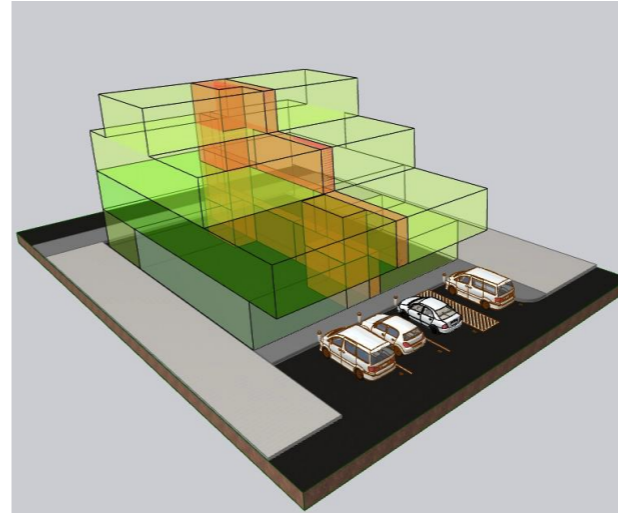
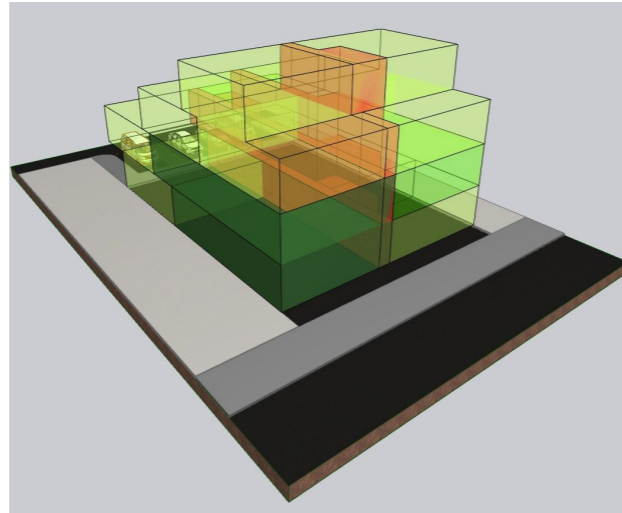
Community Core - Subdistrict C

Maximize Residential, with no side setbacks

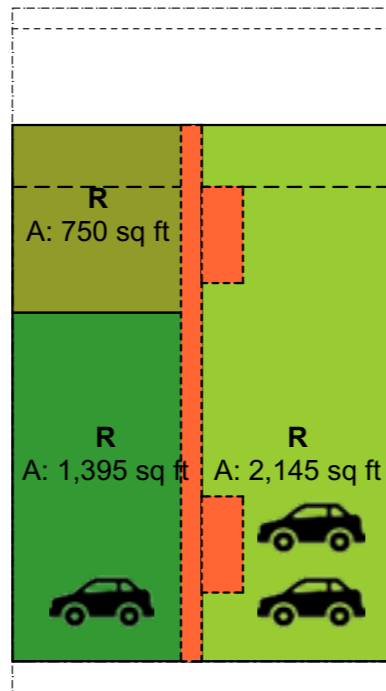
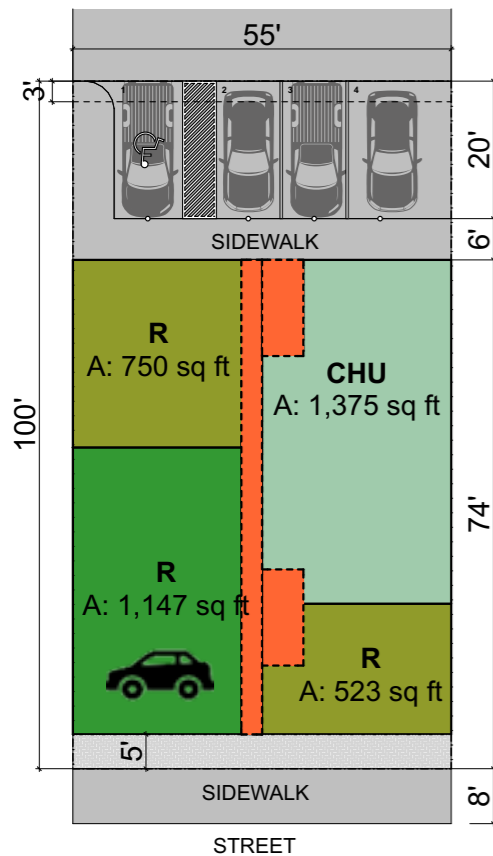
*\*Residential Only allows ADA unit on ground floor, no elevator required*

*\*\*max of 4 units/floor by fire code*

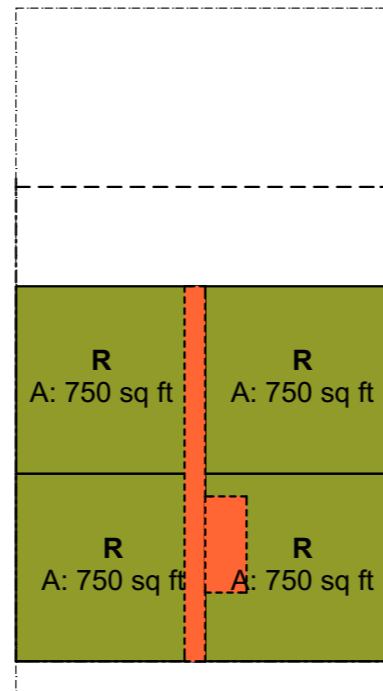
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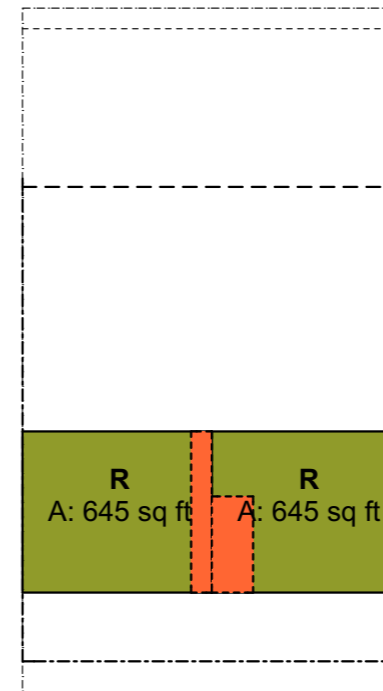
*Current On-Site Parking  
Regs Require :  
7 spaces*



SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR

*New On-Site Parking  
Regs Require :  
4 spaces*



# Summary

- Parking regulations do impact the density of development.
- The new parking regulations proposed by the City of Ketchum are less restrictive than the current parking regulations and enable full build-out of city lots.
- 5500 square foot lots are more developable under the proposed code.

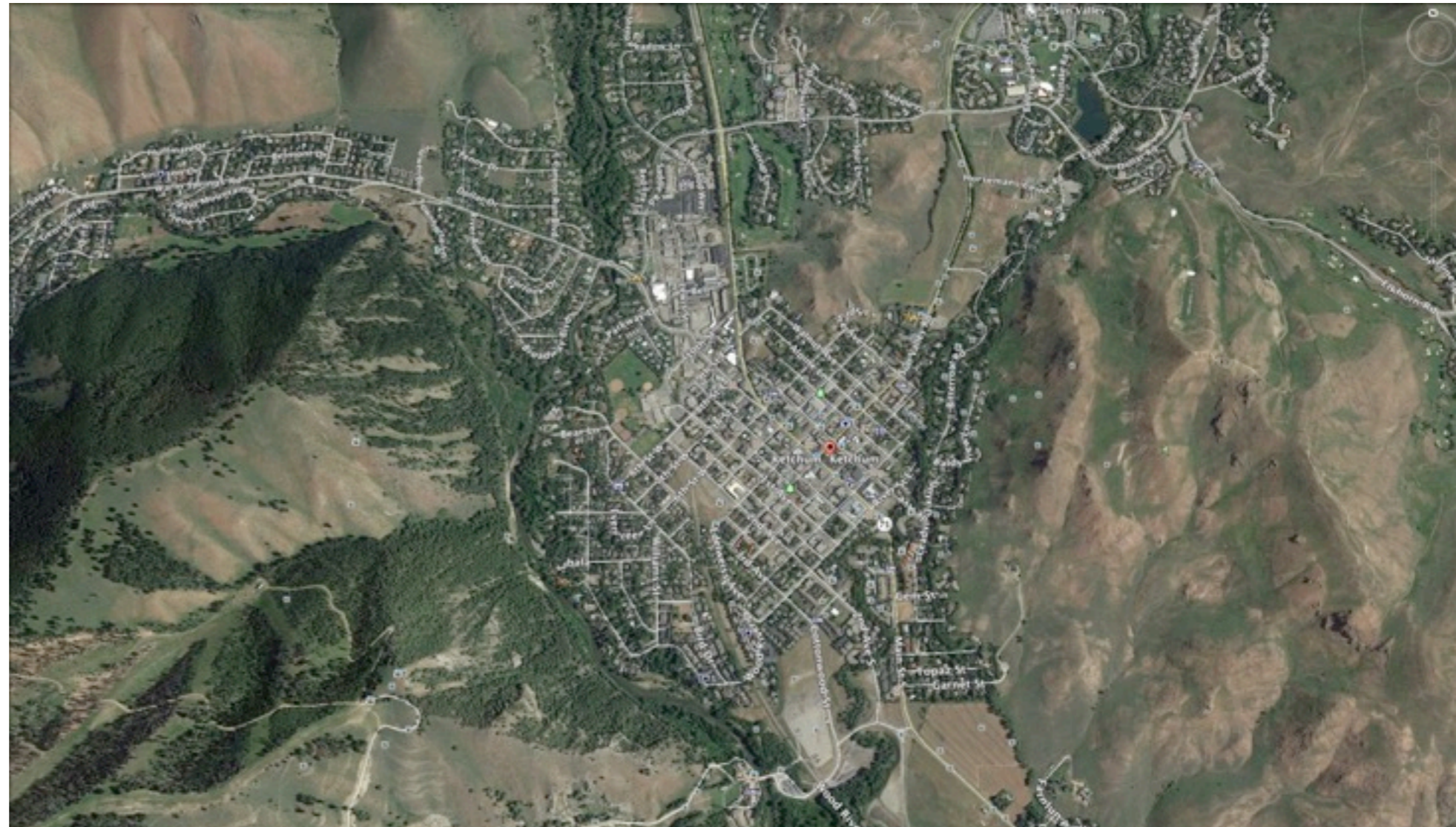


City of **Ketchum**



LOVE | SCHACK  
ARCHITECTURE





## Contact

Lindsey Love & Lindsay Schack  
**Love Schack Architecture**  
offices in Bozeman, MT and Driggs, ID  
<http://loveschackarchitecture.com/>  
phone : 406.282.4277  
email : [info@loveschack.com](mailto:info@loveschack.com)

Thank you  
**City of Ketchum**



**LOVE | SCHACK**  
ARCHITECTURE





City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**MEETING OF FEBRUARY 11<sup>th</sup>, 2019**

**PROJECT:** Redfish Unit #201 CUP

**FILE NUMBER:** P18-138

**OWNER:** Francesca Keck

**APPLICANT:** Mia Cherp

**REQUEST:** Conditional Use Permit (CUP) for the proposed conversion of Unit #201 of the Redfish building in the Light Industrial Number 2 (LI-2) Zoning District to a residential live-work unit.

**LOCATION:** 270 Northwood Way Unit 201  
(Redfish Light Industrial Condominiums Unit 201)

**ZONING:** Light Industrial Number 2 (LI-2)

**OVERLAY:** None

**NOTICE:** Notice was mailed to property owners within a 300 foot radius and posted on the subject property as well as the City of Ketchum website on November 26<sup>th</sup>, 2018. Notice was published in the Idaho Mountain Express on November 21<sup>st</sup>, 2018. The public hearings for the subject application have been continued from the Planning & Zoning Commission meetings of December 10<sup>th</sup>, 2018 and January 14<sup>th</sup> and 28<sup>th</sup>, 2019. Public Comment has been included as Attachment G to the Staff Report.

**REVIEWER:** Abby Rivin, Associate Planner

**BACKGROUND**

On November 5<sup>th</sup>, 2018, the applicant, Mia Cherp, submitted a Conditional Use Permit (CUP) application to convert existing Unit #201 in the Redfish Light Industrial Condominiums to a residential live-work unit. The owner of the subject unit, Francesca Keck, has submitted a letter authorizing the subject CUP application, which is included as Attachment C to the Staff Report. The Redfish Light Industrial building is located at 270 Northwood Way in the Light Industrial Number 2 (LI-2) Zoning District. The subject CUP application has been continued from the Planning & Zoning Commission meetings of December 10<sup>th</sup>, 2018 and January 14<sup>th</sup> and 28<sup>th</sup>, 2019.

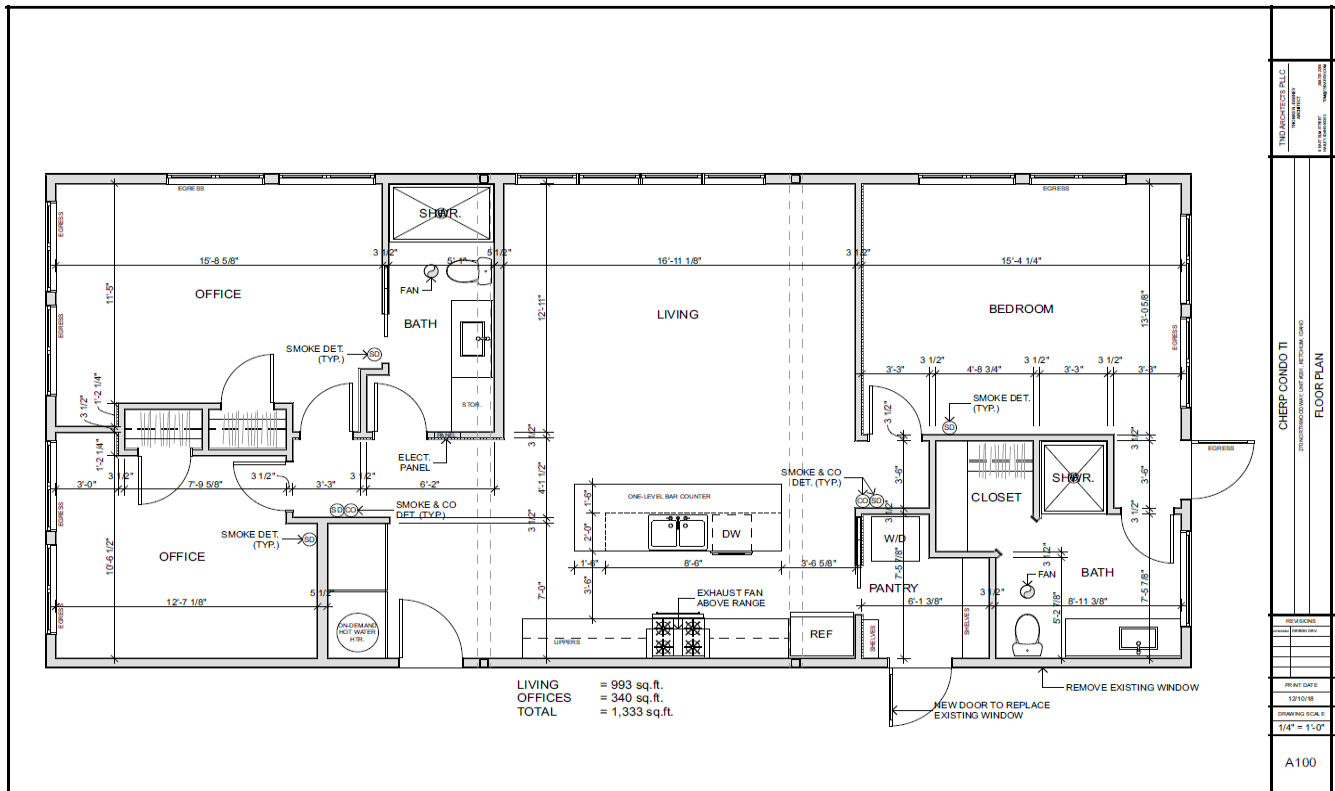
Multi-family dwelling units are permitted only through the approval of a CUP in the LI-2 Zone (KMC §17.12.020) and must comply with all development standards required for residential units in light industrial districts (KMC §17.124.090) as well as the CUP standards set forth in Ketchum Municipal Code (KMC)

§17.116.030. In 1991, housing options expanded within the light industrial districts through the adoption of Ordinance No. 556, which was intended to provide long-term, rental housing options for Ketchum residents active in the workforce. Staff has included a history of residential use within the light industrial districts as Attachment F.

**ANALYSIS**

Staff recommends that the Planning & Zoning Commission deny the Conditional Use Permit application finding that the proposal as submitted does not comply with the required standards as detailed in Tables 1-4 herein and due to the issues raised in the following analysis.

Pursuant to Ketchum Municipal Code (KMC) §17.124.090.A.5, dwelling units in light industrial districts may not exceed 1,000 sq ft total and shall not contain more than two bedrooms. Unit #201 has a total floor area of 1,333 sq ft. As the condominium unit has a total floor area greater than 1,000 sq ft, the unit must also contain a commercial component utilized for a permitted light industrial activity. As indicated on the floor plan (Sheet A100), the applicant has proposed converting 933 sq ft of Unit #201 to a residence with one bedroom, bathroom, living area, and kitchen. The remainder of the unit, 340 sq ft, is designated as an office for a proposed commercial studio. Both the proposed residence and office are accessed through a shared entrance into the unit. With no separation proposed between the residential and commercial components, the office is accessed from a shared hallway.



**Figure 1. Proposed Unit #201 Floor Plan**

Occupying approximately 25% of the unit’s total floor area, as designed, the proposed office is incidental and secondary to the primary use of the residence and meets the definition of home occupation as defined by KMC §17.08.020:

*A business related activity conducted entirely within a dwelling which is incidental and secondary to the use of a dwelling as a residence and does not negatively impact the surrounding neighborhood.*

While home occupations are permitted as an accessory use in the LI-2 Zone, the proposal is noncompliant as Unit #201 exceeds the maximum floor area permitted for residential units within light industrial districts (KMC §17.124.090).

Evidence to support the commercial studio use proposed for the work component has not been adequately provided for the record. Conflicting representations have been presented by the applicant regarding the proposed uses associated with Unit #201 ranging from penthouse (Building Permit Application #19-004) to real estate investment office (Business License Application as submitted January 2, 2019).

On January 2<sup>nd</sup>, 2019, the applicant submitted a Business License Application for M&M Investments, which was described as a real estate investment business proposed to operate within the work component of Unit #201. This type of professional establishment is considered a business office use as defined by KMC §17.08.020, which is prohibited in the LI-2 Zone. During the Commission’s review of the application on January 14<sup>th</sup>, 2019, the applicant specified that the work component of Unit #201 will be utilized for film production and post production. This type of use is defined by KMC §17.08.020 as a commercial studio, which is a permitted use in the LI-2 Zone. On January 18<sup>th</sup>, 2019, the applicant submitted an amended Business License Application qualifying the work component as a commercial studio for film production. On January 23<sup>rd</sup>, 2019, the applicant submitted a Building Permit application for the associated interior remodel qualifying the project as a penthouse. The Planning & Building Department has not received sufficient documentation to validate the operation of a permitted light industrial use for the work component.

The proposed floor plan (Sheet A100) in conjunction with insufficient evidence supporting a permitted light industrial use renders the proposal noncompliant with KMC §17.124.090.A.5, which limits the size of residential units in light industrial district to a maximum of 1,000 sq ft.

While the floor area proposed for the work component is only 340 sq ft, the revised Business License Application submitted by the applicant indicates that the commercial studio would employ 2 full-time employees and up to 9 part-time employees. Subject repurposing of Unit #201 triggers a re-evaluation of the off-street parking spaces available to serve the existing and proposed uses within the Redfish building (KMC §17.125.020). A total of forty (40) off-street parking spaces are designated on the subject site to accommodate the existing light industrial uses with the Redfish building. With the proposed introduction of a commercial studio and associated employees, the number of existing parking spaces may be insufficient to serve all of the existing and proposed light industrial uses within the Redfish building.

Staff recommends the Planning & Zoning Commission consider the analysis contained in the Staff Report, the applicant’s presentation, and any public comment received, deliberate, and move to **deny** the Conditional Use Permit request to convert Unit #201 in the Redfish Light Industrial Building to a residential live-work unit finding the proposal does not meet required standards for residential units within light industrial districts (KMC §17.124.090).

**Table 1. Comprehensive Plan Analysis**

<p><b>Land Use Category:</b> <b>Mixed-Use Industrial</b></p> <p><b>PRIMARY USES</b> <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p><b>SECONDARY USES</b> <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p>
--

<b>CHARACTERISTICS AND LOCATION</b>
<i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i>
The proposed residential unit and associated home business is inconsistent with the intended character of the Mixed-Use Industrial land use category as the office is <b>subordinate</b> to the primary residence. While the applicant’s business may be consistent with encouraging entrepreneurial opportunity, the proposed office does not relate to manufacturing, construction, or other uses that define the character of the light industrial district. Staff finds that the proposal is <b>inconsistent</b> with goals and policies that encourage retaining light industrial activities as a primary use in light industrial districts.
<b>Policy E-2(e) Live-Work Opportunities and Home Businesses</b>
<i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i>
While the remodel of Unit #201 would accommodate a home-based business, the proposed residence <b>exceeds</b> the maximum floor area permitted for dwelling units within light industrial districts.
<b>Policy E-2(a) Light Industrial Area as the Primary Location for New Traditional Light Industrial and Corporate Park Business Growth and Jobs</b>
<i>New employment opportunities will focus primarily on clean industries within the City’s industrial areas which are evolving into vibrant, mixed-use business places. Traditional light industrial includes service, warehousing, manufacturing, wholesaling, auto related businesses, rec-tech, biotechnology, and construction.</i>
The proposed home occupation <b>does not align</b> with the types of traditional light industrial uses that the Comprehensive Plan envisions for the light industrial zones
<b>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas</b>
<i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i>
While the application is consistent with Policy H-1.4, the project <b>does not comply</b> with all of the standards required for dwelling units in light industrial districts(KMC §17.124.090).

**Table 2: City Department Comments**

City Department Comments			
Compliant			City Standards and <i>City Department Comments</i>
Yes	No	Pending Review	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Fire:</b> The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances as contained in Title 15, Buildings and Construction of Ketchum Municipal Code.</p> <p><b>IF</b> a monitored fire detection system exists or is installed, it shall meet NFPA 72 and be monitored by an approved alarm monitoring station. <b>Smoke detectors shall be installed as follows:</b></p> <ol style="list-style-type: none"> <li><b>1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.</b></li> <li><b>2. In each room used for sleeping purposes.</b></li> </ol> <p>Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.</p>

			The appropriate keys, for emergency fire department access, shall be provided and installed in the existing Knox box.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>Building:</b> The remodel of the condominium unit must meet 2012 International Building Code and Title 15 of Ketchum Municipal Code.</p> <p><i>On January 4<sup>th</sup>, 2019, the City of Ketchum Building Official issued a Stop Work Order for construction activities at the subject condominium unit. The approval of the subject CUP is required prior to the issuance of a Building Permit for the remodel project to convert a portion of Unit #201 to residential use.</i></p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>Planning and Zoning:</b> Comments are denoted throughout the Staff Report.</p>

**Table 3: Standards for Residential, Light Industrial Districts**

<b>IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:</b>														
Residential units in the light industrial districts shall comply with the following minimum criteria:														
Yes	No	N/A	City Code	City Standards and Staff Comments										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (1)</b>	<b>Dwelling units shall not occupy the ground floor.</b>										
			<b>Staff Comments</b>	<i>The proposed dwelling unit is located on the second floor of the Redfish building.</i>										
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (2)</b>	<b>Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.</b>										
			<b>Staff Comments</b>	<i>N/A as the associated remodel does not alter the exterior of the Redfish building (KMC §17.96.010.A).</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (3)</b>	<b>Up to fifty percent (50%) of any light industrial building may be devoted to dwelling units, unless otherwise specified in the section.</b>										
			<b>Staff Comments</b>	<p><i>Three condominium units in the Redfish building have existing CUPs for residential use.</i></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Unit</th> <th>Residential Floor Area (sq ft)</th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td>201</td> <td>993</td> </tr> </tbody> </table> <p><i>The total square footage of the Redfish building is 16,591 sq ft. If this application were to be approved, 24% of the building will be devoted to residential use.</i></p>	Unit	Residential Floor Area (sq ft)	202	1,000	204	973	205	995	201	993
Unit	Residential Floor Area (sq ft)													
202	1,000													
204	973													
205	995													
201	993													
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (4)</b>	<b>Dwelling units shall not be separated in any manner for sale as individual units.</b>										
			<b>Staff Comments</b>	<p><i>The Redfish building was subdivided into condominiums in 1995. The residential component of live-work units within the building would not be permitted to be separated from the associated commercial space for individual sale.</i></p> <p><i>The owner of the subject unit, Francesca Keck, has submitted a letter authorizing the subject CUP application, which is included as Attachment C to the Staff Report.</i></p>										
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>17.124.090 A (5)</b>	<b>Dwelling units shall be a minimum of four hundred (400) square feet and shall not exceed one thousand (1,000) square feet total and shall contain not more than two (2) bedrooms, unless otherwise specified in this section.</b>										
			<b>Staff Comments</b>	<i>The floor plan does not separate the work component from the dwelling unit and as proposed would function as a home occupation. The total floor area of the unit is 1,333 sq ft, which <b>exceeds</b> the maximum floor area permitted by 333 sq ft.</i>										
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (6)</b>	<b>The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not</b>										

				<b>condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</b>
			<b>Staff Comments</b>	<i>N/A as the proposed remodel of subject Unit#201 does not comply with the size restriction for residential units in light industrial districts (KMC §17.124.090 A.5).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (7)</b>	<b>All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</b>
			<b>Staff Comments</b>	<i>N/A as the proposed remodel of subject Unit#201 does not comply with the size restriction for residential units in light industrial districts (KMC §17.124.090 A.5).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (8)</b>	<b>Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone</b>
			<b>Staff Comments</b>	<i>N/A as the proposed remodel of subject Unit#201 does not comply with the size restriction for residential units in light industrial districts (KMC §17.124.090 A.5).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.124.090 A (9)</b>	<b>All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</b>
			<b>Staff Comments</b>	<i>N/A as the proposed remodel of subject Unit#201 does not comply with the size restriction for residential units in light industrial districts (KMC §17.124.090 A.5).</i>

**Table 4: Conditional Use Permit Requirements**

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the Commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(A)</b>	<b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b>
			<b>Staff Comments</b>	<p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses.</i></p> <p><i>Multi-family dwelling units are permitted only with the approval of CUP in the LI-2 Zone and must comply with development standards for residential units in light industrial districts as contained in KMC §17.124.090. Pursuant to KMC §17.124.090.A.5, dwelling units in the light industrial districts shall be a minimum of 400 sq ft and shall not exceed 1,000 sq ft. The proposal <b>exceeds</b> the maximum residential unit size permitted in light industrial districts.</i></p> <p><i>Occupying approximately 25% of the total floor area, as designed, the proposed office is incidental and secondary to the primary use of the residence. With no separation between the residential and commercial components, the proposed floor plan may be construed as solely a multi-family residential unit. The proposed residence with the associated office meets the definition of home occupation as defined by KMC §17.08.020. The proposal is incompatible with the character of the LI-2 Zone, in part, as the residential use is not paired with a permitted LI use and by design the residential use is neither subordinate nor junior to the types of uses permitted in light industrial districts.</i></p>

				<p>Per KMC §17.18.150, the purpose of the LI-2 Zone is to, “provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public.” Many permitted light industrial uses, such as manufacturing, maintenance service facilities, repair shops, and motor vehicle service, may not occur elsewhere within the City of Ketchum. Dwelling units, such as the one proposed by the applicant, are permitted in many zones throughout the City of Ketchum including GR-L, GR-H, STO-H, T, T-3000, T-4000, and within the Community Core.</p>												
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(B)</b>	<p><b>The conditional use will not materially endanger the health, safety and welfare of the community.</b></p> <p><i>Staff Comments</i> The light industrial uses within the Redfish building may be incompatible with the quiet enjoyment of the proposed dwelling unit. While the mixed use of the property may result in conflict, the proposed residential use will not materially endanger the health, safety, and welfare of the community.</p>												
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(C)</b>	<p><b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b></p> <p><i>Staff Comments</i> The pedestrian and vehicular traffic associated with the project may be hazardous or conflict with existing and anticipated traffic in the neighborhood. With the revised Business License Application, the applicant indicates that the commercial studio would employ 2 full-time employees and 2-9 part-time employees. A total of 11 employees would significantly increase the amount of pedestrian and/or vehicular traffic within the LI-2 and Redfish Building.</p> <p>According to data contained in existing Planning &amp; Building Department records associated with the Redfish building, a total of forty (40) parking spaces exist on the site to serve the various uses in the building. The uses proposed by the applicant would require only 2 parking spaces be provided on site per KMC §17.125.040.B, which may be an insufficient number of parking spaces to accommodate all of the full- and part-time employees associated with the commercial studio.</p> <table border="1" data-bbox="597 1213 1425 1381"> <thead> <tr> <th>Use</th> <th>Square Footage/# of Bedrooms</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>Dwelling Unit</td> <td>1 bedroom</td> <td>1 parking space</td> </tr> <tr> <td>Commercial Studio</td> <td>340 sq ft</td> <td>1 parking space</td> </tr> <tr> <td>Total</td> <td></td> <td>2 parking spaces</td> </tr> </tbody> </table>	Use	Square Footage/# of Bedrooms	Parking Spaces Required	Dwelling Unit	1 bedroom	1 parking space	Commercial Studio	340 sq ft	1 parking space	Total		2 parking spaces
Use	Square Footage/# of Bedrooms	Parking Spaces Required														
Dwelling Unit	1 bedroom	1 parking space														
Commercial Studio	340 sq ft	1 parking space														
Total		2 parking spaces														
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(D)</b>	<p><b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b></p> <p><i>Staff Comments</i> The residential use would be supported by adequate public facilities and services and would not adversely affect public services to the surrounding area. See Table 2 for comment from Fire and Building Departments.</p>												
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(E)</b>	<p><b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.</b></p> <p><i>Staff Comments</i> As noted in Table 1, the proposal is inconsistent with Comprehensive Plan goals and policies that encourage retaining light industrial activities as a primary use in light industrial districts.</p> <p>The proposal also conflicts with the base purposes of the LI-2 zone. Per KMC §17.18.150, the purpose of the LI-2 Zone is to, “provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and</p>												

				<p><i>distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public.” Many permitted light industrial uses, such as manufacturing, maintenance service facilities, repair shops, and motor vehicle service, may not occur elsewhere within the City of Ketchum. Dwelling units, such as the one proposed by the applicant, are permitted in many zones throughout the City of Ketchum including GR-L, GR-H, STO-H, T, T-3000, T-4000, and within the Community Core.</i></p>
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**STAFF RECOMMENDATION**

Staff recommends the Planning & Zoning Commission consider the analysis contained in the Staff Report, the applicant’s presentation, and any public comment received, deliberate, and move to **deny** the Conditional Use Permit request finding that the proposed dwelling unit does not comply with all of the standards required for residential units within light industrial districts (KMC §17.124.090) and does not meet all of the standards for approval under Chapter 17.116, Conditional Uses of Ketchum Municipal Code.

**Actions to remedy the deficiencies associated with the subject application may include:**

- Physical separation between the commercial and residential spaces through the installation of a fire wall between the proposed live and work components;
- Provide sufficient documentation supporting the proposed LI business by submitting the Idaho Secretary of State filing, which would include the legal structure of the entity and any associated organizational documents as well as the Assumed Business Name;
- Invite the applicant to apply for a Zoning Code Revision to amend Title 17 to increase the residential unit size restriction permitted in light industrial districts for work/live units; or
- Invite the applicant to resubmit the CUP application if Ordinance No. 1192 proposing work/live amendments to the light industrial district currently undergoing review is adopted by the Ketchum City Council.

**COMMISSION OPTIONS**

- Table or move to continue the Conditional Use Permit request.
- Move to approve the application for a Conditional Use Permit application and cite findings supporting approval.
- Direct Staff to return with further research and move to continue the application to a date certain.

**ATTACHMENTS**

- A. Conditional Use Permit Application
- B. Unit #201 Floor Plan (Sheet A100)
- C. Property Owner Authorization Letter
- D. Business License Application Materials
- E. Building Permit Application
- F. History of Residential Use in the Light Industrial Districts
- G. Public Comment



Attachment A.  
Conditional Use Permit  
Application



City of Ketchum  
Planning & Building

OFFICIAL USE ONLY
P18-138
11-5-18
\$1100 <sup>00</sup>
mp

### Conditional Use Permit Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: [www.ketchumid.com](#) and click on Municipal Code.

<b>Cherp Condo@</b>		<b>OWNER INFORMATION</b>	
Project Name: REDFISH CONDO			
Name of Owner of Record: MIA L. CHERP			
Physical Address: 270 Northwood Way #201			
Property Legal Description: Redfish Light Industrial Condo Unit #201			
Property Zoning District: L1-2			
Contact Phone: 720 8113		Contact Email: mia.lyonpearl@gmail.com	
<b>PROJECT INFORMATION</b>			
Description of Proposed Conditional Use: Residential use			
Description of Proposed and Existing Exterior Lighting: RPK 088400 00201			
<b>ADDITIONAL COMMENTS</b>			
<b>ACCOMPANYING SUPPORTING INFORMATION REQUIRED</b>			
<ul style="list-style-type: none"> <li>• Existing Site Plan</li> <li>• Proposed Site Plan</li> <li>• Landscape Plan</li> <li>• Grading and Drainage Plan</li> <li>• Exterior Lighting Plan and Specifications</li> <li>• Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator</li> </ul>			

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

\_\_\_\_\_  
Applicant Signature

Nov 5, 2018  
\_\_\_\_\_  
Date

**Attachment B.**  
**Unit #201 Floor Plan**  
**(Sheet A100)**



Attachment C.  
Property Owner  
Authorization Letter

*Francesca Keck*

1053 Villa Grove Drive, Pacific Palisades CA 90272

TeL: 310 459-0734 Fax: 310 459-0840 Cell: 310 433-5416

*fdkvilla@gmail.com*

December 4, 2018

To Whom It May Concern:

This letter authorizes Mia L. Cherp to negotiate and oversee all Tenant renovations and services pertaining to my property Unit 201 a mixed use unit in Redfish Light Industrial Building at 270 Northwood Way, Ketchum, Idaho 83340.

Any questions please feel free to contact me.

Thank you,

Sincerely,

A handwritten signature in cursive script that reads "Francesca Keck". The signature is written in dark ink and has a slight flourish at the end.

Francesca Keck

Attachment D.  
Business License Application  
Materials



## City of Ketchum

### Business License Application

Submit completed application and \$50 fee to the City Clerk Office, PO Box 2315, 480 East Ave., N., Ketchum, ID 83340. If you have questions, please contact Business License & Tax Specialist, Kathleen Schwartzenberger at [taxes@ketchumidaho.org](mailto:taxes@ketchumidaho.org) or (208) 726-3841.

BUSINESS CONTACT INFORMATION	
Name of Business:	
Doing Business As:	
Business Physical Address:	
Business Mailing Address:	
Business Phone:	Business Fax:
Business Email:	Business Website:
PROPERTY OWNER INFORMATION	
Name:	
Mailing Address:	
Phone:	Emergency Number:
Zone: <small>*LI District provide copy of a valid Certificate of Occupancy</small>	Business operated from your residence: Yes <input type="checkbox"/> No <input type="checkbox"/>
BUSINESS OWNER INFORMATION	
Name:	
Street Address:	
Mailing Address:	
Phone:	Emergency Number:
State ID:	Federal ID:
BUSINESS MANAGER INFORMATION	
Name:	
Mailing Address:	
Phone:	Emergency Number:
BUSINESS INFORMATION	
Previous business name and type of use at this location:	
Describe current business operation and type of use:	
Date business established:	
Proposed opening date:	
Hours of operation:	
Is this Business a: Daycare <input type="checkbox"/> Non-Profit <input type="checkbox"/>	
If this Business is a daycare, <i>attach copy of daycare license.</i>	



Number of employees:                      Full Time _____      Part Time _____	
Number of square feet: Retail _____ Wholesale _____ Office _____ Warehouse _____ Research & Development _____ Manufacturer _____ Other _____	
Number of on-site parking spaces: Required _____ Provided _____ <i>submit site plan showing parking spaces.</i>	
If this business is a restaurant, <i>attach copy of Idaho South Central Health District inspection report.</i>	
Number of seats:	Do you have a grease trap: Yes <input type="checkbox"/> No <input type="checkbox"/>
Will you be using or storing grease, oils, chemicals or significant quantities of solvents in your business: Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>FIRE DEPARTMENT INFORMATION</b>	
Does the building have a: (check the box)	
<input type="checkbox"/> Fire Sprinkler System	<input type="checkbox"/> Fire Alarm System
<input type="checkbox"/> Fire Extinguisher with a minimum 2A:40 B:C rating	<input type="checkbox"/> Knox Box
Has any of the above fire equipment had an annual inspection? If yes, on what date?	
The following fire codes must be met:	
<ul style="list-style-type: none"> <li>• All electrical circuit breakers labeled as to what electrical equipment each breaker controls.</li> <li>• Exit doors and corridors kept free and clear of obstruction or locking devices that require special keys, tools or knowledge to operate during business hours.</li> <li>• Required fire alarm systems must be monitored using two phone lines or other acceptable means.</li> </ul>	
<b>ADDITIONAL INFORMATION</b>	
Will you be manufacturing a product that will have shavings, liquid or solid residues, or require a cooling bath or batch cleaning as part of the process? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	
Do you intend to remodel or alter the space in any manner? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	
Will you be adding or changing an existing sign for this business? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will outdoor areas of your business premises or sidewalks in front of your business be used for sales, displays, vending stands, tables, seating or storage? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, its officers and employees from all liability claims, suits and costs arising from incidents or accidents occurring under this permit. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.



Applicant Signature

Date

Cell Phone

Email

OFFICIAL USE ONLY		
Date Received:	Fee Paid:	By:
Approved/Denied Date (circle one):	By:	
Account No.:	Sales Tax No.:	
Legal Description:		
Parcel No:	Zone:	
NAICS Code:	Business Activity:	



## City of Ketchum

### Business License Application

Submit completed application and \$50 fee to the City Clerk Office, PO Box 2315, 480 East Ave., N., Ketchum, ID 83340. If you have questions, please contact Business License & Tax Specialist, Kathleen Schwartzenberger at [taxes@ketchumidaho.org](mailto:taxes@ketchumidaho.org) or (208) 726-3841.

BUSINESS CONTACT INFORMATION	
Name of Business:	
Doing Business As:	
Business Physical Address:	
Business Mailing Address:	
Business Phone:	Business Fax:
Business Email:	Business Website:
PROPERTY OWNER INFORMATION	
Name:	
Mailing Address:	
Phone:	Emergency Number:
Zone: <small>*LI District provide copy of a valid Certificate of Occupancy</small>	Business operated from your residence: Yes <input type="checkbox"/> No <input type="checkbox"/>
BUSINESS OWNER INFORMATION	
Name:	
Street Address:	
Mailing Address:	
Phone:	Emergency Number:
State ID:	Federal ID:
BUSINESS MANAGER INFORMATION	
Name:	
Mailing Address:	
Phone:	Emergency Number:
BUSINESS INFORMATION	
Previous business name and type of use at this location:	
Describe current business operation and type of use:	
Date business established:	
Proposed opening date:	
Hours of operation:	
Is this Business a: Daycare <input type="checkbox"/> Non-Profit <input type="checkbox"/>	
If this Business is a daycare, <i>attach copy of daycare license.</i>	

Number of employees:                      Full Time _____      Part Time _____	
Number of square feet: Retail _____ Wholesale _____ Office _____ Warehouse _____ Research & Development _____ Manufacturer _____ Other _____	
Number of on-site parking spaces: Required _____ Provided _____ <i>submit site plan showing parking spaces.</i>	
If this business is a restaurant, <i>attach copy of Idaho South Central Health District inspection report.</i>	
Number of seats:	Do you have a grease trap: Yes <input type="checkbox"/> No <input type="checkbox"/>
Will you be using or storing grease, oils, chemicals or significant quantities of solvents in your business: Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>FIRE DEPARTMENT INFORMATION</b>	
Does the building have a: (check the box)	
<input type="checkbox"/> Fire Sprinkler System	<input type="checkbox"/> Fire Alarm System
<input type="checkbox"/> Fire Extinguisher with a minimum 2A:40 B:C rating	<input type="checkbox"/> Knox Box
Has any of the above fire equipment had an annual inspection? If yes, on what date?	
The following fire codes must be met:	
<ul style="list-style-type: none"> <li>• All electrical circuit breakers labeled as to what electrical equipment each breaker controls.</li> <li>• Exit doors and corridors kept free and clear of obstruction or locking devices that require special keys, tools or knowledge to operate during business hours.</li> <li>• Required fire alarm systems must be monitored using two phone lines or other acceptable means.</li> </ul>	
<b>ADDITIONAL INFORMATION</b>	
Will you be manufacturing a product that will have shavings, liquid or solid residues, or require a cooling bath or batch cleaning as part of the process? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	
Do you intend to remodel or alter the space in any manner? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	
Will you be adding or changing an existing sign for this business? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Will outdoor areas of your business premises or sidewalks in front of your business be used for sales, displays, vending stands, tables, seating or storage? Yes <input type="checkbox"/> (explain)      No <input type="checkbox"/>	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, its officers and employees from all liability claims, suits and costs arising from incidents or accidents occurring under this permit. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.



Applicant Signature

Date

Cell Phone

Email

OFFICIAL USE ONLY		
Date Received:	Fee Paid:	By:
Approved/Denied Date (circle one):	By:	
Account No.:	Sales Tax No.:	
Legal Description:		
Parcel No:	Zone:	
NAICS Code:	Business Activity:	

Attachment E.  
Building Permit Application



City of Ketchum  
Planning & Building

**CERTIFIED COMPLETE**  
1-23-19

FOR OFFICIAL USE ONLY	
PERMIT NO:	519-004
DATE APPLIED	1-23-19

### BUILDING PERMIT APPLICATION

<b>PROJECT NAME:</b> Lyon/Cherp Penthouse	
<b>PROPERTY ADDRESS:</b> 270 Northwood Way Unit #201 Ketchum, Idaho	
<b>OWNER:</b> Mia Lyon Cherp	
PO Box/Street Address: P.O. Box 1027	
City: Sun Valley	State: ID Zip: 83353
Phone: 208/720-8113	
Email: mia.lyonpearl@gmail.com	
<b>CONTRACTOR:</b> McWilliams & Co., L.L.C.	
Registration No.: RCE-12815	
PO Box/Street Address: P.O. Box 2126	
City: Ketchum	State: ID Zip: 83340
Phone: 208/622-7443	
Contact: Charlie McWilliams	Phone: 208/720-1960
Email: Charlie@mcwilliams-co.com	
<b>ARCHITECT:</b> N/A	
Contact:	Phone:
Email:	
<b>ENGINEER:</b> N/A	
Contact:	Phone:
Email:	
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input checked="" type="checkbox"/> Garage <input type="checkbox"/> Re-Roof <input type="checkbox"/> Repair <input type="checkbox"/> Solar <input type="checkbox"/> Other	
<b>Scope of Work:</b> Remodel unit into bedroom and office w/kitchen, Living room, 2 baths and Laundry	
<b>Height of Building:</b>	feet 3 stories
<b>Building Coverage:</b>	sq.ft. and %
<b>Lot Area:</b>	
<b>No. of Dwelling Units:</b>	<b>No. of Condo Units:</b> 4
<b>Setbacks:</b>	Front ft. Back ft. Side ft. Side ft.
<b>Water and Sewer</b> (see reverse side for other impact fees)	
<b>Water Meter Size:</b> <input checked="" type="checkbox"/> 1" <input type="checkbox"/> 1.5" <input type="checkbox"/> 2" <input type="checkbox"/> 3" <input type="checkbox"/> 4" <input type="checkbox"/> 6"	

BUILDING PERMIT FEES	FOR OFFICIAL USE ONLY	
Permit Fee	1441	
Building Plan Check Fee	937	
Planning Plan Check Fee	656	
Fire Plan Check Fee	656	
<b>TOTAL BUILDING PERMIT FEES</b>	<b>\$ 3690-</b>	
ECU Waste Water Fee		
Sewer Inspection Fee		
Water Meter Vault (optional) Fee		
Water Meter Costs		
Water Impact Fee		
Parks Impact Fee		
Street & Traffic Impact Fee		
Fire Impact Fee		
Law Enforcement Impact Fee		
<b>TOTAL IMPACT FEES</b>	<b>\$</b>	
<b>Estimated Cost of Construction:</b> \$ 170,000.00		
<b>Parcel Number:</b> RPK 088 400 00201		
<b>Legal Description:</b>	Lot#	Block# Tax Lot #
<b>Subdivision:</b>		
<b>Design Review Approved:</b> <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
<b>Planner's Signature:</b>		
<b>Zoning District:</b>		
<input type="checkbox"/> LR	<input type="checkbox"/> GR-L	<input type="checkbox"/> GR-H <input type="checkbox"/> T <input checked="" type="checkbox"/> LI
<input type="checkbox"/> CC	<input type="checkbox"/> AF	<input type="checkbox"/> STO <input type="checkbox"/> RU
<input type="checkbox"/> Avalanche	<input type="checkbox"/> Floodplain	<input type="checkbox"/> Mountain Overlay
	<b>New</b>	<b>Addition</b>
<b>1st Floor:</b>	(sq. ft.)	
<b>2nd Floor:</b>	(sq. ft.)	
<b>3rd Floor:</b>	(sq. ft.)	
<b>4th Floor:</b>	(sq. ft.)	
<b>Basement:</b>	(sq. ft.)	
<b>Garage:</b>	(sq. ft.)	
<b>Decks:</b>	(sq. ft.)	
<b>Covered Porch:</b>	(sq. ft.)	

**BUILDING PERMIT FEE CALCULATIONS**

APPLICABLE CHARGES	TOTAL VALUATION	FEE CALCULATION
<input type="checkbox"/>	\$1.00 to \$500.00	\$24.50
<input type="checkbox"/>	\$501.00 to \$2,000.00	\$24.50 for the first \$500.00 plus \$3.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
<input type="checkbox"/>	\$2001.00 to \$25,000.00	\$72.50 for the first \$2,000.00 plus \$14.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
<input type="checkbox"/>	\$25,001.00 to \$50,000.00	\$409.50 for the first \$25,000.00 plus \$10.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
<input type="checkbox"/>	\$50,001.00 to \$100,000.00	\$672.75 for the first \$50,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
<input checked="" type="checkbox"/>	\$100,001.00 to \$500,000.00	\$1038.50 for the first \$100,000.00 plus \$5.75 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
<input type="checkbox"/>	\$500,001.00 to \$1,000,000.00	\$3,379.25 for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
<input type="checkbox"/>	\$1,000,001.00 and up	\$5,861.00 or the first \$1,000,000.00 plus \$3.75 for each additional \$1,000.00 or fraction thereof

Plan Check Fee: 65% of Permit Fee  
P&Z Plan Check Fee: 70% of Plan Check Fee  
Fire Department Plan Check Fee: 70% of Plan Check Fee

**DEVELOPMENT IMPACT FEES**

APPLICABLE CHARGES	Fire	Parks	Police	Streets
<input checked="" type="checkbox"/> Single Family	\$2,092.00	\$1,047.00	\$104.00	\$4,492.00
<input type="checkbox"/> Multi-Family	\$1,616.00	\$809.00	\$80.00	\$3,471.00
<input checked="" type="checkbox"/> Commercial	\$0.454/sq. ft.	\$0.00	\$0.022/sq. ft.	\$0.968/sq. ft.

Water Meter Impact Fees	Meter Cost	Impact Fee
Applicable Charges		
<input type="checkbox"/> 1" Standard	\$500.00	\$3,015.00
<input type="checkbox"/> 1.5" Standard	\$840.00	\$6,783.00
<input type="checkbox"/> 2" Standard	\$1,060.00	\$12,059.00
<input type="checkbox"/> 3" Standard	*	\$27,133.00
<input type="checkbox"/> 4" Standard	*	\$48,236.00
<input type="checkbox"/> 6" Standard	*	

\*Check costs of water meter impact fees for meters larger than 2" with the Ketchum Utilities Department at 208-726-7825.

Sewer Fees**	Equivalent Connection Unit
Applicable Charges	
<input type="checkbox"/> Single Family	\$3,205.00
<input type="checkbox"/> Studio, Condo, Duplex	\$1,602.00
<input type="checkbox"/> 1 Bed Studio, Condo	\$2,403.00
<input type="checkbox"/> 2 Bed Studio, Condo	\$3,205.00
<input type="checkbox"/> 3 Bed Studio, Condo	\$4,006.00
<input type="checkbox"/> Hotel Room	\$1,602.00
<input type="checkbox"/> Bar or Restaurant	\$8.01/sq. ft.
<input type="checkbox"/> Office, Retail, Light	\$1.60/sq. ft.
<input type="checkbox"/> Warehouse	\$0.27/sq. ft.

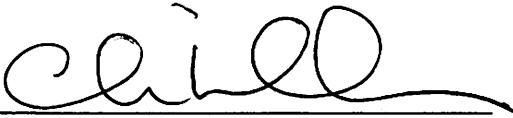
\* As determined by the Public Works Department.

\*\*An inspection fee of \$40.00 per building will be assessed.

NOTICE: It is the duty of the owner or his authorized agent (contractor) to identify, keep and maintain lot boundary markers and maintain setbacks. 100% of Building Permit and Plan Check Fees must be paid at time of Building Permit submittal, along with any applicable City Water Connection and Sewer Inspection Fees, and Impact Fees.

I hereby acknowledge that I have filled in this application accurately to the best of my knowledge and that I agree to comply with all City Ordinances and State Laws requiring building construction in the City of Ketchum, Idaho. I further understand that approval of a building permit does not grant a waiver of any law, building ordinance or regulation. Any waiver or variance must be specifically described and approved by proper authority.

I agree, in the event of a dispute concerning the interpretation or enforcement of the building permit in which the City of Ketchum is the prevailing party, to pay the reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum.

Signature of Owner/Authorized Agent:  Date: \_\_\_\_\_  
Building Official or Designee: \_\_\_\_\_ Approval Date: \_\_\_\_\_

Attachment F.  
History of Residential Use in the  
Light Industrial Districts

## ZONING CODE HISTORY OF KETCHUM'S LIGHT INDUSTRIAL ZONING DISTRICTS

### **1974 – Ord. 208**

Ketchum's first zoning ordinance

- Created the Light Industrial zone (single district)
- No mention of housing as a use

### **1976 – Ord. 231**

- Allowed housing for security personnel through a Conditional Use Permit

### **1984 – Ord. 389**

- Separated the Light Industrial zone into the three zones still in place today: Light Industrial-1, 2, and 3
- Added the limitation that housing for security personnel could not exceed 600 square feet

### **1984 – Ord. 390**

- Required a Light Industrial Business Permit for all businesses located in a light industrial zone

### **1991 – Ord. 556**

This ordinance cited two studies about the need for affordable housing in Ketchum as rational and justification for expanding the scope of housing in all three Light Industrial zones. The intent was to allow housing for long term residents active in the workforce to be constructed in the LI zones. The regulations adopted in this 1991 ordinance are mainstays that have largely been in place ever since. Regulatory highlights of Ord. 556 include:

- Expanded residential uses allowed in through CUP beyond housing for security personnel
- No dwellings permitted on the first floor
- Up to 50% of building may be devoted to dwelling units
- Units shall be 400-800 square feet
- Units shall not have more than 2 bedrooms
- 1 parking space per bedroom required on site
- Units must either be owner occupied or used for long term occupancy (90 days+)
- Dwellings shall not be separated for sale
- CUPs to be recorded with County
- Residential uses shall be subordinate to other permitted Light Industrial uses

### **1999 – Ord 801**

- Increased permitted square footage of residential units to 1000 sf

### **2005 – Ord. 954**

With this ordinance housing regulations for the Light Industrial – 3 district diverged from the regulations for LI-1 and LI-2. This ordinance facilitated development of the Scott building.

- Differentiated between deed restricted units and units for owner occupation
- Conditional Use Permit still required
- Allowed up to 66% of a building to be housing provided all other standards were met
- The area designated as non-residential use shall be a minimum of 24% of the total floor area; this floor area can't include areas for personal storage for dwelling occupants
- 1/3 of the total housing square footage shall be deed restricted Community Housing units
- Dwellings up to 1400 sq ft permitted
- Three-bedroom units permitted
- No dwelling units on the ground floor



## **2016 – Ord 1150**

This ordinance was the result of a zoning code text amendment initiated by the Community School.

- Added “School Residential Campus” as a use
- Added provision for dormitory rooms
- Added provision allowing dwelling units for school employees to be located on the ground floor

Attachment G.  
Public Comment

MICHAEL C. MEAD  
P.O. Box 4623  
Ketchum, ID 83340  
TEL: 415-933-0126 (c)  
Email: 1mcmead@gmail.com

FAX TRANSMISSION COVER SHEET

TO: Ketchum Planning & Zoning      DATE: 05 DEC 2018  
FIRM: City of Ketchum      FAX #: 208-726-7812  
PAGES: 1, including cover sheet.  
SUBJECT: Conditional Use Permit 270 Northwood Way, #201

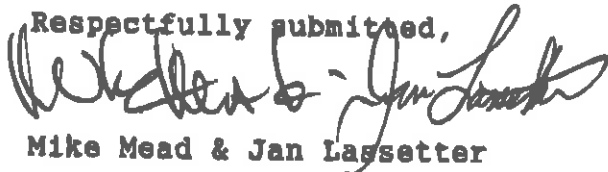
MESSAGE:

Gentlemen:

Presently we are not in town and our mail has been forwarded to us. We have had some more time to consider the subject and the potential ramifications of any actions which may result during the course of the forthcoming hearing.

It is troubling for Jan and me that the space, #201, is being built-out as a purely residential unit space with three (3) bed rooms and two (2) baths. Of course, that does not have the appearance of a configuration which might lead to a live/work space. Rather, it has the feel of a space designed for another usage. It is our understanding the unit was purchased solely for residential usage which would be a mistaken application. We are not familiar with any representations made by the developing owner but failing to provide a work space to conform with existing zoning is a problem. It would be troubling if later the owner/developer were to select a conforming business type which in spirit does conform with no intention to use unit #201 as claimed, in a clear attempt to game the system. It is our understanding the owner intends to use #201 for the use of grand children's accommodations and friends while they are in town. Such a use which seems incompatible with the other comparable units in the Redfish Building would seem to be an invitation for future problems in the building, and the zoning process considered a fatuous exercise and arbitrary restriction.

Respectfully submitted,

  
Mike Mead & Jan Lassetter

**IMPORTANT**

If you do not receive all pages or if the transmission is faulty please call Mike Mead at 415-933-0126.

MICHAEL C. MEAD  
P.O. Box 4623  
Ketchum, ID 83340  
TEL: 415-933-0126 (c)  
Email: 1mcmead@gmail.com

FAX TRANSMISSION COVER SHEET

TO: Ketchum Planning & Zoning      DATE: 06 DEC 2018  
FIRM: City of Ketchum      FAX #: 208-726-7812  
PAGES: 1, including cover sheet.  
SUBJECT: Conditional Use Permit 270 Northwood Way, #201 - Hearing

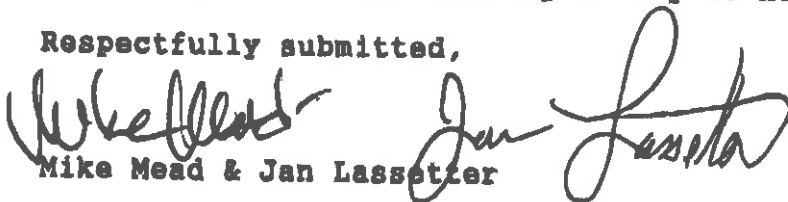
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MESSAGE:

Gentlemen:

Mrs. Mead and I are still out of town. To the extent it is necessary we are requesting Ms Diane Moberg represent our interests and to speak at this hearing as may be necessary.

Respectfully submitted,

  
Mike Mead & Jan Lassetter

IMPORTANT

If you do not receive all pages or if the transmission is faulty please call Mike Mead at 415-933-0126.

MICHAEL C. MEAD  
P.O. Box 4623  
Ketchum, ID 83340  
TEL: 415-933-0126 (c)  
Email: 1mcmead@gmail.com

**FAX TRANSMISSION COVER SHEET**

TO: Ketchum Planning & Zoning      DATE: 04 DEC 2018  
FIRM: City of Ketchum      FAX #: 208-726-7812  
PAGES: 1, including cover sheet.  
SUBJECT: Conditional Use Permit 270 Northwood Way, #201

**MESSAGE:**

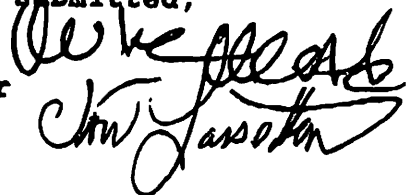
Gentlemen:

As owners of Redfish Building work spaces #202 and #203, we are writing to register our opinion. The building is for both light industrial and live work applications. And, it has not been used as a residential building nor has it been used solely for residential purposes for obvious reasons. It is our sense that allowing a space in such a structure would be at cross purposes for the zone's intended use. Indeed, having a residential only space would make for difficulties with the other spaces because of complaints between the occupants expecting residential type accommodations but having light industrial noise, traffic and disruptions destroying "quiet enjoyment". Our current understanding is that live-work spaces are allowed under certain circumstances including location and size of the space. Radically altering the Live/Work zoning requirements to suit one owner at the potential expense of the other owners would seem to be both arbitrary and capricious.

We, therefore, are petitioning the Planning and Zoning to disallow the use of this space for residential use only and any Conditional permit should require an allowable working use.

Respectfully submitted,

Mike Mead  
Jan Lassetter



**IMPORTANT**

If you do not receive all pages or if the transmission is faulty please call Mike Mead at 415-933-0126.

**Michael C. Mead**  
**PO Box 4623**  
**Ketchum, ID 833409**  
**208.725.2177**

John Gaeddert, PhD, Planning and Building Director  
City of Ketchum  
Planning and Building Department  
PO Box 2315  
Ketchum, ID 83340

RE: 28 January 2019 Planning and Zoning Hearing  
Redfish Building #201 CUP Application

26 January 2019

Gentlemen:

In an apparent act of sloppy Planning, the City of Ketchum accepted a Conditional Use Permit Application together with a drawing describing a new internal arrangement for the space #201 in the Redfish Building at 270 Northwood Way on 05 November 2018. The material supplied clearly described a **residential-use conversion** of a LI-2 permitted and approved space. Under an impression capriciously implemented, **work proceeded apace** to reduce the larger demolished space of #201 to three (3) bedrooms and two (2) bathrooms together with other defined residential living space(s). On or about 04 December, we became aware of the details of this project and wrote to the city of our objections that the project was not in conformance with our understanding of current zoning conditions for the building. Later we filed an additional objection based upon additional but still limited available information. We do not believe **all** the relevant information surrounding this project has been revealed and made public. We do believe that the official hand in this project has been both arbitrary and capricious. Finally, on 04 January a first "Stop Work Order" on this project with no permit whatsoever was issued and posted. The "order" was apparently removed and discarded and construction work continued. Later, 15 January, a **second** Stop Work Order was issued and posted which seemed to remain in effect. In preparation for a hearing scheduled 14 January the drawings for this project were ever so slightly modified by merely changing some space description labels in a vain attempt to help make the space appear more conforming to the current zoning permitted.

My wife, Jan, and I have expressed our interest in the subject as the result of having neighboring units. We own #202 and #203; and, in our early stage of ownership, we used #202 as an approved Live/Work space. In the early stage of the application for #201 we expressed our concern(s) based upon the written application and available information. It is our understanding the application was **verbally modified** (and essentially accepted) in **no** attempt to conform with a general understanding of the law. So, the written application was unsatisfactory because the use claim is disallowed. The verbal modification suggested some form of real estate effort would be applied to the space - this verbal claim was also disallowed as being a use-application disallowed under the current Ketchum Zoning laws, rules and regulations as applied to Live/Work in the LI-2 Zone.

At the P and Z hearing, 14 January, dedicated to this #201 CUP Application, it was announced that a **new late stage verbal modification** had again been made to the applicant's (Mia Cherp) application. It was neither rejected nor accepted initially in the hearing since the use-application claimed was suddenly conforming. Indeed, the applicant's newly described associate (Marshall Rawlings) made an elaborate verbal presentation that the work component of the Live/Work requirement for the zoning would be a videography and real estate acquisition mixture wherein one effort reinforces and contributes to the growth of the other. The associate, during his presentation, made a rather extravagant suggestion that he would "be coming back" to purchase our spaces. During his presentation, claims for this Live/Work application and the associates other Los Angeles amalgamation of videography and real estate had produced \$20 million last year and the year earlier, \$16 million, and that this effort relating to the expressed relationship of real estate and videography by the associates and applicant's partnership would bring great opportunity and revenue to Idaho in general and Ketchum particularly, one reinforcing the other. Unfortunately, information demonstrating the expansive claim was not published or perhaps even vetted by Ketchum authorities. The **new claim** for the work component apparently conforms for the Live/Work requirement in a LI-2 space, however.

Unfortunately, this new information was late coming to Ketchum's 14 January P/Z hearing and certainly to the public. In December I wrote to the Ketchum planner that, based upon how this project was unwrapping that there was a clear understanding and attempt by the applicant in the public information to "game the system" and **seriously interfere with our entitlements and property rights** together with, of course, the property rights of others with units in the Redfish building. Fortunately the commission decided to defer action on the application at hand but with a clear predisposition to grant it with the latest (15 minutes preceding the hearing) verbally expressed information as to the claimed work usage for #201.

The apparent predisposition expressed by the commission during the hearing necessitated that someone undertake to do some vetting in the intervening period that was not done by the authorities. As background, it remains our understanding that each property owner in the LI zone has a property-right; and, that any attempt of a loose definition newly applied to a single property could, and probably would have the effect of "taking" an already granted property-right of ours and others. Another effect would seem to **require a minor sub-division** of the property to properly identify the use-application if it is different than the codified version by Ketchum P/Z. Additional efforts were made to identify the work experience of the deeded owner (Francesca Keck) and the applicant. There is no demonstrable, applicable experience of any qualifying work by the applicant or the deeded owner. The sole qualifying work experience of the parties identified with the application is the new late-arriving entry of the Los Angeles associate and his experience with videography as understood and described below. There seems to be some interference and difference between the unit #201 drawing labels describing space usage and the **latest verbal application**. We also understand that the applicant has a high school son who lives with applicant. While we are not passing any social judgment, this arrangement would seem to be inconsistent with the newly described two office/work spaces and one bedroom.



Further, we have heard the associate's claims and followed the available public record to help understand and inform how the new arrangement between applicant and associate may work under this CUP Application. The associates published public record is troublesome in that there exists some fantasy "facts" and some real facts. However, it is also our understanding that a CUP application and consequent permit relates directly to the occupant and the acceptable work ("trade") with which the occupant of the space is involved in some form of an allowed and legitimate revenue generating work effort. The associate is the operator of a videography firm located in the LA area in a small office in a store-front building with three or four other small offices in what appears to be shared office space. This draws some attention to applicant's associate. What is real and what is specious? Since there is no tangible material offered by applicant/associate, it is simply the verbal claims, public record, factual analysis, reasonable judgments from which reasonable conclusions can be made. Mere unsupportable claims need to be identified as such where possible. It remains our understanding that the definition of Live/Work space defines that where both the resident and the resident's work occur—not a residence where space may be rented to an operator who performs some qualifying work.

**A REVIEW OF THE PUBLIC RECORD** reveals the Associate (Marshall Rawlings) has spent at least the past 30 years in various aspects of videography affiliated with eight firms according to Rawlings' published resume claims:

**#1. April 2016 - present. m2creative: Creative Director/Producer**  
Informed senior executive sources with the firm report there is no record of employment or association of Marshall Rawlings with m2creative. Further discussion led to directing the m2creative official to the Rawlings resume published on LinkedIn led to speechlessness by the m2 executive. They say they have no record nor knowledge of the Rawlings resume claim regarding m2creative.

**#2. October 2015 - present. GreenLight Media & Marketing:  
Executive/Senior Producer**

Rawlings' name and photograph do not appear on the considerable list and array of employees on the GreenLight website. All other GreenLight employees listed on LinkedIn are also listed on GreenLight's website.

**#3. August 2013 - present. Hater-App: Chief Operating Officer**

There is no online information whatsoever on Hater-App. There is a Hater dating app, for which there is no visible affiliation with Rawlings. The URL for "hater-app.com" on his resume is simply parked at GoDaddy.com with not even a homepage or similar other identifying information.

**#4. May 2004 - present. Alturas Films: Founder, Chief  
Executive Officer & Executive Producer**

This Alturas Films (alturasfilms.com) is not to be confused with the Alturas Films (alturasfilm.com) based in Emeryville, CA, a vetted, accomplished, and known organization. Rawlings does appear to work under the less well-known organization; however, **neither Alturas nor Rawlings are applicants for this CUP**. Alturas Films uses a mailing address in a small single story street front building in Santa Monica, CA that houses multiple (3-4) small offices. There is no signage nor name on the building which might indicate the operating location for Alturas or Rawlings' residence.

**FURTHER RESUME EXPLORATION** seems unwarranted in view of the "current" information versus less current, earlier and inactive information which may have no possible bearing on the subject application. Mr. Rawlings appears to be a "ringer" brought in to lend some credibility/support to what can only be described as a flawed, changing application born of a certain level of ignorance. While the associate to the applicant may have relevant experience which has no bearing to all the flaws of the application/process, the associate's experience is not the Live/Work **work** which will be performed and carried on at #201 by the resident if the CUP is to be granted.

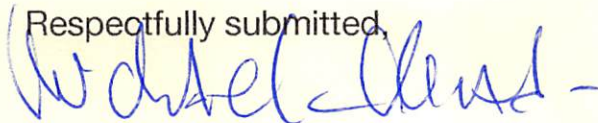
John Gaeddert, PhD, Planning and Building Director  
26 January 2019  
Page 6

The associate described in the 14 January hearing the plethora of additional equipment necessary to conduct the "operations" of the "enterprise." Obviously, experience using such equipment does not reside in the skill-set of the named CUP applicant.

Our analysis is that **this subject CUP Application is terribly flawed** and born of what appears to be subterfuge to fool both Ketchum officials and stake-holders in the Redfish building. For example, the associate was not involved with any relevant areas of the application and remains so in any written, trackable form, but later becomes the lead character when it is clearly obvious that under the law the CUP really cannot be fairly and legally granted as presented.

**LIVE/WORK SPACES:** Live/Work has been a fixture in Ketchum for nearly 30 years. The rules as is usual have been legally modified from time to time to suit the new reality. The motivation for Live/Work is simple in that it seems to provide two "assists" to those who may qualify in addition to and apart from any **benefits which also accrue to Ketchum and its current and expansive push for more Live/Work space**. The first is to allow those who qualify to both live and work in their work-space reducing both travel time/cost to work and other normal operating/living expenses. And, it provides an "assist" by local-law to help certain **qualifying entrepreneurs** get a lower-cost start with their business efforts, while also developing a greater supply of more affordable housing (however small) for Ketchum residents or would-be residents. **Regardless of the language employed** by the applicant in this CUP Application all the indicators and reasonable judgment applied to the known facts, the applicant is obviously trying to **game the system** with false information and **use a potential live/work space as some form of residential living space** which is still not yet clear at this time with the visible limited facts.

Respectfully submitted,



Michael C. Mead

cc:  
Neil Bradshaw, Mayor  
Abby Rivin, Associate Planner  
Suzanne Frick, Ketchum City Administrator  
Tim Eagen, Redfish Building Association Manager

**Michael C. Mead  
PO Box 4623  
Ketchum, ID 833409  
208.725.2177**

John Gaeddert, PhD, Planning and Building Director  
City of Ketchum  
Planning and Building Department  
PO Box 2315  
Ketchum, ID 83340

RE: ***ADDENDUM*** - 28 January 2019 Planning and Zoning Hearing  
*Redfish Building #201 CUP Application*

28 January 2019

Gentlemen:

It remains very disturbing that the pattern and plan(s) associated with the alteration of a space in the scheme of the Ketchum development system are being adulterated while being completely disregarded. This is particularly noticeable with the time-line associated with the claims surrounding the CUP Application for #201 space-change in the Redfish Building.

Simply stated, there seems to be a blind and ignorant rush to secure a living space to serve some as yet hidden need or desire of the applicant. On the other hand, as exemplified in the recent Planning Department public presentation(s), there seems to be a head-long stampede for more (however small the addition) affordable housing disregarding Ketchum Law in this pursuit and accomplishment. It is difficult to believe in an alternative in the clear view of the un-obscured presence of the facts of this matter. It is merely the convergence of **two objectives accelerating toward the end game** - everything else be damned!

A virtually complete demolition of the #201 internals was completed without the benefit of a permit. A Conditional Use Permit was filed for a residential (penthouse) space in the LI-2 Zone. Immediately following that filing, **construction work began on #201 to fulfill the description and application drawing**. The Ketchum Planning Department called for a Ketchum Planning Commission hearing to publicly determine the

John Gaeddert, PhD, Planning and Building Director  
28 January 2019  
Page 2 - *Addendum*

conformance that the written application conformed with the Ketchum Zoning for LI-2. Meanwhile, without the benefit of any written adjustments to the CUP Application, Ketchum Planning received two verbal claims that the space would *1st* be used as a real estate office use and *2nd* to be used as a videography and real estate investment space combined.

It needs to be noted here that while the hearing for the written and two verbal modifications to the CUP Application was being conducted the space alteration construction was 2/3rds to 3/4qtrs completed to the application drawing except for the “finishes” on the #201 space. During the hearing the associate to the applicant made an extravagant new “adjustment” to the plan(s) as submitted. It was represented by the associate that the two (newly labeled) office space closets (a 20% approximate addition to working space) were to be converted to accommodate all the additional and necessary videography equipment required. It is my understanding that no allocation for appropriate electrical service and other possible services is shown or allowed for under the circumstances expressed between the original application, building permit, and this **new use claim**.

It is certainly not clear if any of the required, **important construction inspections** under the circumstances has occurred particularly for but not limited to any differences between a residential application and the conditions applying a more *industrial type application in the newly identified working area of the #201 space*.

The city of Ketchum has developed a number of laws, ordinances, regulations, rules and procedures together with other devices to help serve Ketchum and the residents in such a way to assure that parties, and stake-holders are protected from specious claims of Ketchum **misfeasance** and / or **malfeasance** when discharging **Ketchum required obligations**. I don't believe there has been any particular concern shown by Ketchum with respect to #201 applied-for changes. Rather, Ketchum (and stakeholders) must be protected (like other government entities with codified procedures) from even potential liability which may arise or be otherwise claimed with some legitimacy.

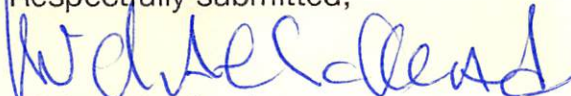


John Gaeddert, PhD, Planning and Building Director  
28 January 2019  
Page 3 - Addendum

In the case of #201, it seems that the city of Ketchum with its clear objectives displayed at its display for more "affordable housing" this past week is currently standing in a position between two stakeholders with possible differing interests. Applicant has worked around and obfuscated nearly every obligation of a legitimate applicant and contractor(s) to the written and well understood elements **REQUIRED by Ketchum**. The Redfish Building is a publicly accessed building owned by a number entities who have formed and maintained a mutual benefit association including casualty and fire insurance. The Association is, therefore, dependent upon Ketchum discharging its responsibilities relative to structures accessed by the public according to Ketchum law(s).

The Redfish Association carries and maintains an understood and appropriate level of liability insurance coincident with all the necessary parties/stakeholders discharging their understood and respective responsibilities. This stakeholder has properly and timely Noticed the city of Ketchum that the known system is not working correctly with respect to the #201 CUP application(s) and associated action(s). Our understanding remains that a mere filing of an official application for permission does not constitute a permit to proceed.

Respectfully submitted,



Michael C. Mead

cc:  
Neil Bradshaw, Mayor  
Abby Rivin, Associate Planner  
Suzanne Frick, Ketchum City Administrator  
Tim Eagen, Redfish Building Association Manager

28 January 2019

**REDFISH BUILDING, #201 CUP APPLICATION**  
**TIMELINE OF EVENTS**

- **2015 OCTOBER:** #201 Purchased by current deeded owner, F. Keck
- **2016 2ND & 3RD QTRS:** #201 was demolished internally removing all walls, flooring, all plumbing and electrical fixtures including some sheetrock. Only items remaining were electrical control panel and all wiring necessary to operate the previous use(s) hanging from ceiling.

*Demolition Permit Number ?*

- **2018 NOVEMBER, 05:** Conditional Use Permit Application filed by M. Cherp describing and showing in a drawing all the features a residential use space does require for a three bedroom, two bathroom space.
- **2018 DECEMBER 04 & 05:** Complaints received by Ketchum Planning that #201 space does not comply with Ketchum Zoning Law.

*Building Permit Number ?*

- **2018 NOVEMBER, DECEMBER, 2019 JANUARY:** Construction work on #201 building-out space to conform with residential drawing supplied by applicant.
- **2019 JANUARY 04:** Stop Work Order posted at #201 requiring all construction work cease until release is granted.

- **2019 JANUARY 04 to JANUARY 14:** Construction work continues apace on #201 to the CUP drawing supplied with original application.
- **2019 JANUARY 14:** Planning Commission meets to receive and evaluate the latest verbal information of the CUP Application proposed to be performed in the #201 space concurrent with the space being allowed as LI-2 LIVE / WORK consistent with Ketchum Zoning for LI-2.
- **2019 JANUARY 16:** 2nd STOP WORK ORDER posted at #201 after 1st S/W Order is removed as work continued.
- **2019 JANUARY 22:** 3rd STOP WORK ORDER posted at #201 after 2nd S/W Order is removed as work continues.
- **2019 JANUARY 23:** #201 Building Permit Application for ***Lyon/Cherp Penthouse*** filed (certified complete) by **new owner Cherp**.  
(The ownership question for this space may not make a difference but it may cloud the matter as to the “who” is the named party who actually will be living while performing allowable work under the applicable sections of LI-2 L/W Zoning law.
- **2019 JANUARY 26:** Construction materials are moved into the #201 space suggesting that some sort of work continues to be accomplished as the **three posted S/W Orders** disallow and are contrary to.

cc:

Neil Bradshaw, Mayor

Abby Rivin, Associate Planner

Suzanne Frick, Ketchum City Administrator

Tim Eagen, Redfish Building Association Manager





City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF FEBRUARY 11, 2019**

**PROJECT:** Nancy Kelly Skincare Salon Conditional Use Permit

**FILE NUMBER:** #19-002

**APPLICANT:** Nancy Kelly

**REQUEST:** Conditional Use Permit application for a Health and Fitness Facility

**LOCATION:** 105 Lewis Street Suite 103 (Depot Condos)

**OWNER:** 105 Lewis Street LLC

**ZONING:** Light Industrial District No. 2 (LI-2)

**OVERLAY:** None

**NOTICE:** Notice was mailed to property owners within a 300-foot radius of the subject property, was published in the Idaho Mountain Express, and was posted on-site on January 23, 2019. Notice was published on the city website on February 1, 2019.

**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:** A. Application Materials  
B. Comprehensive Plan analysis  
C. draft Findings of Fact and Conclusions of Law

## **BACKGROUND**

The applicant, Nancy Kelly, has requested approval of a Conditional Use Permit (CUP) for a *Health and Fitness Facility* to be located in a 280 square foot interior, second-story suite of an existing commercial, multi-tenant building at 105 Lewis Street. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district. Health and fitness facilities, a type of use regulated by the City of Ketchum zoning code, require a conditional use permit in the LI-2 zoning district.



**Figure 1. Location Context, 105 Lewis Street**

The business operations include one-on-one interactions between client and proprietor consisting of facials, application of self-tanning creams, waxing, and accessory sales of skincare products. Nancy Kelly Skincare has operated in Ketchum for 28 years and currently operates from 671 Washington Avenue, Suite A, in the Community Core (CC) zoning district. The applicant has provided a copy of State of Idaho licensure for the business and the City of Ketchum Clerk's Office confirmed the applicant has an active sales tax license and a business permit in good standing. Additionally, the Idaho Secretary of State's office lists the status of the business as active-good standing.

## **PUBLIC COMMENT**

No written public comment has been received regarding this application at the time of completion of this staff report (February 7, 2019). Should public comment be received it will be forwarded to the Commission and included in the record.

**ANALYSIS**

The decision before the Commission is whether the proposed use meets the criteria for approving a Conditional Use Permit.

**Table 1. Use Description**

Use	Definition (Ketchum Municipal Code §17.08.020)	LI-2 District Use
Health and Fitness Facility	A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, including, but not limited to, gymnasiums, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.	Conditionally Permitted

Nancy Kelly Skincare is based on one-on-one interactions with clients consisting of facials, application of self-tanning creams, waxing, and minimal accessory sales of skincare products to clients receiving services. As such, the business meets the definition of “A business.....providing.....nonmedical personal services to patrons.....”

Within the context of pending amendments to the light industrial zoning regulations recommended by the Commission on October 8, 2018 and currently being considered by Council, staff notes the Commission is tasked with evaluating the Conditional Use Permit application based on the zoning regulations in place at the time the application was submitted. That said, the Light Industrial zoning code amendments recommended by the Commission on October 8, 2018 continue to address Health and Fitness Facility as a use in the LI-2 zoning district. The proposed amendments change the name of the use to “Health and Fitness Facility – wellness focus” and designate the use as Permitted rather than Conditional, with the caveat that the use is required to be located on the 2<sup>nd</sup> floor or above in multi-story buildings and on the ground floor of single-story buildings in existence on the date the zoning code amendment is adopted.

**Conditional Use Permit Criteria**

Conditional uses possess characteristics that require review and appraisal by the Planning and Zoning Commission to determine whether or not the use will cause any public health, safety, or welfare concerns. Additionally, evaluation criteria include an assessment of whether the conditional use conflicts with the Comprehensive Plan. Conditional uses may be granted by the Commission if the applicant demonstrates that the following evaluation criteria from Ketchum Municipal Code §§17.116.030 A-E can be satisfied:

- A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district;
- B. The conditional use will not materially endanger the health, safety and welfare of the community;
- C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
- D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area, or conditions can be established to mitigate adverse impacts; and
- E. The conditional use is not in conflict with the policies of the comprehensive plan or the basic purposes of the Zoning Ordinance.

The applicant has submitted a narrative evaluating the operations of the business with respect to criteria A-E, included as attachment A to the staff report. Staff’s analysis is detailed on the next page in Table 2.

**Table 2. Conditional Use Permit Requirements**

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Yes	No	N/A	Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(A)</b>	<p><b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b></p> <p><i>The LI-2 zoning district permits, or conditionally permits, a total of thirty-three (33) defined uses. Uses range from being light-industrial in nature, such as maintenance service facilities and manufacturing, to less impactful commercial uses, such as business support service, specific types of office uses, and instructional service, and uses that fall in between in terms of intensity, such as a public recreation facility and boarding kennels.</i></p> <p><i>As stated in the narrative supplied by the applicant, the applicant is aware that more intense uses are permitted in the LI-2 zoning district and cites the interior location within the building and plans to operate from an insulated room with the aid of a white noise machine as mechanisms to mitigate impact other nearby uses could have on her business.</i></p> <p><i>The proposed conditional use is not unreasonably incompatible with the types of uses permitted in the zoning district currently, or with the new uses and purpose sections for the LI-2 zoning district that were recommended by the Commission in October 2018 and are currently being reviewed by City Council (Ord. #1192).</i></p> <p><i>Staff finds the characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the LI-2 zoning district.</i></p>
			<b>Staff Comment</b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(B)</b>	<p><b>The conditional use will not materially endanger the health, safety and welfare of the community.</b></p> <p><i>The applicant has operated this business in Ketchum for the past 28 years and the applicant has maintained an Esthetician License with the Bureau of Occupational Licenses for entirety of that time period (holding license #1 issued by the State of Idaho for this profession).</i></p> <p><i>The applicant has indicated that she serves one client at a time and that her clientele is exclusively full and part-time residents who pre-schedule appointment. Walk-in traffic and tourist traffic in the LI-2 is not anticipated to be generated by this business.</i></p> <p><i>As such, staff finds the proposed use will not materially endanger the health, safety and welfare of the community.</i></p>
			<b>Staff Comment</b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(C)</b>	<p><b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b></p> <p><i>As described in the preceding section, the proposed conditional use will generate an extremely low volume of client traffic – one client at a time, with a pre-scheduled appointment.</i></p> <p><i>Staff finds the traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</i></p>
			<b>Staff Comment</b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(D)</b>	<p><b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b></p> <p><i>The proposed use will be located within an office suite located in an existing multi-tenant commercial building that has existed in the subject location since 1993. The proposed business can be supported by the same public facilities and services that</i></p>
			<b>Staff Comment</b>	

				<i>have served prior occupants of the office suite and the use will not adversely affect delivery of public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(E)</b>	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.</b>
			<b>Staff Comment</b>	<i>A Comprehensive Plan analysis is detailed in Attachment B. Aspects of goals and policies pertaining broadly to entrepreneurship and economic development are supported by the proposed conditional use. However, the use does not represent traditional light industrial development, clean industry, or office park development articulated in the Comprehensive Plan as desired for the light industrial area. Nevertheless, the use is permitted conditionally and therefore deemed to be complementary to, rather than in conflict with, the policies of the Comprehensive Plan overall and the purpose of this section.</i>

The Planning and Zoning Commission may attach additional conditions to the application approval as it determines necessary in order to ensure the health and fitness facility use is compatible with the vicinity and adjoining uses, mitigate adverse impacts, and enhance public health, safety, and welfare. Such conditions may include, but are not limited to (Ketchum City Code §17.116.050):

- A. Minimizing adverse impact on other development;
- B. Controlling the sequence and timing of development;
- C. Controlling the duration of development;
- D. Assuring that development is maintained properly;
- E. Designating the exact location and nature of development;
- F. Requiring the provision for on site or off site public facilities or services;
- G. Requiring more restrictive standards than those generally required in an ordinance; and
- H. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the city.

Due to the demonstrated 28-year history of the business operating in Ketchum, the applicant’s awareness of the nature of the Light Industrial area, and the one-client-per-session nature of the business, staff does not recommend attaching an special conditions to the conditional use permit, other than the standard conditions attached to all conditional use permits that reiterate and reinforce the regulations in the zoning code. These conditions are:

1. Prior to occupancy all requirements of the Ketchum Fire, Building, Police, Street and Utilities Departments shall be met;
2. The Conditional Use Permit shall be issued in writing. The issuance thereof shall not be considered a binding precedent for the issuance of other conditional use permits. This conditional use permit is not transferable from one parcel of land to another;
3. This Conditional Use Permit approval is based on the plans and information presented and approved at the meeting on the date noted herein; and
4. Per Title 17, Section 17.116.080: TERM OF PERMITS: Conditional Use Permit approval shall expire one (1) year from the date of approval if not acted upon within that time frame.

### **STAFF RECOMMENDATION**

Staff recommends approval of the CUP finding the application meets the standards for approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code.

Additionally, staff recommends adopting the Findings of Fact and Conclusions of Law approving the Conditional Use Permit during this meeting as drafted or with modifications recommended by the Commission.

### **COMMISSION OPTIONS**

- Move to approve the CUP finding the application meets the standards for approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code.
  - Staff has drafted Findings of Fact and Conclusions of Law documenting approval of the Conditional Use Permit, which may also be approved, or approved with modifications, during this meeting.
- Direct staff to return with further research and move to continue the application to a date certain.
- Move to deny the proposed CUP and direct staff to draft findings supporting denial.

### **RECOMMENDED MOTION**

“I MOVE to approve the Conditional Use Permit application by Nancy Kelly for a health and fitness facility, Nancy Kelly Skincare Salon, to be located at 105 Lewis Street, Suite 103, in the LI-2 zoning district, with conditions 1-4, and to authorize the Commission Chair to sign the Findings of Fact and Conclusions of Law for this application.”

## A. Application Materials



City of Ketchum  
Planning & Building

OFFICIAL USE ONLY	
File Number:	P19-002
Date Received:	1-15-19
By:	mp
Fee Paid:	1100 <sup>00</sup>
Approved Date:	
Denied Date:	
By:	

2 payors

### Conditional Use Permit Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: [www.ketchumidaho.org](http://www.ketchumidaho.org) and click on Municipal Code.

OWNER INFORMATION	
Project Name:	Nancy Kelly Skincare Salon
Name of Owner of Record:	Nancy Kelly
Physical Address:	105 Lewis St, Suite 103, Ketchum, Idaho
Property Legal Description:	" " "
Property Zoning District:	LI 2
Contact Phone:	208-720-4309
Contact Email:	nancygerberkelly@aol.com
PROJECT INFORMATION	
Description of Proposed Conditional Use:	Health + Fitness Facility Skincare + Self Tan Salon
Description of Proposed and Existing Exterior Lighting:	
ADDITIONAL COMMENTS	
ACCOMPANYING SUPPORTING INFORMATION REQUIRED	
<ul style="list-style-type: none"> <li>Existing Site Plan</li> <li>Proposed Site Plan</li> <li>Landscape Plan</li> <li>Grading and Drainage Plan</li> <li>Exterior Lighting Plan and Specifications</li> <li>Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator</li> </ul>	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Applicant Signature: Nancy Kelly Date: 1/15/19



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January 16, 2019

Nancy Kelly Skincare  
208-720-4309  
Nancygerberkelly@aol.com

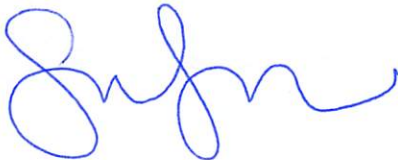
Re: Permission to Apply for Conditional Use Permit

Dear Brittany,

The Landlord of 105 Lewis Street, LLC grants Nancy Kelly Skincare permission to apply for a Conditional Use Permit for occupancy of Unit 103B at 105 Lewis Street, LLC under the Health and Fitness Facility guidelines.

Please let me know if there is anything else you need.

Sincerely,



Samantha Johnson  
Executive Property Manager / Tenant Relations  
Geneva Equities III, LLC  
C/o 105 Lewis Street, LLC  
[Samantha@genevaequities.com](mailto:Samantha@genevaequities.com)  
208-788-6700 Ext. 129

## **Brittany Skelton**

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**From:** Nancy Kelly <nancygerberkelly@aol.com>  
**Sent:** Wednesday, February 06, 2019 12:15 PM  
**To:** Brittany Skelton  
**Subject:** Conditional Use Permit Application Narrative

17.116.030: Conditional Use Permit Criteria

**DESCRIPTION:** This business fits with the HEALTH & FITNESS FACILITY, as it provides “ Non-medical personal services of skincare and self tanning treatments.

A. There are other service businesses located in the area, ie: car wash, dry cleaner and laundromat that service locals. My business only services locals, I do no tourist business. I am 100% aware of the more intense LI in the area. I would be located in a small interior office space in an insulated room with white noise whereby outside LI noise would be a non impact.

B. The Conditional Use would not materially endanger the health, safety and welfare of the community as this business has successfully demonstrated safe operation in the City of Ketchum for the past 28 years and is well supported by this community. Only natural products are used for the health and safety of the skin.

C. Both pedestrian and vehicular traffic will not be hazardous or conflict with existing & anticipated traffic in the neighborhood as this business only services one (1) patron at a time by scheduled appointment therefore not burdening local traffic or parking.

This business has a small footprint of approximately 280 square feet of Office space.

D. The business location would be in an existing building that is currently serviced by public facilities and services.

E. The City of Ketchum will work to retain and expand existing independent small local businesses and corporations and in alignment with the City of Ketchum’s vision of fostering entrepreneurial efforts attracting and maintaining businesses that provide services year around and by being a primary employer. This local business was started 28 years ago servicing locals and along the way provided many full-time and part-time jobs for locals. This small business has enlivened and strengthened the economic scene of Ketchum through many years of paying taxes, maintaining a business license as well as regularly donating to and supporting local charities.

**Bureau of Occupational Licenses  
Department of Self Governing Agencies**

The person named has met the requirements for licensure and is entitled  
under the laws and rules of the State of Idaho to operate as a(n)

**ESTHETICIAN**

**NANCY A KELLY  
P O BOX 4474  
KETCHUM ID 83340**



*Tana Cory*  
**Tana Cory**  
Chief, B.O.L.

**EST-1**  
Number

**06/23/2019**  
Expires

## **B. Comprehensive Plan analysis**

## 2014 City of Ketchum Comprehensive Plan Analysis

**Goal E-1 Ketchum will work to retain and help expand existing independent small local businesses and corporations.**

*Our unique existing businesses are an important component to our economic sustainability. They provide opportunities for local asset accumulation, and contribute to the small-town character and uniqueness of Ketchum.*

Nancy Kelly Skincare Salon is an existing independent, small, local business that has operated in Ketchum for 28 years. The clientele is comprised of full and part-time residents. The retention of Nancy Kelly Skincare Salon in Ketchum city limits contributes to the small-town character and uniqueness of Ketchum in that this is an established, longstanding business. The loss of the business (relocation down valley) would disrupt business operations and could lead to a loss of clientele. Additionally, the result would be one less small, independent business operating within Ketchum.

**Goal E-2 Ketchum will support and attract businesses and industries that diversify and sustain the local economy and level out seasonal fluctuations.**

*Businesses have used local entrepreneurial talent to build on the outdoor recreation, biotechnology, computer, and web-based industries, including the financial sector. These businesses are models for the future “innovation economy” that our community seeks. The community also supports recruiting other small businesses, whether they are sole proprietorships or satellite offices of larger businesses. The key to our success is making Ketchum an attractive place to live and providing necessary infrastructure, affordable housing, transportation, good schools, medical services, and adequate land for businesses.*

The proposed business provides a year-round service to full and part-time residents and provides year-round employment to the proprietor.

**Policy E-2(a) Light Industrial Area as the Primary Location for New Traditional Light Industrial and Corporate Park Business Growth and Jobs**

*New employment opportunities will focus primarily on clean industries within the City’s industrial areas which are evolving into vibrant, mixed-use business places. Traditional light industrial includes service, warehousing, manufacturing, wholesaling, autorelated businesses, rec-tech, biotechnology, and construction.*

The conditional use component of the business does not fall into the categories of traditional light industrial and corporate park business growth that the Comprehensive Plan envisions for the light industrial zones, but the business does represent a “clean” commercial activity.

**Land Use Category: Mixed-Use Industrial**

### **PRIMARY USES**

*Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.*

### **SECONDARY USES**

*A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.*

### **CHARACTERISTICS AND LOCATION**

*The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.*

The proposed business, and the conditional use component, align with the intended purpose of the Mixed-Use Industrial land use category to be a location for entrepreneurial opportunity. The conditional *health and fitness facility* is not mentioned as either a primary or secondary use.

**Policy LU-2.1 Infill and Redevelopment**

*Support intensification of land uses on appropriate infill and redevelopment sites in the following areas:*

*· Downtown; · Industrial areas; · St. Luke’s Hospital/McHanville/Cold Springs Canyon · Warm Springs area; and · Existing neighborhoods with significant vacant parcels.*

The proposed use does not represent intensification of land use or ground-up redevelopment. However, the proposed business would occupy a currently-vacant commercial rental suite within an existing building, which is similar in nature to infill development.

**C. draft Findings of Fact and Conclusions of Law**



**City of Ketchum  
Planning & Building**

IN RE: )  
)  
Nancy Kelly Skincare Salon CUP ) **KETCHUM PLANNING AND ZONING COMMISSION**  
Conditional Use Permit ) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**  
Date: February 11, 2019 ) **DECISION**  
)  
File Number: P19-002 )

**PROJECT:** Nancy Kelly Skincare Salon CUP  
**FILE NUMBER:** #P19-002  
**APPLICANT:** Nancy Kelly  
**REQUEST:** Conditional Use Permit application for a Health and Fitness Facility  
**LOCATION:** 105 Lewis Street Suite 103 (Depot Condos)  
**OWNER:** 105 Lewis Street LLC  
**ZONING:** Light Industrial District No. 2 (LI-2)  
**OVERLAY:** None  
**NOTICE:** Notice was mailed to property owners within a 300-foot radius of the subject property, was published in the Idaho Mountain Express, and was posted on-site on January 23, 2019. Notice was published on the city website on February 1, 2019.

**FINDINGS OF FACT**

1. On February 11, 2019, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for a health and fitness facility to be located in Suite 103 of an existing building at 105 Lewis Street (Depot Condos).
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Health and fitness facilities are permitted conditionally in the LI-2 zoning district. As such, Conditional Use Permit approval by the Planning and Zoning Commission is required for operation of the health and fitness facility.

**Table 2. Conditional Use Permit Requirements**

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Yes	No	N/A	Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(A)</b>	<p><b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b></p> <p><i>The LI-2 zoning district permits, or conditionally permits, a total of thirty-three (33) defined uses. Uses range from being light-industrial in nature, such as maintenance service facilities and manufacturing, to less impactful commercial uses, such as business support service, specific types of office uses, and instructional service, and uses that fall in between in terms of intensity, such as a public recreation facility and boarding kennels.</i></p> <p><i>As stated in the narrative supplied by the applicant, the applicant is aware that more intense uses are permitted in the LI-2 zoning district and cites the interior location within the building and plans to operate from an insulated room with the aid of a white noise machine as mechanisms to mitigate impact other nearby uses could have on her business.</i></p> <p><i>The proposed conditional use is not unreasonably incompatible with the types of uses permitted in the zoning district currently, or with the new uses and purpose sections for the LI-2 zoning district that were recommended by the Commission in October 2018 and are currently being reviewed by City Council (Ord. #1192).</i></p> <p><i>Staff finds the characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the LI-2 zoning district.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(B)</b>	<p><b>The conditional use will not materially endanger the health, safety and welfare of the community.</b></p> <p><i>The applicant has operated this business in Ketchum for the past 28 years and the applicant has maintained an Esthetician License with the Bureau of Occupational Licenses for entirety of that time period (holding license #1 issued by the State of Idaho for this profession).</i></p> <p><i>The applicant has indicated that she serves one client at a time and that her clientele is exclusively full and part-time residents who pre-schedule appointment. Walk-in traffic and tourist traffic in the LI-2 is not anticipated to be generated by this business.</i></p> <p><i>As such, staff finds the proposed use will not materially endanger the health, safety and welfare of the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(C)</b>	<p><b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b></p> <p><i>As described in the preceding section, the proposed conditional use will generate an extremely low volume of client traffic – one client at a time, with a pre-scheduled appointment.</i></p> <p><i>Staff finds the traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(D)</b>	<p><b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b></p> <p><i>The proposed use will be located within an office suite located in an existing multi-tenant commercial building that has existed in the subject location since 1993. The proposed business can be supported by the same public facilities and services that</i></p>



				<i>have served prior occupants of the office suite and the use will not adversely affect delivery of public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.116.030(E)</b>	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.</b>
			<b>Staff Comment</b>	<i>A Comprehensive Plan analysis is detailed in Attachment B to the staff report dated February 11, 2019. Aspects of goals and policies pertaining broadly to entrepreneurship and economic development are supported by the proposed conditional use. However, the use does not represent traditional light industrial development, clean industry, or office park development articulated in the Comprehensive Plan as desired for the light industrial area. Nevertheless, the use is permitted conditionally and therefore deemed to be complementary to, rather than in conflict with, the policies of the Comprehensive Plan overall and the purpose of this section.</i>

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant’s Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission’s February 11, 2019 public hearings and consideration of the applicant’s Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

**DECISION**

**THEREFORE**, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing Nancy Kelly Skincare Salon to operate a health and fitness facility within Suite 103 of the existing building located at 105 Lewis Street this 11<sup>th</sup> day of February 11, 2019 subject to the following conditions:

1. Prior to occupancy all requirements of the Ketchum Fire, Building, Police, Street and Utilities Departments shall be met;
2. The Conditional Use Permit shall be issued in writing. The issuance thereof shall not be considered a binding precedent for the issuance of other conditional use permits. This conditional use permit is not transferable from one parcel of land to another;
3. This Conditional Use Permit approval is based on the plans and information presented and approved at the meeting on the date noted herein;
4. Per Title 17, Section 17.116.080: TERM OF PERMITS: Conditional Use Permit approval shall expire one (1) year from the date of approval if not acted upon within that time frame.

Findings of Fact **adopted** this 11<sup>th</sup> day of February, 2019

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Neil Morrow  
Chairman  
Planning and Zoning Commission



City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF FEBRUARY 11, 2019**

**PROJECT:** Guyer Hot Springs Rezone

**FILE NUMBER:** P18-159

**PROPERTY LOCATION:** Tax Lots 3500, 3502, and 6048 (located at the western extent of Ketchum City Limits on the south side of Warm Springs Road)

**PROPERTY OWNER:** Carbon Hill Hot Springs Inc. c/o Brian Barsotti

**REPRESENTATIVE:** Jim Zarubica, PE, Galena Engineering

**REQUEST:** Applicant initiated request to rezone portions of Tax Lots 3500, 3502, and 6048 zoned Agriculture and Forestry (AF) to Tourist-4000 (T-4000)

**PUBLIC NOTICE:** January 23, 2019 – Public notice mailed to properties within 300’ and political subdivisions; notice published in the Idaho Mountain Express  
January 31, 2019 – Notice posted on site

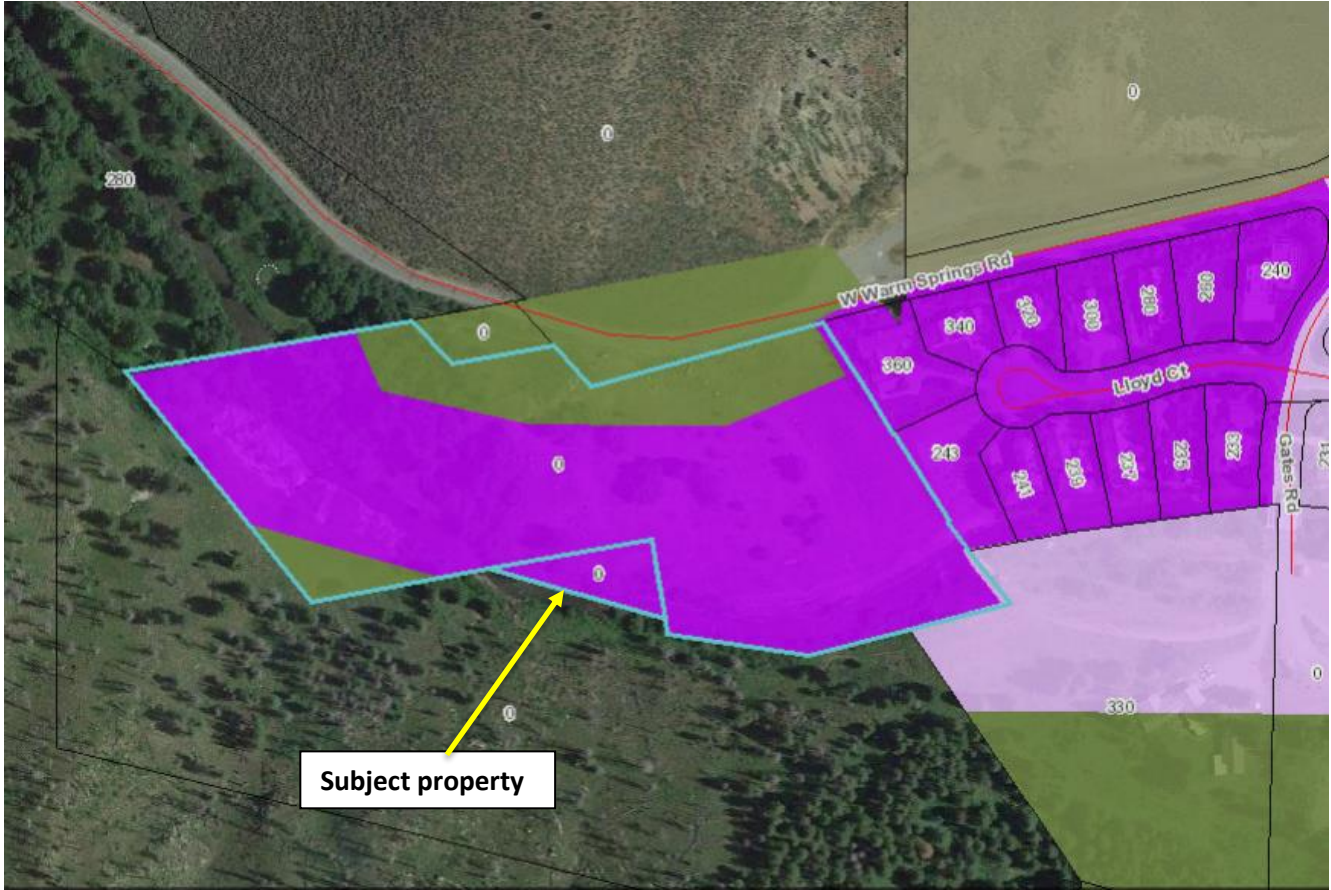
**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:** None

**BACKGROUND:**

Staff met with the applicant on Monday, February 4<sup>th</sup>, 2019 to discuss the rezone application. Based on conversation with the applicant, staff recommends continuing the hearing to the next regular Planning and Zoning Commission meeting, March 11, 2019.

**Location Context Map**



**STAFF RECOMMENDATION:**

Staff recommends continuing the hearing to a date certain, March 11, 2019.

**RECOMMENDED MOTION:**

“I move to continue the public hearing for the zoning map amendment requested by Carbon Hill Hot Springs Inc., care of Brian Barsotti, for Tax Lots 3500, 3502, and 6048 to rezone the portions of the property currently zoned Agriculture and Forestry to Tourist-4000 to March 11, 2019.”



City of Ketchum  
Planning & Building

February 11, 2019

Planning and Zoning Commission  
City of Ketchum  
Ketchum, Idaho

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF FEBRUARY 11, 2019**

**PROJECT:** Ketch 2 Design Review

**FILE NUMBER:** #P19-004

**OWNERS:** Mark R. Madden Revocable Trust, Mark R. Madden Trustee

**REPRESENTATIVE:** Gene Bolante, Studio 3 Architecture

**REQUEST:** Design Review of a three-story residential building containing 17 apartments and one (1) commercial space

**LOCATION:** 100 E. 6<sup>th</sup> Street (Lot 5, Block 35, Ketchum Townsite)

**NOTICE:** Notice was mailed to adjacent landowners on January 31, 2019

**ZONING:** Community Core (CC) & Sub-District 2, Mixed Use

**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:**

- A. Plans
- B. Fire Department comments
- C. draft Findings of Fact and Conclusions of Law

## BACKGROUND

Mark Madden of Portland, OR based WDC Properties, represented by Gene Bolante, AIA, of Salem, OR Studio 3 Architecture, has submitted a Design Review application for Ketch 2, a new three-story, mixed-use building proposed to contain 17 residential apartments, one (1) ground-floor retail storefront space, a ground-floor interior space dedicated to trash and recycling collection and a ground-floor room with storage lockers for use by residents of the building. Residential apartments will be located on all three levels of the building. The Commission reviewed the Pre-Application Design Review for this project on January 14, 2019, gave feedback (including feedback requesting changes to the façade and parapet wall and for a rendering illustrating existing buildings in the vicinity), and recommended advancing the application to Design Review. For Design Review the applicant has made modifications to the exterior of the building and included a rendering with context.

The subject property is located at 100 E. 6<sup>th</sup> Street, the southeast corner of E. 6<sup>th</sup> Street and N. 1<sup>st</sup> Avenue. The applicant also owns the adjacent property, 560 N. 1<sup>st</sup> Avenue, and in 2018 received Design Review for the Ketch 1 development, a two-story, 18-unit apartment building. The building permit for Ketch I is currently under review. The applicant intends to begin construction on Ketch I and Ketch II in 2019.



The program for Ketch 2 includes nine (9) 2-bedroom apartments, five (5) 1-bedroom apartments, three (3) studio apartments and one retail storefront proposed to be 402 square feet in size. The apartments range in size from 422 sf (studio apartment) to 650 sf (2-bedroom apartment). The Community Core zone permits a Floor Area Ratio (FAR) of 1.0 by right, and up to a FAR of 2.25 if Community Housing regulations are met. The proposed development has a FAR of 2.16. As with the Ketch I development, the applicant proposes to designate several apartments for deed restricted community housing in order to receive the density bonus.

## COMPREHENSIVE PLAN CONSIDERATIONS:

**Goal H-1:** Ketchum will increase its supply of homes, including rental and special-needs housing for low-, moderate and median-income households.

- *The proposal will bring 18 new long-term rental apartments to the market.*

**Goal H-3:** Ketchum will have a mix of housing types and styles.

- *The housing stock in Ketchum predominately consists of single family homes, attached and detached townhomes, large scale condominium developments, and condominiums within mixed use buildings. Apartment developments have been relatively rare in the past decade and this proposal increases the mix of housing types and styles.*

**Policy H-3.1** Mixture of Housing Types in New Development

- *The proposal contains a mix of studio, one, and two-bedroom units.*

**Policy H-3.3** Housing Designs and Floor Plans for an Aging and Special Needs Population



- All units on the first floor open directly to sidewalk at grade. Sidewalks will be required to be graded for ADA accessibility. The first-floor units could be suitable for an aging population who desire to downsize living space and live in the Community Core for better access to service and amenities without use of a car.

**Goal M-1:** Promote land use patterns, densities and mobility planning that maximizes investments and promotes safe and efficient mobility

**Policy M-1.3** Compact Development and Housing Downtown and in Activity Centers

- The proposal exemplifies compact downtown housing development.

**Goal LU-3:** Create land use patterns that reinforce the use of transit and other alternative transportation modes.

**Policy LU-3.1** Land Use Densities to Support Transit

**Goal CHW-6** Reduce generation of air pollutants and noise

- The subject site is located in the Community Core, which promotes walkability. Additionally, the subject site is located 3.5 blocks from an existing Mountain Rides transit stop on Main Street and 1 block from the bike path located at 2<sup>nd</sup> Avenue and 5<sup>th</sup> Street. Because the development proposal does not currently include parking the location of the subject property is ideal for supporting walkability, cycling, and transit use.

**Table 1.**

General Requirements for all Design Review Applications					
Compliant			Standards and Staff Comments		
Yes	No	N/A	City Code	City Standards and Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.080	Complete Application	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Fire Department:</b> 1. See Attachment B.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<b>Streets / City Engineer:</b> 1. Right-of-way improvements meeting city standards will be required on 1st Avenue, 6 <sup>th</sup> Street, and the alley. These improvements include grading, paving and drainage. 2. Snow removal from the decks will require some coordination and possibly a permit.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<b>Utilities:</b> 1. There is an old Ketchum Springs water main in the alley, however, the water main is not available for the subject property or the adjacent vacant property. a. If the grade of alley is lowered, or if any cover is taken off of the alley surface, the applicant will have to lower the Ketchum Springs Line lowered 6'. 2. The applicant should address how the project will be metered for water; the configuration of water metering will affect impact fees. 3. Sewer impact fees will be calculated according to the city's fee schedule and based on the number of bedrooms.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Building:</b> ○ No comment at this time.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Arborist:</b> ○ The proposed landscaping species are adequate and are fairly drought tolerant. ○ The city encourages drip irrigation systems.	

**Table 2: Zoning Standard Analysis**

Compliance with Zoning Standards				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Minimum Lot Area</b>
			<i>Staff Comments</i>	<b>Required:</b> 5,500 square feet minimum <b>Existing:</b> 5,506 square feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.040	<b>Floor Area Ratios and Community Housing</b>
			<i>Staff Comments</i>	<b>Permitted in Community Core Urban Residential Sub-district (CC-C)</b> <i>Permitted Gross FAR: 1.0</i> <i>Permitted FAR with Community Housing requirements satisfied: 2.25</i>  <b>Proposed:</b> <i>Gross floor area: 11,945.33 square feet</i>  <b>Proposed FAR:</b> <i>FAR: 11,945.33 gross square feet / 5,506 square foot lot = 2.16 FAR</i>  <i>6,439 square feet over the 5,506 permitted by right.</i>  <i>The applicant is aware than an exceedance agreement for the FAR overage will be required. The applicant would be required to develop 1,094.6 square feet of Community Housing on site or to pay a fee in-lieu of construction of \$260,610 (1,095 square feet * \$238/square foot in lieu fee) or to propose another alternative that the Council approves. Currently, the applicant is developing a proposal to include Community Housing on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Minimum Building Setbacks</b>
			<i>Staff Comments</i>	<b>Required:</b> <i>Front (1<sup>st</sup> Ave – south facade): 5’ average</i> <i>Side (adjacent to E. 6<sup>th</sup> Street - west facade): 0’</i> <i>Side (adjacent to Ketch I – east facade): 0’</i> <i>Rear (alley – north facade): 3’</i>  <b>Proposed:</b> <i>Front (1<sup>st</sup> Ave – south facade): 4’-5” to 9’-10”</i> <i>Side (adjacent to E. 6<sup>th</sup> Street - west facade): 6”</i> <i>Side (adjacent to Ketch I – east facade): 8’-10”</i> <i>Rear (alley – north facade): 3’-2”</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Building Height</b>
			<i>Staff Comments</i>	<b>Maximum Permitted:</b> 42’ to highest point of roof, non-habitable spaces such as stair towers, greenhouses, etc. may project 10’ higher <b>Proposed:</b> 40’ to top of parapet walls.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	<b>Curb Cut</b>
			<i>Staff Comments</i>	<b>Required:</b> <i>A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking.</i> <b>Proposed:</b> No curb cut is proposed. The applicant is not proposing on-site parking with this project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.40.B	<b>Parking Spaces</b>
			<i>Staff Comments</i>	<i>Residential multiple-family dwelling within the Community Core (CC) District:</i>  <i>Units 750 square feet or less: 0 spaces</i> <i>Units 751 – 2,000 square feet: 1 space</i>  <i>Retail establishments in the Community Core:</i>



				<p>First 5,500 square feet are exempt</p> <p>Community Housing units, all sizes, all zoning districts: 0 spaces</p> <p><b>Proposed:</b>  1 retail space 402 square feet – 0 parking spaces  17 apartments less than 750 square feet in size – 0 parking spaces</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.020	<p><b>Zoning Matrix</b></p> <p><i>Staff Comments</i>  Multiple family dwellings are permitted in the Community Core, Subdistrict 2, and dwellings may occupy the ground floor in this subdistrict.</p> <p>Retail is permitted in the Community Core, Subdistrict 2.</p>

**Table 3: Design Review Standards for all projects**

Design Review Requirements				
IMPROVEMENTS AND STANDARDS: 17.96.060				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(A)(1) Streets	<p>The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.</p> <p><i>Staff Comments</i>  The subject property is a corner lot that has frontage along N. 1<sup>st</sup> Avenue and 6<sup>th</sup> Street. This standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(A)(2) Streets	<p>All street designs shall be approved by the City Engineer.</p> <p><i>Staff Comments</i>  No changes to the lanes of travel in the street are proposed at this time. However, should improvements be deemed necessary by the Streets Department, such designs shall be approved by the City Engineer.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(B)(1)	<p>All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.</p> <p><i>Staff Comments</i>  Sidewalks are required on 6<sup>th</sup> Street and 1<sup>st</sup> Avenue. The applicant is aware of this requirement and has indicated new sidewalks for both street frontages.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(2)c	<p>Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.</p> <p><i>Staff Comments</i>  The city right-of-way standard for both 6<sup>th</sup> Street and 1<sup>st</sup> Avenue requires an 8’ sidewalk. The city engineer recommends matching the condition for the adjacent Ketch 1 property for the 1<sup>st</sup> Avenue sidewalk, including a maintenance easement for the portion of sidewalk (approximately 3’) that is located on private property. For the 6<sup>th</sup> Street sidewalk an 8’ width is required and the final design will be approved by the City Engineer prior to issuance of a building permit.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(3)	<p>Sidewalks may be waived if one of the following criteria is met:</p> <ol style="list-style-type: none"> <li>The project comprises an addition of less than 250 square feet of conditioned space.</li> <li>The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.</li> </ol> <p><i>Staff Comments</i>  N/A. Right-of-way improvements, which include sidewalk, are required for this project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(4)	<p>The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</p> <p><i>Staff Comments</i>  This standard has been met, the applicant proposes sidewalks equal to the length of the 1<sup>st</sup> Avenue and 6<sup>th</sup> Street property lines. See Preliminary Civil Plan, sheet C1.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(5)	<p>New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.</p>

			<i>Staff Comments</i>	<i>Sidewalks have been proposed on both 1<sup>st</sup> Avenue and 6<sup>th</sup> Street. Paved surfaces adjacent to the building on the front and interior sides provide pedestrian access around the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(6)	<b>The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.</b>
			<i>Staff Comments</i>	<i>N/A, voluntary cash contribution in-lieu of improvements for this project is not recommended.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(1)	<b>All storm water shall be retained on site.</b>
			<i>Staff Comments</i>	<i>A preliminary civil plan has been submitted that proposes retaining all stormwater on site. Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(2)	<b>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</b>
			<i>Staff Comments</i>	<i>Drainage improvements addressing 1<sup>st</sup> Avenue, 6<sup>th</sup> Street and the alley are required to meet city standards. Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(3)	<b>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</b>
			<i>Staff Comments</i>	<i>Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(4)	<b>Drainage facilities shall be constructed per City standards.</b>
			<i>Staff Comments</i>	<i>Improvements on both private property and in the right-of-way shall meet city standards. Final plans will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(1)	<b>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</b>
			<i>Staff Comments</i>	<i>Preliminary civil plans have been submitted and the applicant is aware of this requirement.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(2)	<b>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</b>
			<i>Staff Comments</i>	<i>Utility, power and communication lines within the site have not yet been designed. However, the applicant is aware of the requirement to install all on-site utilities underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(3)	<b>When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.</b>
			<i>Staff Comments</i>	<i>The applicant is aware of the requirement to install services for high-speed internet to the site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(E)(1)	<b>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</b>
			<i>Staff Comments</i>	<i>The 3D color rendering sheet included in the plan set most accurately represents the proposed exterior colors of the project. The proposed color palette consists of medium to dark burgundy/chestnut brown/red hues for the siding and parapet accented by charcoal-colored belly band, corner, and cornice features.</i>  <i>The materials consist of horizontal wood siding, 12" board and batten siding, steel-framed balconies and balconettes with wood slats and decking, and 18" aluminum lettering denoting the name of the development, "Ketch 2" on two parapet walls.</i>

				<i>These medium-to-dark earth tones are complementary to the adjacent Ketch 1 building and other buildings in the vicinity that have muted, earth tone hues. Other buildings in the vicinity have facades comprised primarily of natural and composite siding or stucco.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(2)	<b>Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.</b>
			<i>Staff Comments</i>	<i>N/A. There are no identified landmarks on the property.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(3)	<b>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</b>
			<i>Staff Comments</i>	<i>N/A. The subject property is currently vacant.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(1)	<b>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</b>
			<i>Staff Comments</i>	<i>All first-floor units are proposed to have individual doors accessed from either the on-site interior sidewalk or the sidewalks in the right-of-way that will be constructed on the 6<sup>th</sup> Street and 1<sup>st</sup> Avenue facades. There are two stairwells providing access to the units on the second and third floors, both stairwells are accessed from the interior side of the building and the adjacent on-site, interior sidewalk. One stairwell is also accessed through a lobby that connects to the building's main entrance on 1<sup>st</sup> Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(2)	<b>The building character shall be clearly defined by use of architectural features.</b>
			<i>Staff Comments</i>	<i>The character of the building is defined in part by the use of the same color on the ground floor and parapet wall, the use of the same color on the second and third floors located in between, and the corner trim and belt bands using the same charcoal color between each floor and at each corner. The building is defined by its verticality, which is emphasized by the vertical wood siding, the belt bands, and the vertical wood slats used on the balconies and balconettes throughout.</i>  <i>The design of the building has been revised from Pre-Application Design Review. A new vertical design element has been added to the 6<sup>th</sup> Street façade, which serves to break up the horizontal nature of the building. Additionally, the parapet has been reduced in height on the majority of the building, with the exception of the front façade and above the new vertical element on 6<sup>th</sup> Street. In these two areas the parapet adds definition to the building. Reduction in height of the parapet wall reduces the bulk of the building.</i>  <i>Additionally, the substantial amount of glazing for the windows and doors, along with the balconies and balconettes, punctuate the mass of the building – reducing the appearance of bulk - and provide visual interest. Glazing has been augmented since Pre-Application Design Review, with additional windows added to the 2<sup>nd</sup> and 3<sup>rd</sup> stories of the interior and 6<sup>th</sup> Street facades.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(3)	<b>There shall be continuity of materials, colors and signing within the project.</b>
			<i>Staff Comments</i>	<i>The same materials and color schemes are used on all four facades of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(4)	<b>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</b>
			<i>Staff Comments</i>	<i>An accessory planter wall has been proposed for the interior side of the building. Plant material proposed for the planter wall is used in other locations on site as well.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(5)	<b>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</b>
			<i>Staff Comments</i>	<i>During the Pre-Application Design Review feedback from the Commission included suggestions to break up the 6<sup>th</sup> Street façade and overall dominance of the rectangular form of the building.</i>  <i>The architect has modified the building to include additional second and third-story windows on the two longest facades of the building, added vertical features to the 6<sup>th</sup> Street façade, and reduced the height of the parapet wall (other than atop the new vertical element on the 6<sup>th</sup> Street façade) by several feet.</i>

				<i>The main mass of the building is primarily rectangular, with building mass providing the most undulation and relief on the 1<sup>st</sup> Avenue façade (front façade), where the front entrance to the building is offset from the main mass of the building and the mass is eroded by the corner balconies. The second and third-floor balconettes (6<sup>th</sup> Street façade) and interior side balconies also serve to reduce the appearance of bulk and flatness. The ample use of glazing on all four facades aids in reducing bulk and flatness as well.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(6)	<b>Building(s) shall orient towards their primary street frontage.</b>
			<i>Staff Comments</i>	<i>For properties located on a corner the shortest lot line is considered the front, or primary frontage. In this case the primary street frontage is 1<sup>st</sup> Avenue and the building orients toward it; the main entrance as well as the building signage are located on the 1<sup>st</sup> Avenue side of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(7)	<b>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</b>
			<i>Staff Comments</i>	<i>The first-floor plan and the rendering sheet indicate that the garbage storage area will be enclosed within the building. No satellite receivers are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(8)	<b>Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.</b>
			<i>Staff Comments</i>	<i>An awning attached to the front entrance to the building provides cover from the elements for pedestrians. Additionally, a second-floor balcony provides cover from snow and rain to pedestrians circulating into and out of the ground floor retail space proposed to be located at the corner of 1<sup>st</sup> Avenue and 6<sup>th</sup> Street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(1)	<b>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</b>
			<i>Staff Comments</i>	<i>Equestrian access is not necessary in this location. Pedestrian connections to the sidewalks that will be improved on 1<sup>st</sup> Avenue and 6<sup>th</sup> Street are addressed by the proposed on-site sidewalks that will connect to the improvements in the right-of-way. Likewise, users of the building will have paved surfaces to wheel bicycles from the building to the public sidewalk and streets.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(2)	<b>Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.</b>
			<i>Staff Comments</i>	<i>No awnings are proposed to extend across the public sidewalk. The prominent awning located above the front entrance does not encroach into the right-of-way.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(3)	<b>Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.</b>
			<i>Staff Comments</i>	<i>No vehicle parking is proposed with this project. The internal sidewalks indicated in the rendering appear to be sufficient for pedestrian circulation and connection to a sidewalk in the right-of-way.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(4)	<b>Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.</b>
			<i>Staff Comments</i>	<i>No curb cut is proposed for this development.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(5)	<b>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</b>
			<i>Staff Comments</i>	<i>Access to the city exists from 1<sup>st</sup> Avenue, 6<sup>th</sup> street, and an alley at the rear of the property. The alley behind the subject property is currently gravel/dirt. As required by the Streets Department and Fire Department the alley shall be improved to city standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(1)	<b>Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.</b>

			<i>Staff Comments</i>	<i>The applicant is still finalizing their snow storage plans and is currently leaning toward a combination of snow melt and snow hauling. An area for temporary snow storage is determined. The applicant is aware that snow storage is required and that the details shall be finalized prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(2)	<b>Snow storage areas shall be provided on-site.</b>
			<i>Staff Comments</i>	<i>See 17.96.060(H)(1).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(3)	<b>A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.</b>
			<i>Staff Comments</i>	<i>See 17.96.060(H)(1).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(4)	<b>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</b>
			<i>Staff Comments</i>	<i>See 17.96.060(H)(1).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(1)	<b>Landscaping is required for all projects.</b>
			<i>Staff Comments</i>	<i>Landscaping – shrubs and groundcover – have been proposed.</i>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(2)	<b>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</b>
			<i>Staff Comments</i>	<i>The building footprint covers the majority of the 5,506 square foot site. A planter wall on the interior side has been proposed as has groundcover at the rear of the property. The landscaping will enhance the neighborhood and townscape as the parcel is currently vacant and lacks landscaping.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(3)	<b>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</b>
			<i>Staff Comments</i>	<i>The applicant has proposed snowberry bushes, goldflame spirea, and Isanti dogwoods. The city arborist finds the plant species adequate for the site and notes the species are fairly drought tolerant.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(4)	<b>Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.</b>
			<i>Staff Comments</i>	<i>The subject property is an urban infill site located in the community core, where the zoning regulations permit 0' side setbacks, a 3' rear setback, and an average 5' front setback. The footprint of the building fill most of the site.</i>  <i>At this time the applicant has proposed a planter wall along the interior side, where the largest side yard area is available. A planting strip has also been proposed to buffer the rear of the building from the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(J)(1)	<b>Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.</b>
			<i>Staff Comments</i>	<i>New sidewalk is required for 1<sup>st</sup> Avenue and 6<sup>th</sup> Street and the Streets Department and City Engineer will work with the applicant to finalize any required amenities during building permit review, balancing the value of amenities with the maintenance required by the city for amenities in the right-of-way.</i>

**Table 4: Design Review Standards for Community Core Projects**

IMPROVEMENTS AND STANDARDS: 17.96.070 - Community Core (CC) Projects				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 A(1)	<b>Street trees, street lights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>The applicant has not yet proposed indicating street trees, street lights, furnishings, or other right-of-way improvements. However, the applicant is aware that such improvements are required, and such plans are subject to city standards and Public</i>

				<i>Works Department (Streets, Utilities, and City Engineer) review and approval. For example, the city has required one (1) street tree for the Ketch 1 development; a street tree may be required for Ketch 2.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(2) Streets	<b>Street trees with a minimum caliper size of three (3") inches, shall be placed in tree grates.</b>
			<i>Staff Comments</i>	<i>If a street tree is required, this standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(3)	<b>Due to site constraints, the requirements if this subsection 17.96.070. (A) may be modified by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>This determination will occur during building permit review.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(1)	<b>Facades facing a street or alley or located more than five (5') feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials, and colors as the front façade.</b>
			<i>Staff Comments</i>	<i>All facades include both solid surfaces and window openings. All four facades utilize the same vertical wood siding, horizontal board and batten siding, belly bands/belt bands (the horizontal bands of trim separating the ground floor, second floor, and third floor from one another), and corner vertical trim.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(2)	<b>For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.</b>
			<i>Staff Comments</i>	<i>There is one accessory retail space, 402 square feet in size, proposed at the corner of 6<sup>th</sup> Street and 1st Avenue. The elevations and renderings indicate a glass entry door and glass storefront windows.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(3)	<b>For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.</b>
			<i>Staff Comments</i>	<i>The nonresidential portion of the building has been designed with ample windows and a glass door in order to provide views into the commercial space.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(4)	<b>Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.</b>
			<i>Staff Comments</i>	<i>The form of the roof is a flat roof. The height of the parapet wall has been reduced by several feet in all locations, other than two accent locations, since the building was reviewed by the Commission during Pre-Application Design Review. The color of the roof is the same color as the ground floor wood siding and the band is the same color as the band that separates the ground floor from the first floor and the first floor from the second. This color scheme serves to tie the roof to the main mass of the building. Materials are compatible and consistent as well – wood is used throughout the building façade. No reflective materials are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070 (B)(5)	<b>All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.</b>
			<i>Staff Comments</i>	<i>N/A, the proposed building has a flat roof.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(6)	<b>Roof overhangs shall not extend more than three (3') feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>The 24" deep band separating the board and batten parapet wall from the third story overhangs over the public sidewalk.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070 (B)(7)	<b>Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.</b>
			<i>Staff Comments</i>	<i>N/A. No front porches or stoops are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(C)(1)	<b>Trash disposal areas and shipping and receiving areas shall be located within parking garages or to the rear of buildings. Trash disposal areas shall not be located within the public right of way and shall be screened from public views.</b>
			<i>Staff Comments</i>	<i>The proposed garbage storage area is located within the building, adjacent to 6<sup>th</sup> Street, at the rear corner of the building.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(C)(2)	<b>Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.</b>
			<i>Staff Comments</i>	<i>No roof or ground mounted mechanical or electrical equipment has been proposed at this time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(1)	<b>When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.</b>
			<i>Staff Comments</i>	<i>There are no existing mature trees on site; there are two evergreen trees adjacent to the site in the 6<sup>th</sup> Street right-of-way.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(2)	<b>Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.</b>
			<i>Staff Comments</i>	<i>Trees are not proposed; rather, bushes/shrubs are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(3)	<b>The city arborist shall approve all parking lot and replacement trees.</b>
			<i>Staff Comments</i>	<i>There is no parking lot proposed with the project. There are no existing trees on site, therefore, replacement trees are not necessary.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(1)	<b>Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.</b>
			<i>Staff Comments</i>	<i>N/A. There is no parking proposed for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(2)	<b>Surface parking lots shall incorporate at least one (1) tree and one (1) additional tree per ten (10) onsite parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.</b>
			<i>Staff Comments</i>	<i>N/A. There is no parking proposed for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(E)(3)	<b>Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.</b>
			<i>Staff Comments</i>	<i>Shrubs and groundcover have been proposed within a 2' high raised planter wall located in the interior side yard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(1)	<b>One (1) bicycle rack, able to accommodate at least two (2) bicycles, shall be provided for every four (4) parking spaces as required by the proposed use. At a minimum, one (1) bicycle rack shall be required per development.</b>
			<i>Staff Comments</i>	<i>There are no parking spaces required or proposed for the development. The applicant has expressed verbally that the minimum of one (1) bicycle rack will be installed on-site near the front entry of the building, final location to be determined.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(F)(2)	<b>When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half (1/2) shall be adjusted to the next highest whole number.</b>
			<i>Staff Comments</i>	<i>Because no parking is required, only the minimum of one bicycle rack is required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(3)	<b>Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than fifty (50') feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.</b>
			<i>Staff Comments</i>	<i>The applicant has expressed verbally that the minimum of one (1) bicycle rack will be installed on-site near the front entry of the building, final location to be determined.</i>

**STAFF RECOMMENDATION:**

- The Commission should provide the applicant feedback regarding the proposed project and identify any additional items beyond the identified outstanding action items to be included in the Design Review application submission.
- Staff recommends advancing the proposal to Design Review.

**RECOMMENDED MOTION:**

"I move to recommend approval of the Design Review application by Mark Madden for Ketch 2, a three-story mixed-use building located at 100 E. 6<sup>th</sup> Street, and to authorize the chair to sign the Findings of Fact and Conclusions of Law"

**RECOMMENDED CONDITIONS**

Ketchum City Engineer, Streets, Utilities, Fire and Planning and Building Department requirements shall be met, including:

1. All departmental conditions as described in Table 1;
2. The inclusion of a street tree, approved by the City Arborist and Streets Department, will be addressed prior to issuance of a Building Permit;
3. Final snow storage/melt/hauling, drainage, right-of-way improvements (alley improvements, sidewalk, street trees, public amenities) and utilities plans shall be finalized by the City Engineer, Streets, and Utilities Departments prior to issuance of building permit;
4. All exterior lighting must comply with City Code, Chapter 17.132 Dark Skies;
5. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal;
6. All building and fire code requirements as dictated by 2012 family of international codes shall apply to all construction onsite;
7. Per Title 17, Section 17.96.090: TERM OF APPROVAL: The term of design review approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations;
8. All Design Review elements shall be completed prior to final inspection/occupancy;
9. Any work in the right-of-way will require a right-of-way encroachment permit, reviewed and approved by the City before installation;
10. The project shall comply with the requirements of §17.124.040 Development Standards as adopted on the date a Building Permit is submitted for the project;
11. As a voluntary contribution, in exchange for an increase in FAR, a total community housing contribution of 1,095 sq ft is required. At the time of Building Permit review, plans will be reviewed to verify FAR calculations and the community housing square footage. An exceedance agreement between the applicant and the City regarding the community housing contribution shall be signed prior to issuance of a Building Permit for the project.

**ATTACHMENTS:**

- A. Plans
- B. Fire Department comments
- C. draft Findings of Fact and Conclusions of Law



**Attachment A.**

**Plans**

**SITE SUMMARY:**

TAX NUMBER:	KETCHUM LOT 5 OF BLOCK 35	17 UNITS
PARCEL ZONE:	CC, SUB ZONE C	RETAIL: 1 STUDIO: 3
SITE AREA:	5,506 SF	1 BD: 5 2 BD: 9
1 BUILDING:	18 UNITS	TOTAL HEIGHT: 40'-0"
BUILDING FOOTPRINT:	4,169.93 SF	FLOOR 1 SF: 3,988.37
TOTAL BUILDING AREA:	11,945.33 SF	FLOOR 2 SF: 3,978.48
IMPERVIOUS AREA:	2,356.98 SF	FLOOR 3 SF: 3,978.48
LANDSCAPED AREA:	268.42 SF	TOTAL SF: 11,945.33
PARKING REQUIREMENTS:	0 SPACES	
BICYCLE PARKING:	0 SPACES PROVIDED	

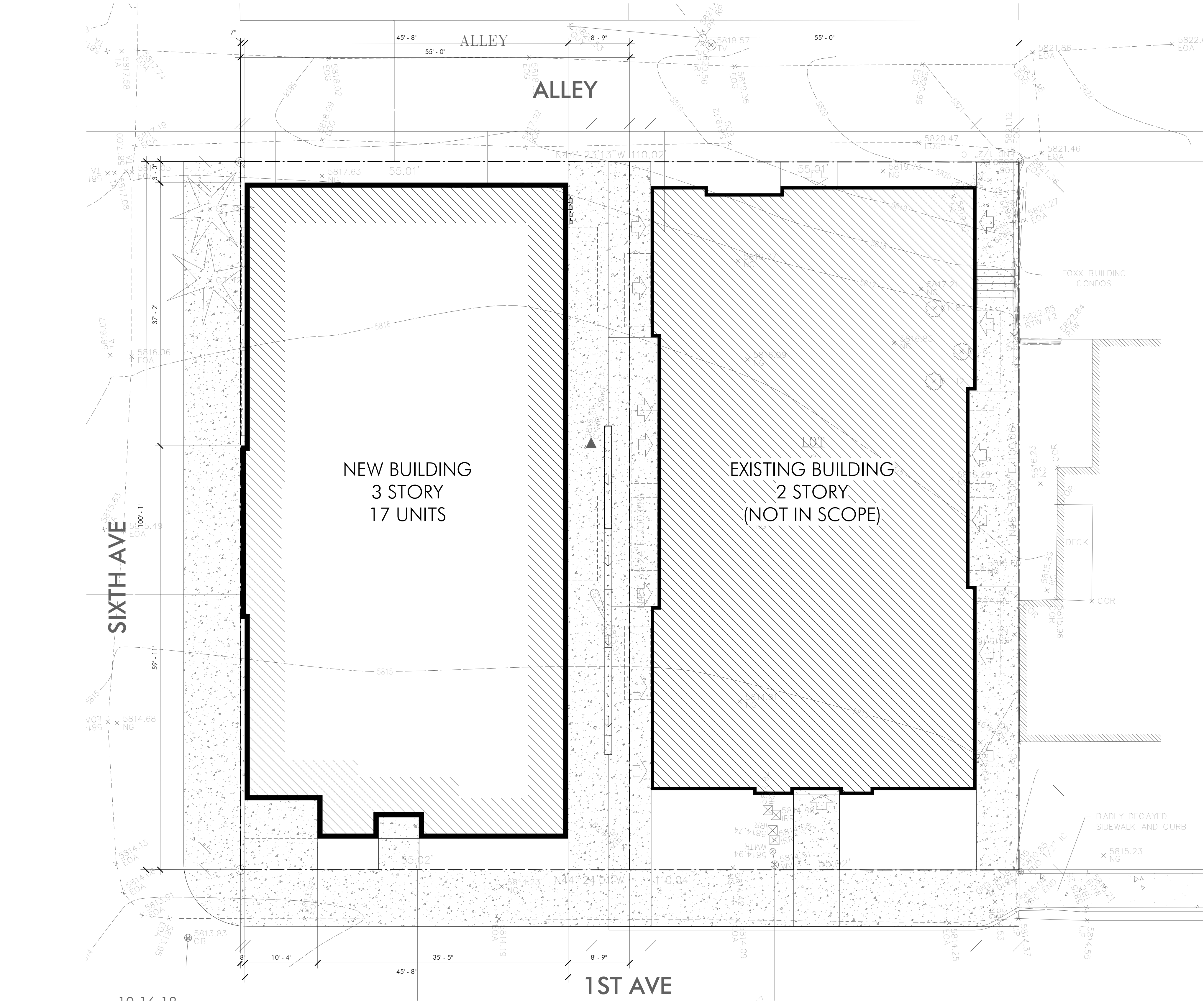
**SITE PLAN GENERAL NOTES:**

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
- JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
- PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDING DURING CONSTRUCTION.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
- EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
- SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.

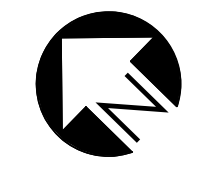
**SITE PLAN LEGEND:**

- BUILDING AREA
- LANDSCAPING
- CONCRETE FLOOR/SIDEWALK/PAD

**SITE PLAN NOTES:**



**1** SITE PLAN  
0 5 10 20 30  
1/8" = 1'-0"



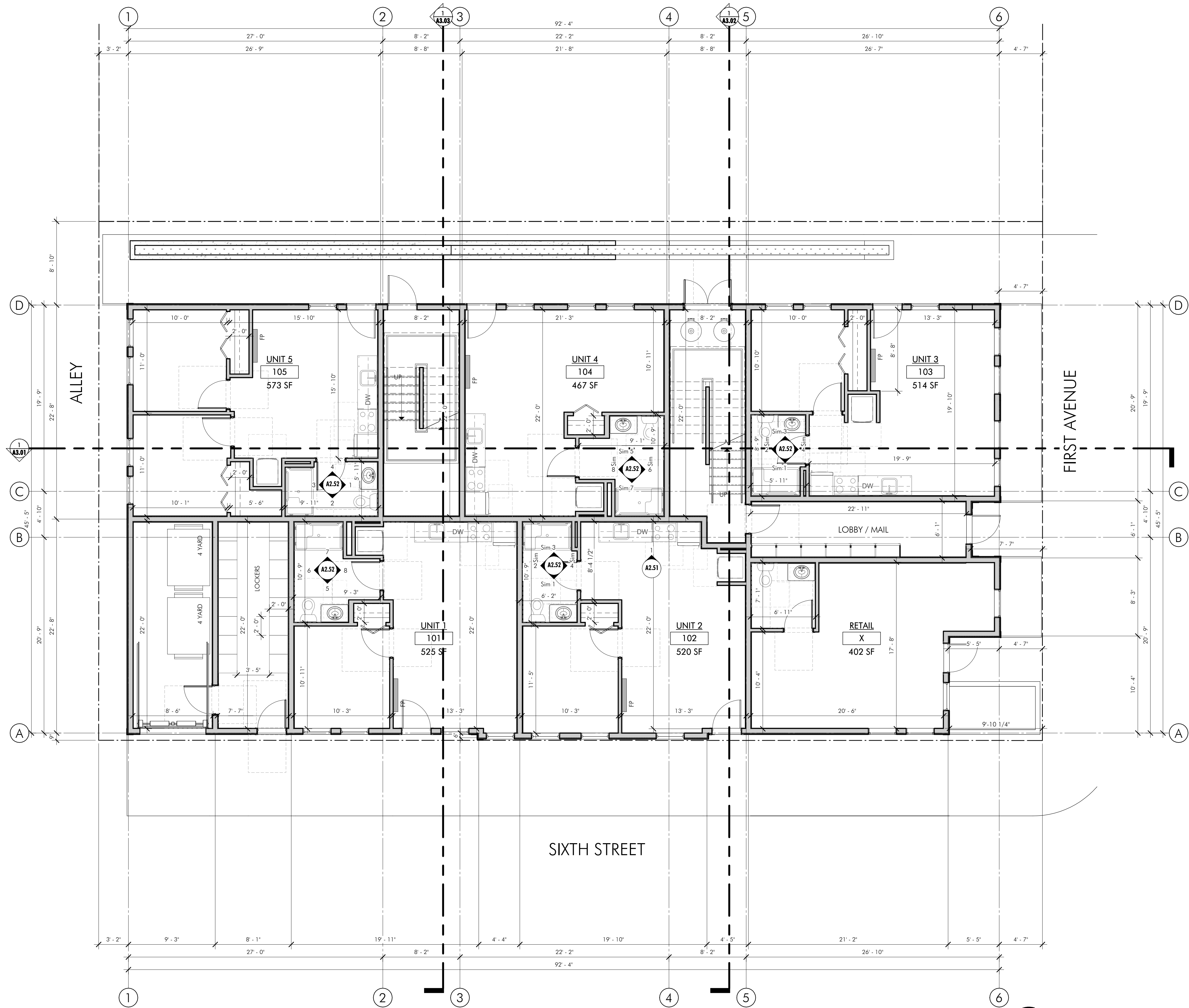
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PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS

NEW MIXED USE BUILDING FOR:  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:  
**A1.21**



1 LEVEL 01  
0 2 4 8 16 24  
3/16" = 1'-0"



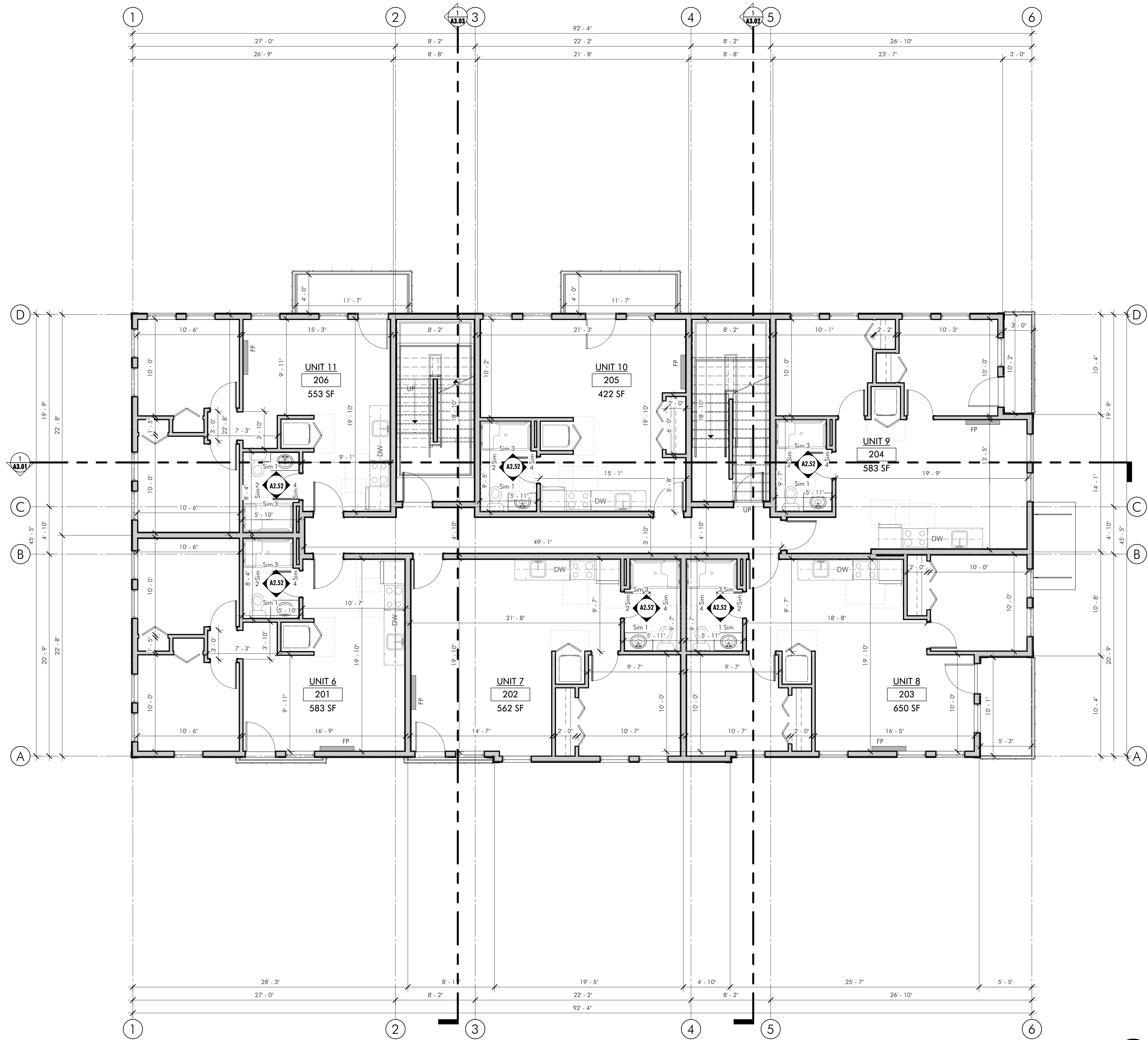
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PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS

NEW MIXED USE BUILDING FOR:  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:  
**A1.22**



1 LEVEL 02  
0 2 4 8 16 24 3/16" = 1'-0"



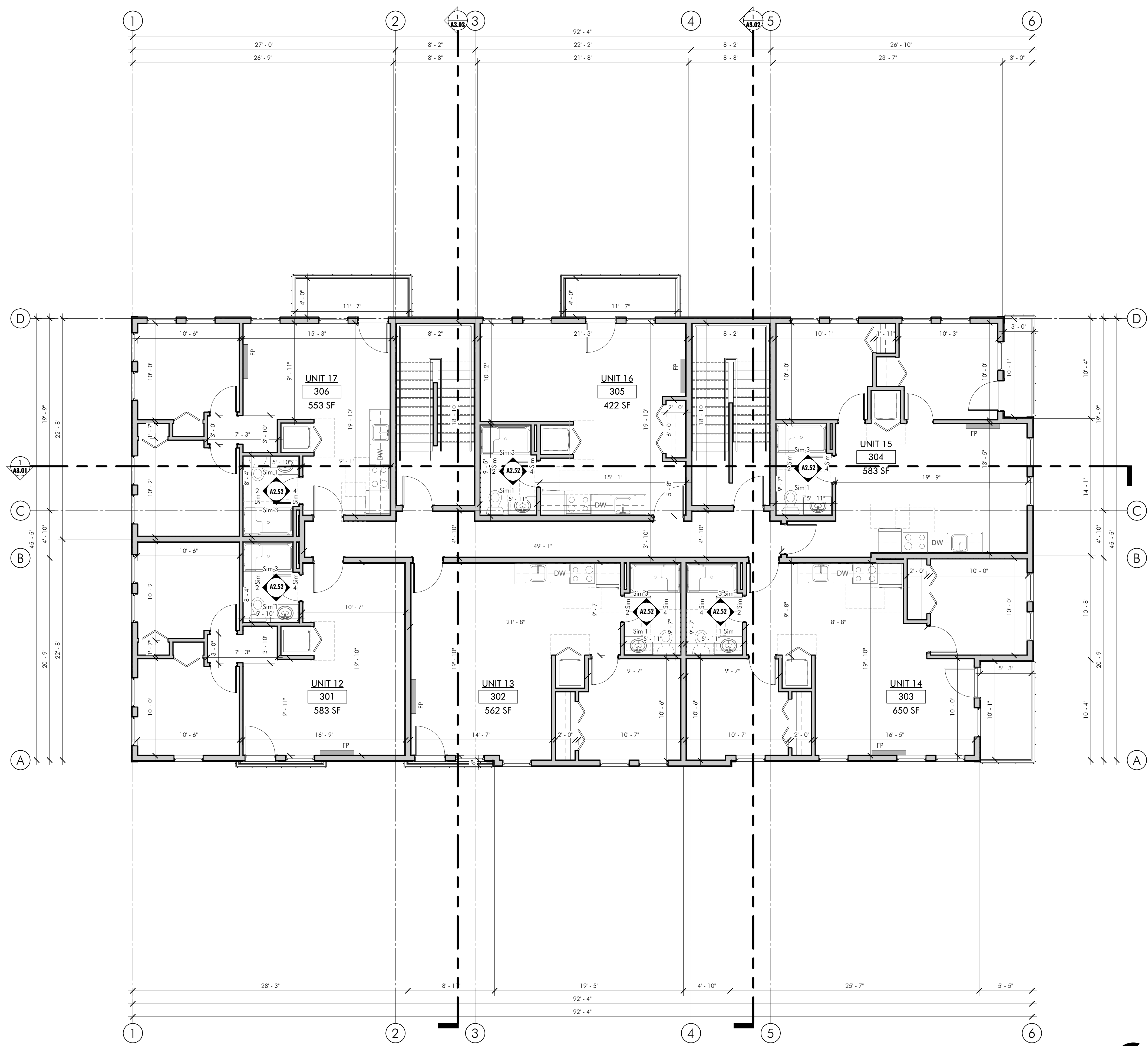
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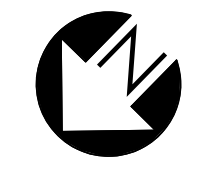
REVISIONS

NEW MIXED USE BUILDING FOR:  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:  
**A1.23**



1 LEVEL 03  
0 2 4 8 16 24 3/16" = 1'-0"





**ELEVATION NOTES:**

- 1 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: MEDIUM.
- 2 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: DARK.
- 3 12" BOARD & BATTEN SIDING. STAIN: DARK.
- 4 VERTICAL CORNER TRIM. STAIN: CHARCOAL.
- 5 WOOD PARAPET CORNICE. STAIN: CHARCOAL.
- 6 WOOD BELLY BAND/CORNICE. STAIN: CHARCOAL.
- 7 24" DEEP WOOD BELLY BAND. STAIN: CHARCOAL.
- 8 FIBERGLASS CLAD ENTRY OR PATIO DOOR IN FIBERGLASS CLAD WOOD FRAMES WITH NAIL FIN INSTALLATION FEATURE.
- 9 NOT USED.
- 10 VINYL WINDOW ASSEMBLY WITH INSULATING GLASS UNITS.
- 11 STEEL FRAMED WOOD SLAT BALCONY WITH 2X6 CEDAR DECKING HUNG FROM WALL.
- 12 NOT USED.
- 13 GOOSENECK LIGHTING.
- 14 DOOR TO TRASH/UTILITY ROOM.
- 15 STEEL AWNING.
- 16 18" ALUMINUM SIGNAGE.

**ELEVATION NOTES:**

**SOUTH ELEVATION**

PER 2015 IBC TABLE 705.8  
5'-10" FROM PROPERTY LINE 25% ALLOWED OPENING

FIRST FLOOR:  
WALL AREA: 523.69 SF  
OPENING AREA: 139.93 SF  
OPENING PERCENTAGE: 26.72%

SECOND FLOOR:  
WALL AREA: 523.69 SF  
OPENING AREA: 132.38 SF  
OPENING PERCENTAGE: 25.28%

THIRD FLOOR:  
WALL AREA: 523.69 SF  
OPENING AREA: 132.38 SF  
OPENING PERCENTAGE: 25.28%

**WEST ELEVATION**

PER 2015 IBC TABLE 705.8  
5'-10" FROM PROPERTY LINE 25% ALLOWED OPENING

FIRST FLOOR:  
WALL AREA: 933.83 SF  
OPENING AREA: 239.70 SF  
OPENING PERCENTAGE: 25.67%

SECOND FLOOR:  
WALL AREA: 1049.99 SF  
OPENING AREA: 146.40 SF  
OPENING PERCENTAGE: 13.94%

THIRD FLOOR:  
WALL AREA: 1049.99 SF  
OPENING AREA: 146.40 SF  
OPENING PERCENTAGE: 13.94%



**1** SOUTH ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"



**2** WEST ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"

**ELEVATION NOTES:**

- 1 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: MEDIUM.
- 2 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: DARK.
- 3 12" BOARD & BATTEN SIDING. STAIN: DARK.
- 4 VERTICAL CORNER TRIM. STAIN: CHARCOAL.
- 5 WOOD PARAPET CORNICE. STAIN: CHARCOAL.
- 6 WOOD BELLY BAND/CORNICE. STAIN: CHARCOAL.
- 7 24" DEEP WOOD BELLY BAND. STAIN: CHARCOAL.
- 8 FIBERGLASS CLAD ENTRY OR PATIO DOOR IN FIBERGLASS CLAD WOOD FRAMES WITH NAIL FIN INSTALLATION FEATURE.
- 9 NOT USED.
- 10 VINYL WINDOW ASSEMBLY WITH INSULATING GLASS UNITS.
- 11 STEEL FRAMED WOOD SLAT BALCONY WITH 2X6 CEDAR DECKING HUNG FROM WALL.
- 12 NOT USED.
- 13 GOOSENECK LIGHTING.
- 14 DOOR TO TRASH/UTILITY ROOM.
- 15 STEEL AWNING.
- 16 18" ALUMINUM SIGNAGE.

**ELEVATION NOTES:**

**NORTH ELEVATION**

PER 2015 IBC TABLE 705.8  
5'-10" FROM PROPERTY LINE 25% ALLOWED OPENING

FIRST FLOOR:  
WALL AREA: 408.17 SF  
OPENING AREA: 56.06 SF  
OPENING PERCENTAGE: 13.73%

SECOND FLOOR:  
WALL AREA: 523.69 SF  
OPENING AREA: 112.13 SF  
OPENING PERCENTAGE: 21.41%

THIRD FLOOR:  
WALL AREA: 523.69 SF  
OPENING AREA: 112.13 SF  
OPENING PERCENTAGE: 21.41%

**EAST ELEVATION**

PER 2015 IBC TABLE 705.8  
5'-10" FROM PROPERTY LINE 25% ALLOWED OPENING

FIRST FLOOR:  
WALL AREA: 931.11 SF  
OPENING AREA: 229.89 SF  
OPENING PERCENTAGE: 24.69%

SECOND FLOOR:  
WALL AREA: 1049.99 SF  
OPENING AREA: 202.46 SF  
OPENING PERCENTAGE: 19.28%

THIRD FLOOR:  
WALL AREA: 1049.99 SF  
OPENING AREA: 202.46 SF  
OPENING PERCENTAGE: 19.28%



**1** NORTH ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"



**2** EAST ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"



IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS

**NEW MIXED USE BUILDING FOR:**  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:  
**A2.03**

**ELEVATION NOTES:**

- 1 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: MEDIUM.
- 2 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: DARK.
- 3 12" BOARD & BATTEN SIDING. STAIN: DARK.
- 4 VERTICAL CORNER TRIM. STAIN: CHARCOAL.
- 5 WOOD PARAPET CORNICE. STAIN: CHARCOAL.
- 6 WOOD BELLY BAND/CORNICE. STAIN: CHARCOAL.
- 7 24" DEEP WOOD BELLY BAND. STAIN: CHARCOAL.
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- 11 STEEL FRAMED WOOD SLAT BALCONY WITH 2X6 CEDAR DECKING HUNG FROM WALL.
- 12 NOT USED.
- 13 GOOSENECK LIGHTING.
- 14 DOOR TO TRASH/UTILITY ROOM.
- 15 STEEL AWNING.
- 16 18" ALUMINUM SIGNAGE.



**1** SOUTH ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"



**2** WEST ELEVATION  
0' 2' 4' 8' 16' 24' 3/16" = 1'-0"



IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS

**ELEVATION NOTES:**

- 1 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: MEDIUM.
- 2 HORIZONTAL WOOD SIDING W/ 6" EXPOSURE. STAIN: DARK.
- 3 12" BOARD & BATTEN SIDING. STAIN: DARK.
- 4 VERTICAL CORNER TRIM. STAIN: CHARCOAL.
- 5 WOOD PARAPET CORNICE. STAIN: CHARCOAL.
- 6 WOOD BELLY BAND/CORNICE. STAIN: CHARCOAL.
- 7 24" DEEP WOOD BELLY BAND. STAIN: CHARCOAL.
- 8 FIBERGLASS CLAD ENTRY OR PATIO DOOR IN FIBERGLASS CLAD WOOD FRAMES WITH NAIL FIN INSTALLATION FEATURE.
- 9 NOT USED.
- 10 VINYL WINDOW ASSEMBLY WITH INSULATING GLASS UNITS.
- 11 STEEL FRAMED WOOD SLAT BALCONY WITH 2X6 CEDAR DECKING HUNG FROM WALL.
- 12 NOT USED.
- 13 GOOSENECK LIGHTING.
- 14 DOOR TO TRASH/UTILITY ROOM.
- 15 STEEL AWNING.
- 16 18" ALUMINUM SIGNAGE.



**1** NORTH ELEVATION



**2** EAST ELEVATION

**NEW MIXED USE BUILDING FOR:**  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:

**A2.04**



IN THE EVENT CONFLICTS ARE DISCOVERED  
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AND/OR THEIR CONSULTANTS, AND ANY COPY OF  
THE DOCUMENTS TRANSMITTED BY MAIL, FAX,  
ELECTRONICALLY OR OTHERWISE, THE ORIGINAL  
SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS



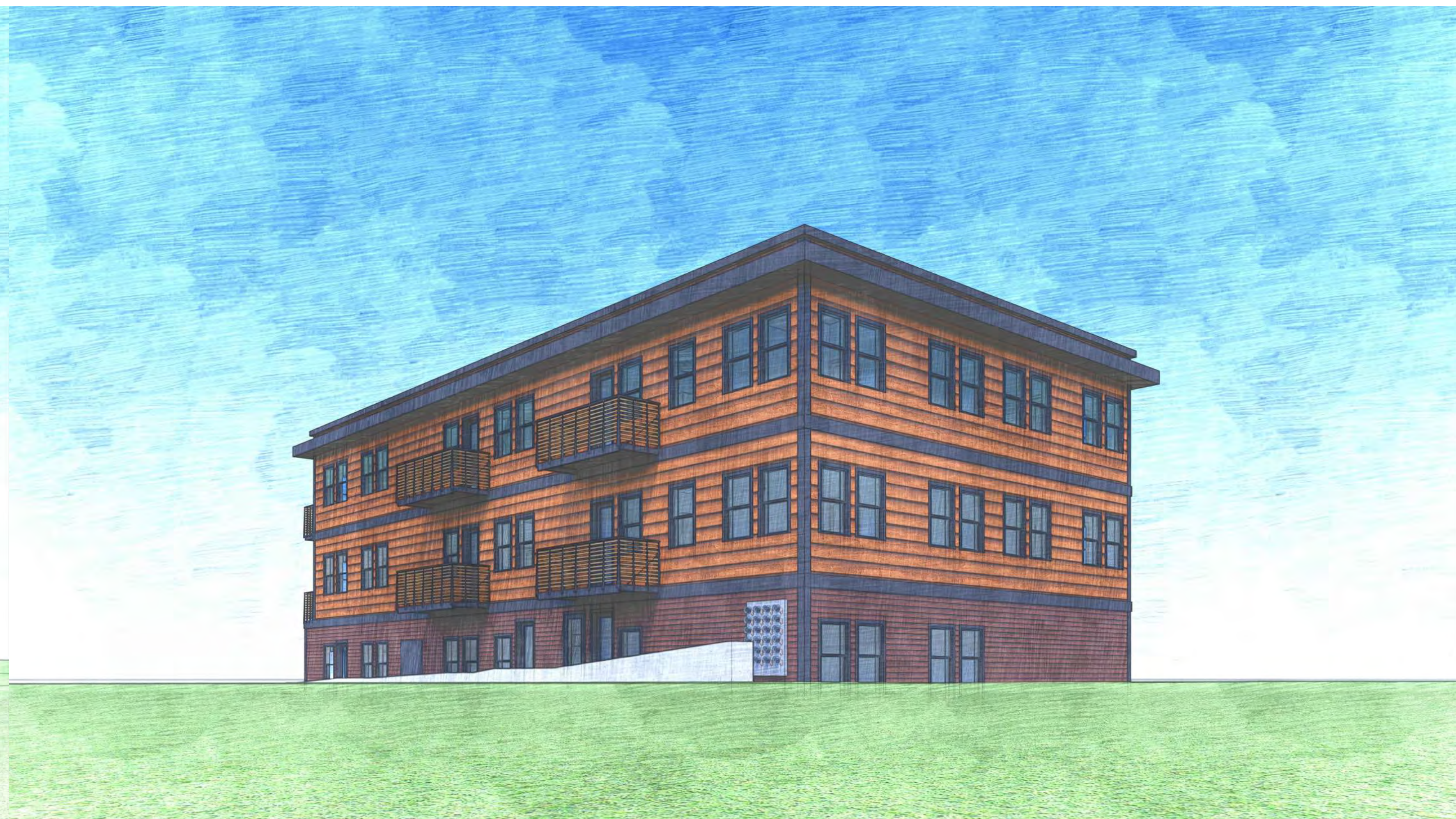
VIEW OF NORTH CORNER



VIEW OF SOUTH CORNER



VIEW OF EAST CORNER



VIEW OF WEST CORNER

NEW MIXED USE BUILDING FOR:  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:

**3D-1**





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PROJECT # 2018-105  
DATE: 1-31-2019

REVISIONS

**NEW MIXED USE BUILDING FOR:**  
**KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:

**3D-2**



IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

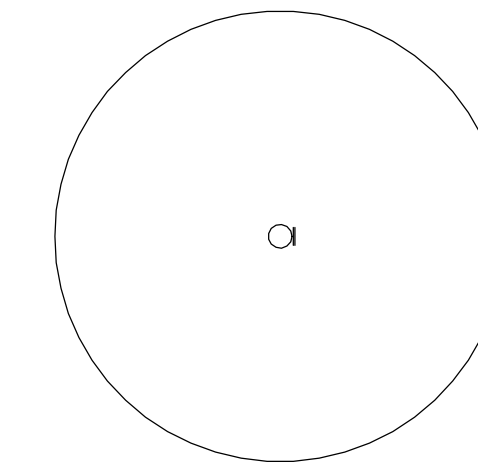
PROJECT # 2018-105  
DATE: 2-06-2019

REVISIONS

**NEW MIXED USE BUILDING FOR:  
KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

SHEET:  
**E1.10**

SITE PLAN LEGEND:

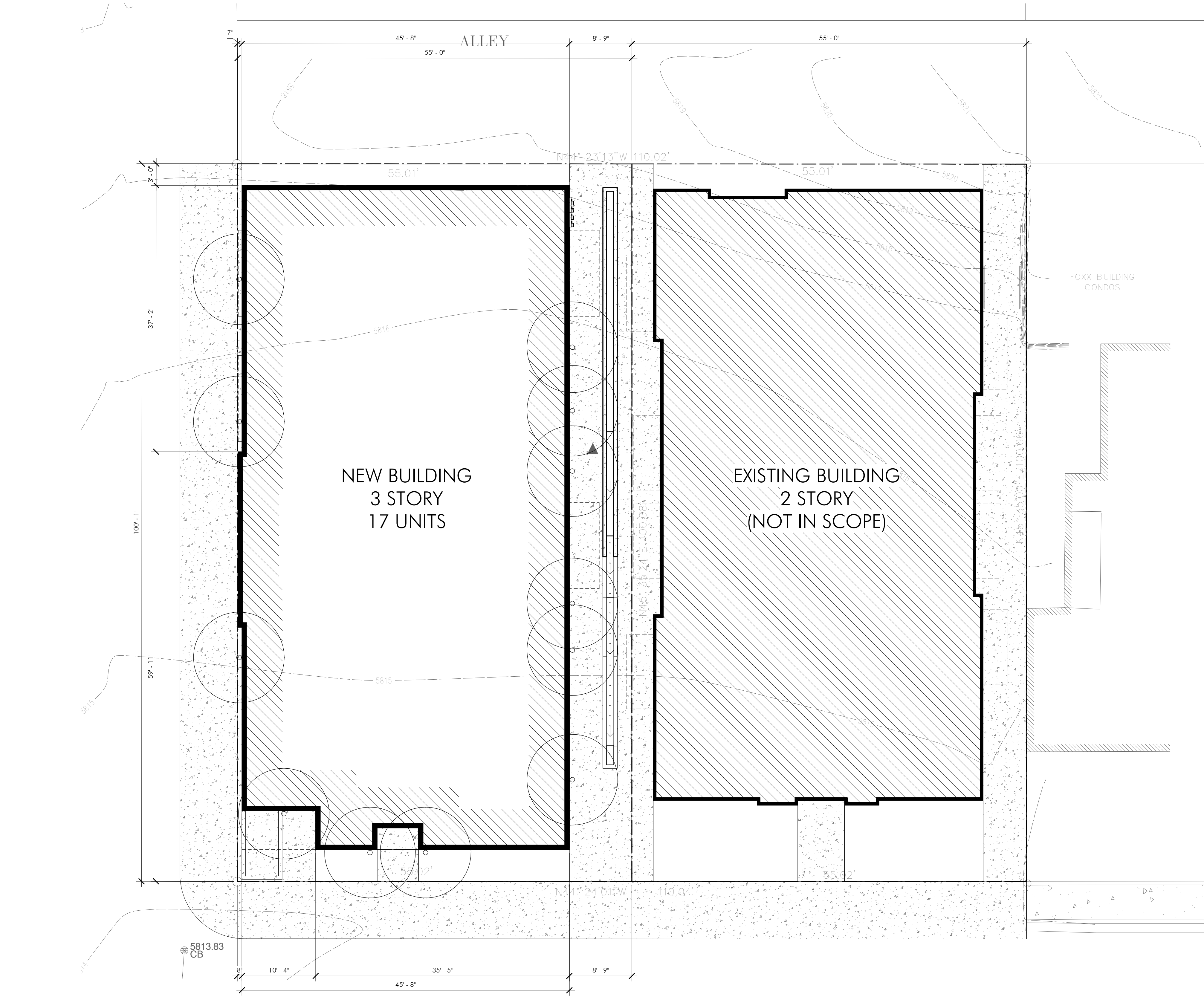


PROPOSED NIGHT SKY DOWN LIGHT,  
OCCURS AT FIRST FLOOR ONLY.

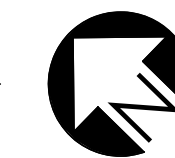
Kichler Cylindrical Up      Wall Wash with Two LED Bulbs



- |   |                                 |
|---|---------------------------------|
| Product Number: 402624                    | Shade Material: Metal           |
| Manufacturer: Kichler Lighting            | Material: Aluminum              |
| Model Number: 9246AZ/10W LED              | Shipping: UPS Regular           |
| Collection: 6 Outdoor Cylinder            | Certification Agencies: CUL, UL |
| Manufacturer Finish: Architectural Bronze | Backplate Dimension: 5 x 4.75   |
| Shade Color: Bronze Tones                 | Wet Location: No                |
| Shade Type: Cylindrical                   | Damp Location: Yes              |
| Total Wattage: 20W                        | Weight: 4 lbs                   |
| Voltage Type: Line Voltage                | Kelvin Temperature: 2700        |
| Average Rated Life: 25,000 hrs            | Lumens: 800                     |
| Height: 15 in.                            | Color Rendering Index: 82       |
| Width: 6 in.                              | Made In America: No             |
| Depth: 8.5 in.                            | Dusk To Dawn: No                |
| Wattage: 10                               | Title 24: No                    |
| Bulb Type: LED                            |                                 |
| Bulb Shape: A19                           |                                 |
| Base Type: Medium                         |                                 |
| Number of Bulbs: 2                        |                                 |
| Bulb Included: Yes                        |                                 |



**1** SITE LIGHTING PLAN  
0 5 10 20 30 1/8" = 1'-0"



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PROJECT # 2018-105  
DATE: 2-06-2019




REVISIONS

**NEW MIXED USE BUILDING FOR:  
KETCH 2, PDX**  
100 E 6TH ST AND 560 N 1ST AVE - KETCHUM, ID

LANDSCAPE NOTES:

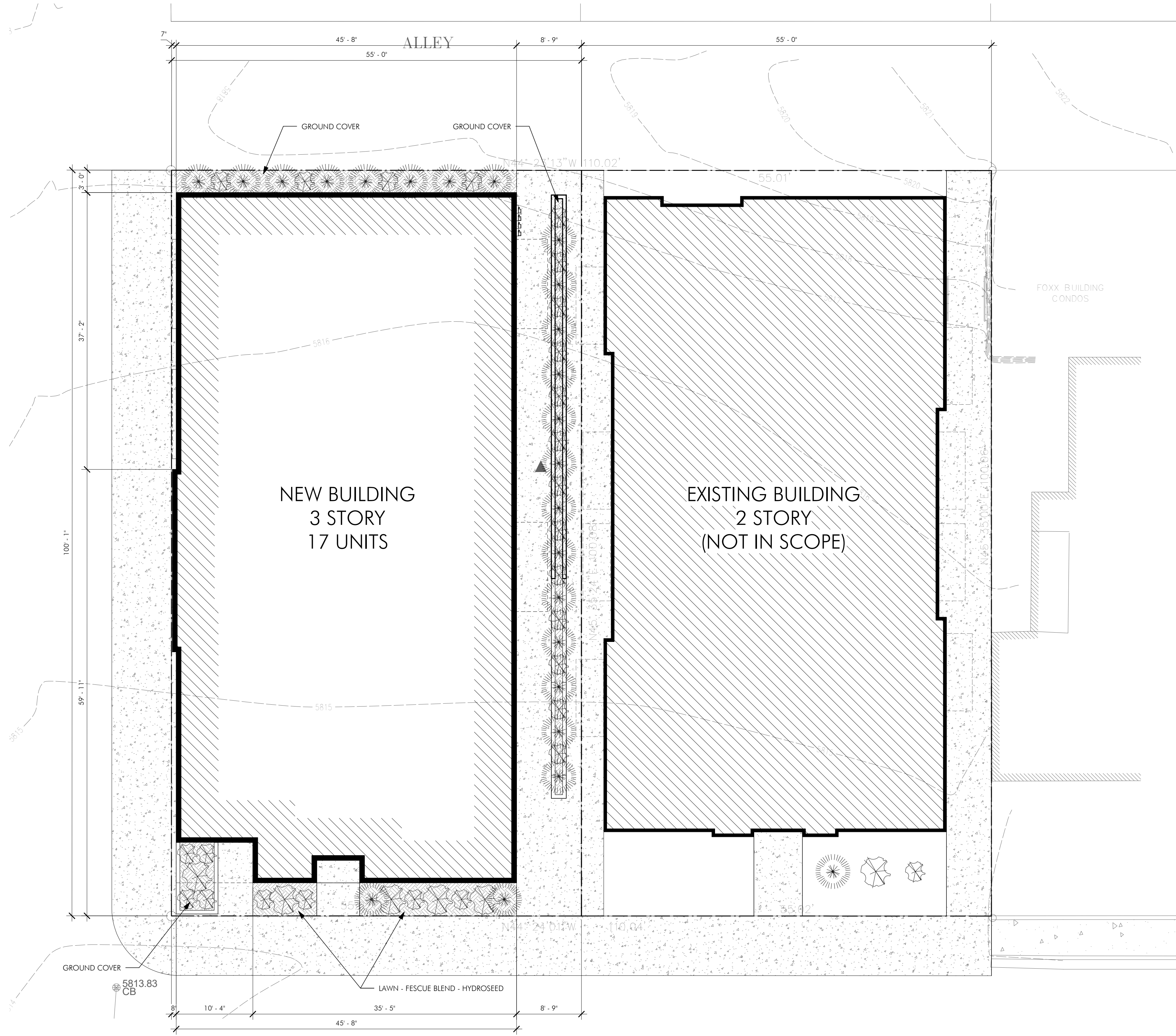
1. ALL PLANTING AREAS TO BE AERATED AFTER CONSTRUCTION AND PRIOR TO INSTALLATION OF PLANT MATERIALS
2. ALL PLANTING AREAS TO BE EQUIPPED WITH IRRIGATION SYSTEM

SITE PLAN LEGEND:

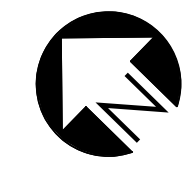
-  BUILDING AREA
-  LANDSCAPING
-  CONCRETE FLOOR/SIDEWALK/PAD

PLANTING LEGEND:

-  SNOWBERRY BUSH - SYMPHORICARPOS 5 GAL
-  GOLDFLAME SPIREA - SPIREA X BUMALDA 'GOLDFLAME' 5 GAL
-  ISANTI DOGWOOD - CORNUS SERICEA 'ISANTI' 5 GAL



**1** LANDSCAPE PLAN  
0 5 10 20 30  
1/8" = 1'-0"







**PAINTED WOOD TRIM  
CHARCOAL**



**CEDAR SIDING  
LIGHT, 10.75" EXPOSURE**



**CEDAR SIDING  
DARK, 5" EXPOSURE**



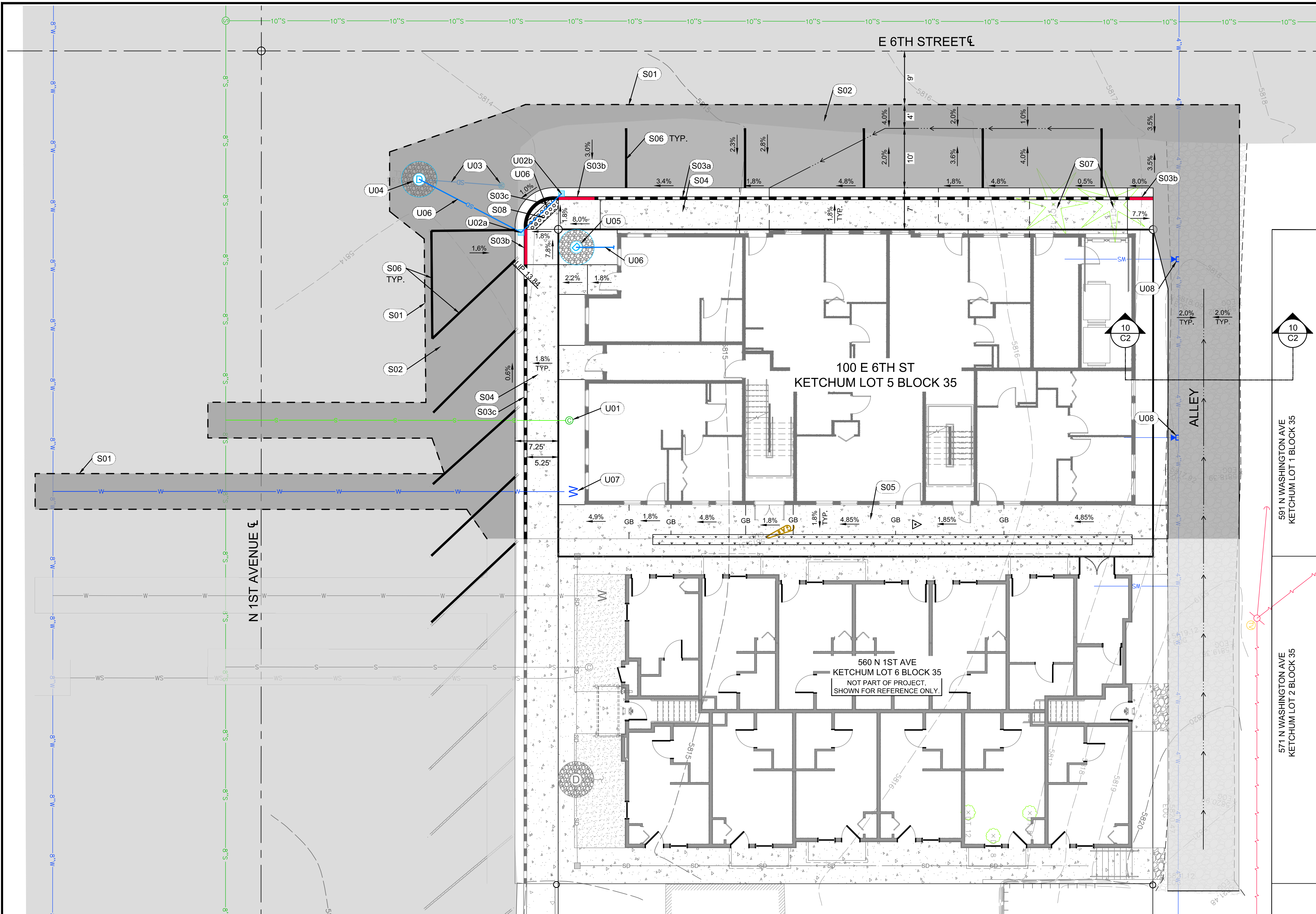
**VINYL WINDOWS  
BLACK**



**ALUMINUM  
STOREFRONT**

**MATERIALS BOARD FOR:  
NEW MULTI-FAMILY BUILDING  
KETCH 2, PDX  
560 N 1ST AVE  
KETCHUM, IDAHO**





**CONSTRUCTION KEYNOTES**

**SITE IMPROVEMENTS**

- (S01)** SAWCUT EXISTING ASPHALT TO PROVIDE FOR A CLEAN VERTICAL EDGE.
- (S02)** CONSTRUCT/ REPAIR ASPHALT. SEE DETAIL 8, SHEET C2.
- (S03)** CONSTRUCT CONCRETE CURB AND GUTTER
  - a. 6" VERTICAL CURB AND GUTTER PER DETAIL 3, SHEET C2
  - b. CURB TRANSITION PER DETAIL 11, SHEET C2
  - c. ZERO REVEAL CURB AND GUTTER PER DETAIL 11, SHEET C2
- (S04)** CONSTRUCT CONCRETE SIDEWALK. WIDTH AS SHOWN HEREON. SEE DETAIL 1, SHEET C2.
- (S05)** CONSTRUCT CONCRETE SIDEWALK. WIDTH AS SHOWN HEREON. SEE DETAIL 2, SHEET C2.
- (S06)** INSTALL 4" WIDE WHITE PARKING PAVEMENT MARKING, MATCH EXISTING PARKING SPACE DIMENSIONS
- (S07)** REMOVE EXISTING TREES
- (S08)** CONSTRUCT ADA COMPLIANT PEDESTRIAN RAMP WITH TRUNCATED DOME DETECTABLE WARNING INSERT PER CITY OF KETCHUM ENGINEER.

**UTILITY IMPROVEMENTS**

- (U01)** INSTALL 4"Ø SEWER SERVICE @ S=2.0% MIN. CLEANOUT INV ELEV = 5806.9±  
TRENCH CONSTRUCTION PER DETAIL 5, 6 AND 7, SHEET C2.
- (U02)** INSTALL 30" CONCRETE CATCH BASIN WITH SOLID LID AND 24" SUMP. SEE DETAIL 10, SHEET C2.  
a. RIM ELEV = 5813.65  
IE IN = 5809.52  
IE OUT = 5809.42  
b. RIM ELEV = 5813.72  
IE OUT = 5809.72
- (U03)** REMOVE EXISTING CATCH BASIN AND STORM SEWER PIPE.
- (U04)** REMOVE EXISTING DRYWELL AND INSTALL NEW DRYWELL "A" PER DETAIL 9, SHEET C2.  
RIM ELEV= 5813.9  
IE (IN EAST) = 5809.02
- (U05)** INSTALL NEW DRYWELL "B" PER DETAIL 9, SHEET C2.  
RIM ELEV= 5813.9±  
IE (IN NORTHEAST) = PER ARCHITECT
- (U06)** INSTALL 12"Ø D3034 PVC PIPE @ S=2.0% MIN.
- (U07)** INSTALL WATER SERVICE; SERVICE SIZE PER PLUMBING ENGINEER. CONTRACTOR TO CONFIRM LOCATION AND DEPTH OF WATER MAIN. TRENCH CONSTRUCTION PER DETAIL 5, SHEET C2. SEE DETAIL 6, SHEET C2 FOR POTABLE, NON-POTABLE WATER LINE SEPARATION REQUIREMENTS.
- (U08)** DISCONNECT, CLOSE CORP. STOP VALVE AND ABANDON EXISTING WATER SERVICE AT MAIN, REPAIR EXISTING ASPHALT PER DETAIL 8, SHEET C2.

**CONSTRUCTION NOTES**

1. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE MOST CURRENT EDITION OF THE "IDAHO REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS," THE CURRENT EDITION OF THE "IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION" (ISPWC), AND CITY OF KETCHUM STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND KEEPING A COPY OF THE ISPWC ON SITE DURING CONSTRUCTION.
2. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS IN AN APPROXIMATE WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING EXISTING UTILITIES PRIOR TO COMMENCING AND DURING THE CONSTRUCTION. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH RESULT FROM HIS FAILURE TO ACCURATELY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL CALL DIGLINE (1-800-342-1585) TO LOCATE ALL EXISTING UNDERGROUND UTILITIES.
3. THE CONTRACTOR SHALL CLEAN UP THE SITE AFTER CONSTRUCTION SO THAT IT IS IN A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, EPA'S NPDES CONSTRUCTION GENERAL PERMIT.
4. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
5. CONSTRUCTION OF WATER MAINS AND ALL OTHER RELATED APPURTENANCES SHALL BE IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPWC), IDAPA 58.01.08, IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS AND THE CITY OF KETCHUM UTILITIES DEPARTMENT STANDARDS.
6. CONTRACTOR SHALL PRESSURE TEST, DISINFECT, AND CONDUCT BIOLOGICAL TESTING IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPWC), AMERICAN WATER WORKS ASSOCIATION (AWWA) STANDARDS, AND THE PRESSURE TESTING, DISINFECTION, AND MICROBIOLOGICAL TESTING PROCEDURES.
7. ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL BE ANSI/NSF STD. 61 COMPLIANT.
8. ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL COMPLY WITH THE LOW LEAD ACT REQUIRING ALL MATERIALS TO HAVE A LEAD CONTENT EQUAL TO OR LESS THAN 0.25%.
9. THE CONTRACTOR SHALL USE ANSI/NSF STANDARD 60 CHEMICALS AND COMPOUNDS DURING INSTALLATION & DISINFECTION OF POTABLE WATER MAIN.
10. CONTRACTOR SHALL COORDINATE LOCATIONS OF DRY UTILITY FACILITIES (POWER, CABLE, PHONE, TV) NOT SHOWN ON THE DRAWING WITH IDAHO POWER.
11. ALL CLEARING & GRUBBING SHALL CONFORM TO ISPWC SECTION 201.
12. ALL EXCAVATION & EMBANKMENT SHALL CONFORM TO ISPWC SECTION 202. EXCAVATED SUBGRADE SHALL BE COMPACTED AND ALL UNSUITABLE SECTIONS REMOVED AND REPLACED WITH STRUCTURAL FILL AS DETERMINED BY THE ENGINEER. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
13. ALL 2" MINUS GRAVEL SHALL CONFORM TO ISPWC 802, TYPE II (ITD STANDARD 703.04, 2"). SHALL BE PLACED IN CONFORMANCE WITH ISPWC SECTION 801 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 90% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99.
14. ALL 3/4" MINUS CRUSHED GRAVEL SHALL CONFORM TO ISPWC 802, TYPE I (ITD STANDARD 703.04, 3/4" B), SHALL BE PLACED IN CONFORMANCE WITH ISPWC SECTION 802 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
15. ALL ASPHALTIC CONCRETE PAVEMENT WORK SHALL CONFORM TO ISPWC SECTION(S) 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPWC SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPWC SECTION 805.
16. ALL EDGES OF EXISTING ASPHALT PAVING SHALL BE SAW CUT 24" TO PROVIDE A CLEAN PAVEMENT EDGE FOR MATCHING. NO WHEEL CUTTING SHALL BE ALLOWED.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PER THE CURRENT EDITION OF THE US DEPARTMENT OF TRANSPORTATION MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
18. ALL CONCRETE FORM WORK SHALL CONFORM TO ISPWC SECTION 701 AND 703. ALL CONCRETE SHALL BE 3,000 PSI MINIMUM, 28 DAY, AS DEFINED IN ISPWC SECTION 703, TABLE 1.C.
19. ALL TRENCHING SHALL CONFORM TO ISPWC STANDARD DRAWING SD-301. TRENCHES SHALL BE BACKFILLED AND COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-99.
20. PER IDAHO CODE § 55-1613, THE CONTRACTOR SHALL RETAIN AND PROTECT ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS; ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS THAT ARE LOST OR DISTURBED BY CONSTRUCTION SHALL BE REESTABLISHED AND RE-MONUMENTED, AT THE EXPENSE OF THE AGENCY OR PERSON CAUSING THEIR LOSS OR DISTURBANCE AT THEIR ORIGINAL LOCATION OR BY SETTING OF A WITNESS CORNER OR REFERENCE POINT OR A REPLACEMENT BENCHMARK OR CONTROL POINT, BY OR UNDER THE DIRECTION OF A PROFESSIONAL LAND SURVEYOR.

**LEGEND**

EXISTING ITEMS		PROPOSED ITEMS	
	PROPERTY LINE		Sewer Service
	ADJOINERS PROPERTY LINE		Sewer Clean Out
	CENTERLINE OF RIGHT-OF-WAY		Water Service
	RETAINING WALL		Storm Pipe
	EDGE OF GRAVEL		Flow Line
	OVERHEAD POWER LINE		Catch Basin
	8" WATER MAIN		Drywell
	4" WATER MAIN		Concrete Curb and Gutter
	WATER SERVICE		Proposed Concrete Sidewalk
	8" SEWER MAIN		Proposed Asphalt
	5' CONTOUR LINE		Proposed Sawcut
	1' CONTOUR LINE		Proposed Landscape
	CURB & GUTTER		Proposed Spot Grade
	ASPHALT		
	CONCRETE		
	BUILDING		
	WHITE PAVEMENT STRIPING		
	FOUND 5/8" REBAR		
	FOUND 1/2" REBAR		
	WATER VALVE		
	WATER METER		
	IRRIGATION VALVE BOX		
	GAS INFRASTRUCTURE		
	POWER POLE		
	GUYWIRE		
	TV RISER		
	CONTROL POINT		

ABBREVIATIONS	
FF ELEV	FINISH FLOOR
TBC	TOP BACK OF CURB
BSW	BACK OF SIDEWALK
MATCH	MATCH EXISTING ELEVATION
GB	GRADE BREAK
LP	LOW POINT

**KETCHUM PD**

LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF HALLEY, BLAINE COUNTY, IDAHO

PREPARED FOR WDC PROPERTIES

PROJECT INFORMATION: P:\sbs\proj\1674\proj\Construction\1674\_Eng\BASE-KETCHUM.dwg 01/03/19 2:05:51 PM

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DESIGNED BY  
SKS/RFM

CHECKED BY  
SKS

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REUSE OF DRAWINGS: This drawing and its contents shall not be used for any project or extension of this project except by agreement in writing with Galena Engineering, Inc.

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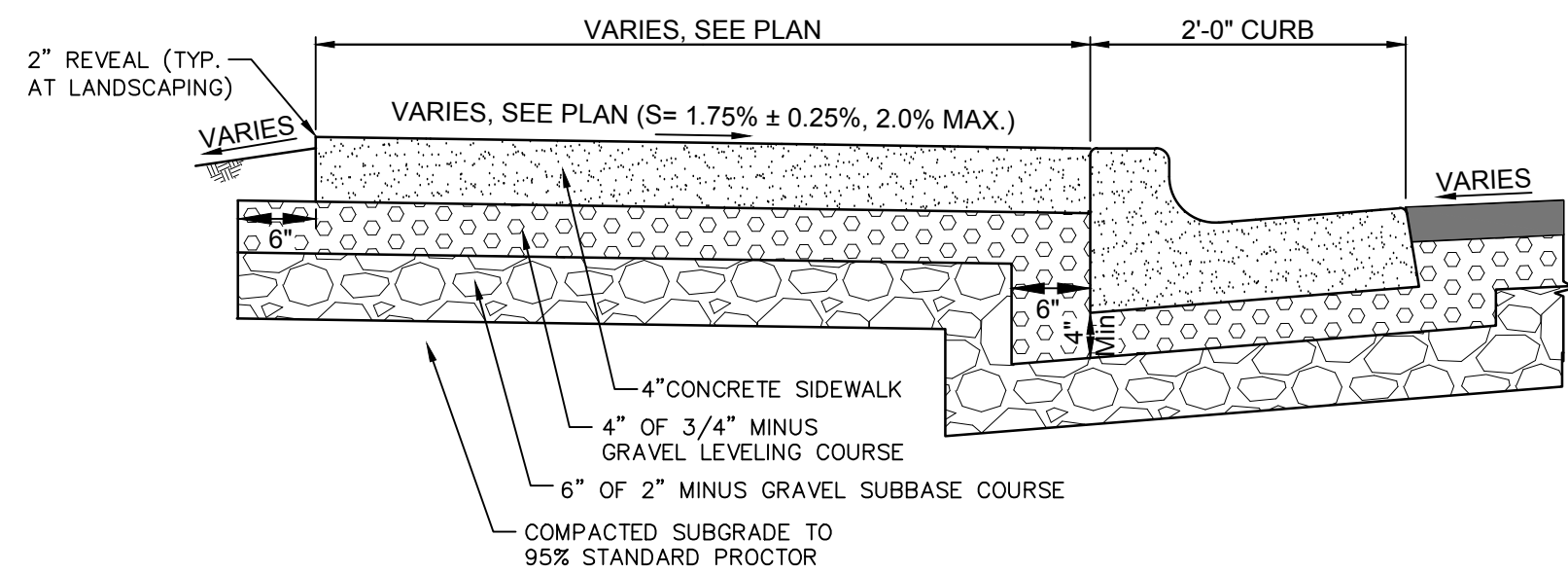
GALENA ENGINEERING, INC.			
Civil Engineers & Land Surveyors			
317 N. River Street Halley, Idaho 83333 (208) 788-1705 (208) 788-4612 fax email galena@galena-engineering.com			
NO.	DATE	BY	REVISIONS
1	01/03/19	SKS	DESIGN REVIEW SUBMITTAL

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PRELIMINARY

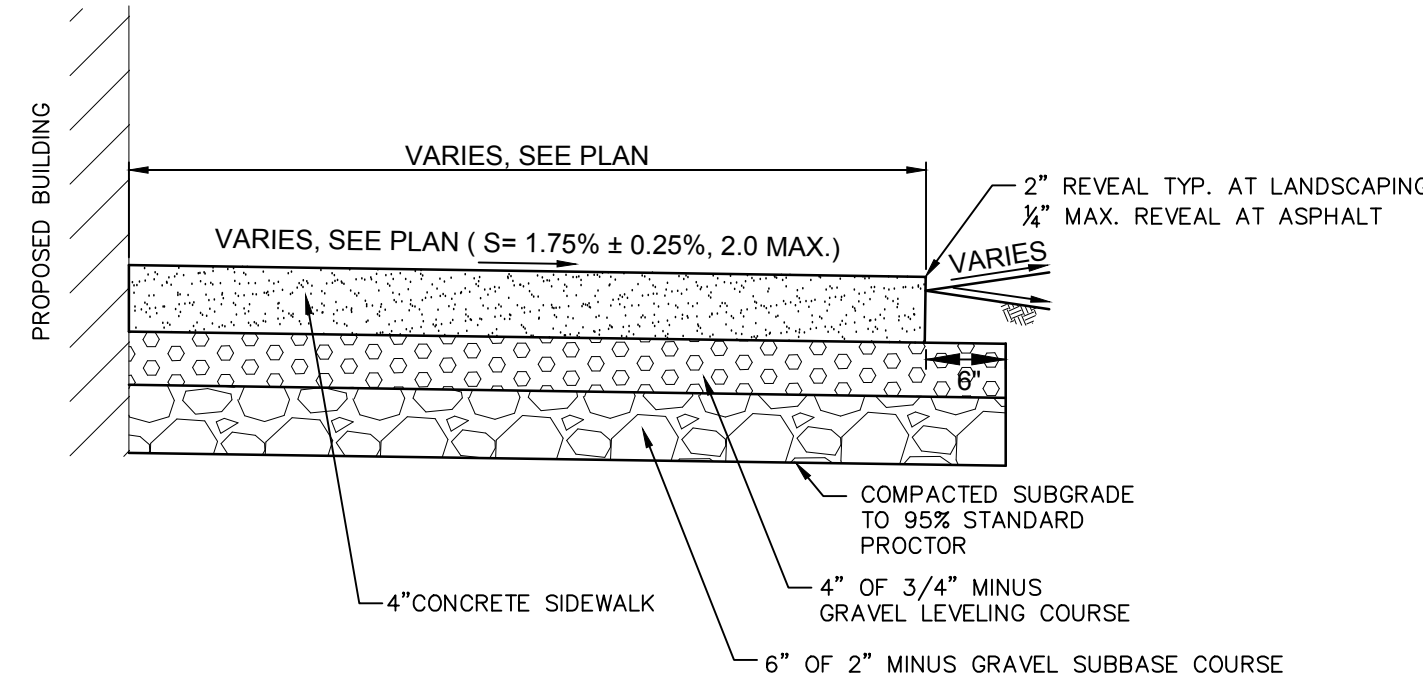
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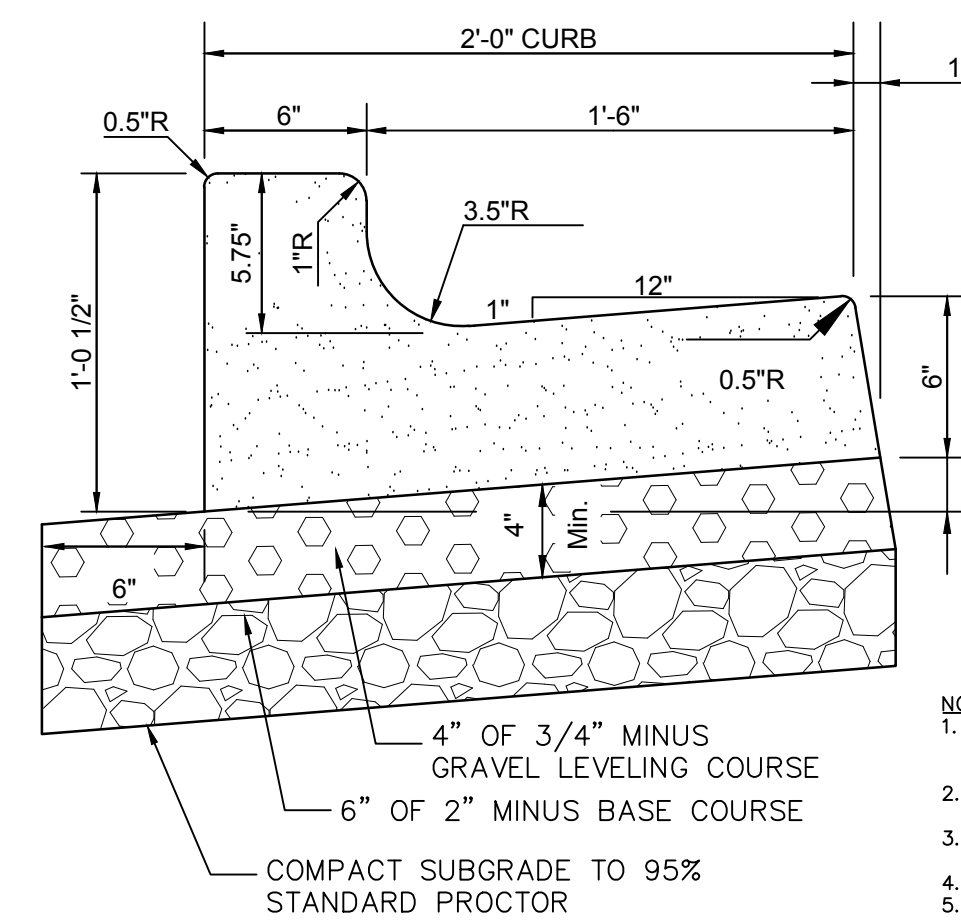
- NOTES:**
- SCORE AT INTERVALS TO MATCH WIDTH OF WALK NOT TO EXCEED 5 FEET SPACING, IN BOTH THE LONGITUDINAL AND TRANSVERSE DIRECTION FOR SIDEWALK GREATER THAN 5 FEET IN WIDTH.
  - 1/2" TRANSVERSE PREFORMED BITUMINOUS JOINTS AT THE TERMINUS POINTS FOR CURVE AND WHERE SIDEWALK IS PLACED BETWEEN TWO PERMANENT FOUNDATIONS OR ADJACENT TO A STRUCTURE. PLACE 1/2" EXPANSION JOINT MATERIAL ALONG THE BACK OF WALK THE FULL LENGTH.
  - SIDEWALK CONSTRUCTION JOINTS SHALL BE CONSTRUCTED APPROXIMATELY 18" WIDE, 3/4" IN DEPTH AND FINISHED AND EDGED SMOOTH. A PREFORMED EXPANSION JOINT FILLER SHALL BE PLACED EVERY 40' FOR NEW SIDEWALK CONSTRUCTION.
  - ALL CONCRETE SHALL BE CLASS 3000 PER SECTION 703 UNLESS NOTED OTHERWISE.

**1 TYPICAL CONCRETE SIDEWALK DETAIL WITH VERTICAL CURB AND GUTTER**  
N.T.S.



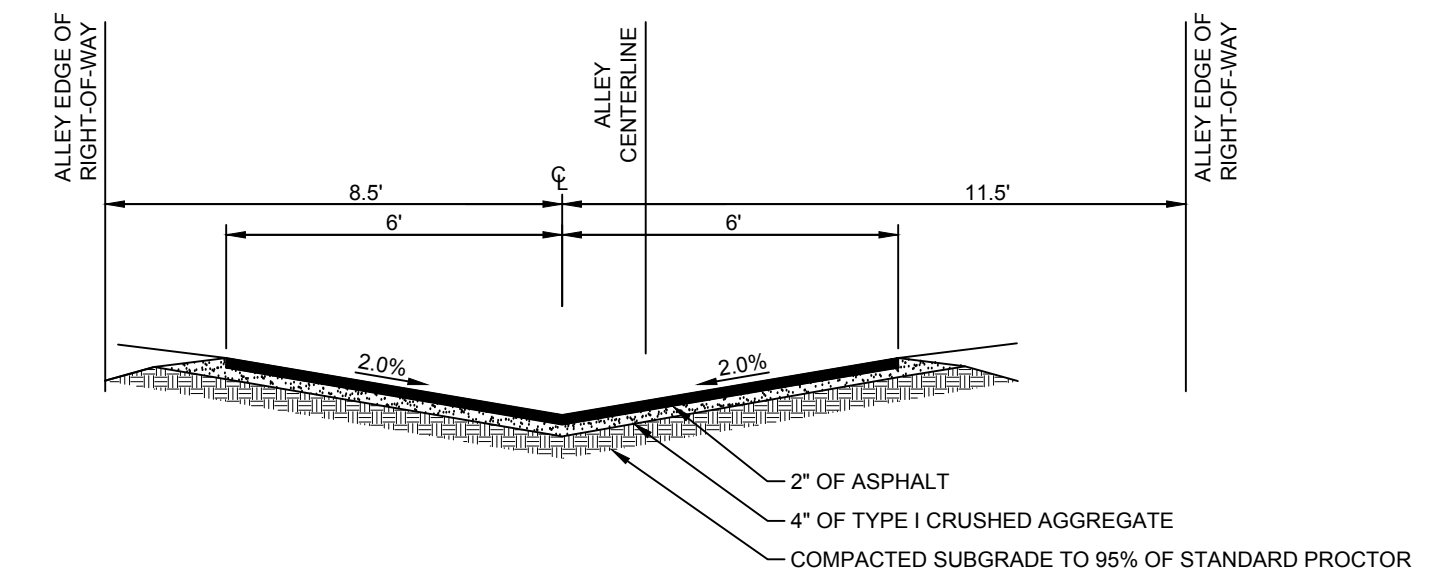
- NOTES:**
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  - ALL CONCRETE SHALL BE CLASS 3000 PER SECTION 703 UNLESS NOTED OTHERWISE.

**2 TYPICAL CONCRETE SIDEWALK DETAIL ADJACENT TO BUILDING OR LANDSCAPING**  
N.T.S.

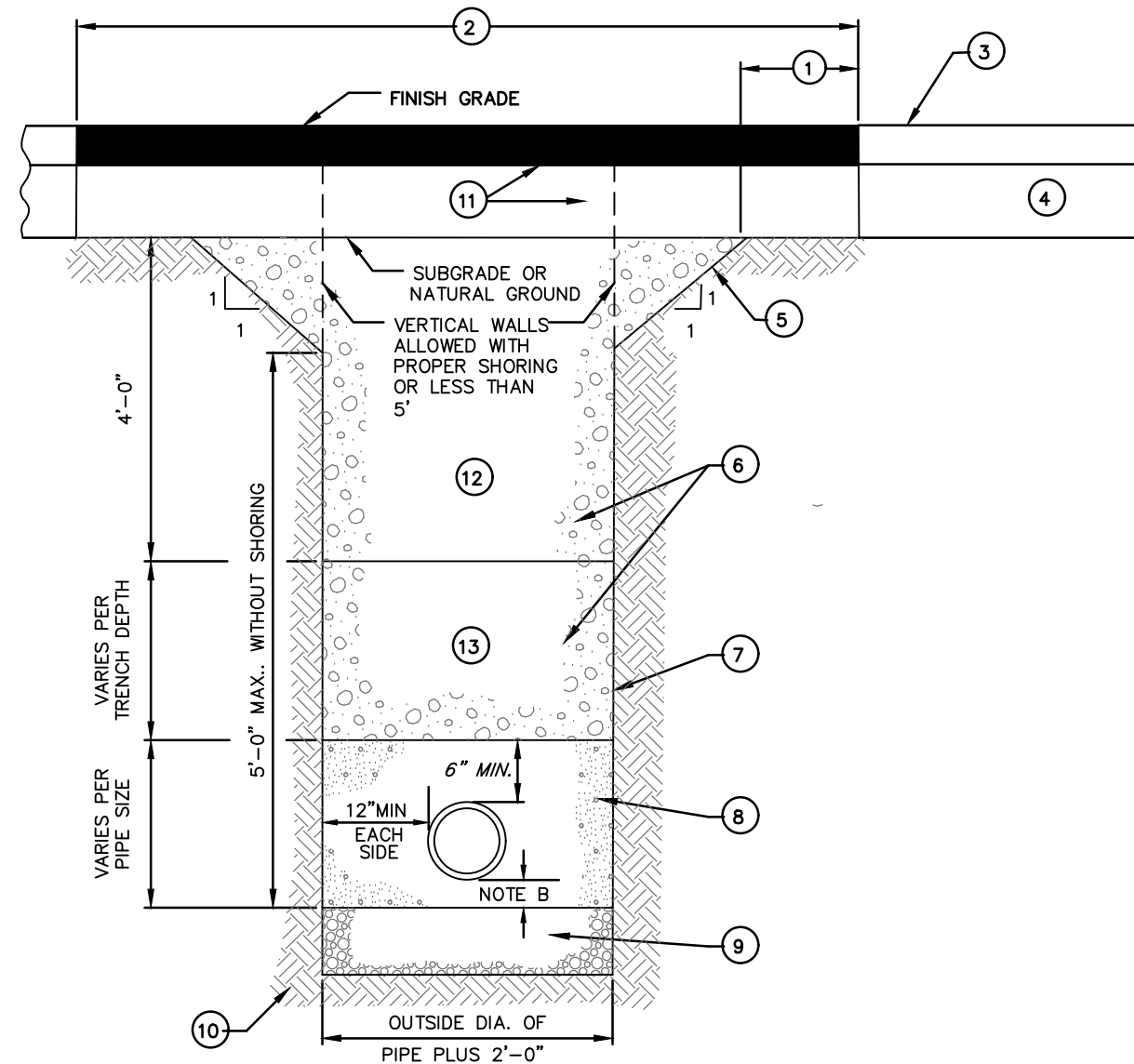


- NOTES:**
- GRADE AND ALIGNMENT TO BE ESTABLISHED BY THE ENGINEER AND THE PUBLIC AGENCY HAVING JURISDICTION.
  - CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS MINIMUM EIGHT FEET.
  - MATERIALS AND CONSTRUCTION IN COMPLIANCE WITH ISPC SPECIFICATIONS.
  - BACKFILLS AS PER ISPC SECTION 706.
  - SECURE RIGHT-OF-WAY PERMIT BEFORE CONSTRUCTION IN PUBLIC RIGHT-OF-WAY.

**3 6" CONCRETE VERTICAL CURB & GUTTER**  
N.T.S.



**4 ALLEY TYPICAL SECTION**  
N.T.S.



- NOTES:**
- TRENCH EXCAVATION PER SECTION-301.
  - PIPE BEDDING PER SECTION-305.
  - BACKFILL AND COMPACTION PER SECTION-306.
  - SURFACE REPAIR AND BASE PER DETAIL 3/C20

**5 TYPICAL TRENCH SECTION**  
N.T.S.

- LEGEND**
- 6" MIN. REQUIRED BOTH SIDES, SAWCUT REQUIRED.
  - SURFACE REPAIR WIDTH WIDTH, 4' MINIMUM.
  - EXISTING SURFACE.
  - EXISTING BASE.
  - TRENCH BACK SLOPE PER O.S.H.A. OR SUITABLE SHORING.
  - TRENCH BACKFILL PER SECTION-306. SEE KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.
  - VERTICAL TRENCH WALLS SHORING PER O.S.H.A..
  - PIPE BEDDING PER SECTION-305 (SEE SD-302).
  - FOUNDATION STABILIZATION MAY VARY PER SOIL TYPE AND STABILITY (PER SECTION-304).
  - UNDISTURBED SOIL (TYP).
  - REPAIRED SURFACE, SEE DETAIL 2 FOR TRENCHES LOCATED IN PUBLIC RIGHT-OF-WAY, SLURRY SHALL BE INSTALLED TO BOTTOM OF ASPHALT.
  - UPPER COMPACTION ZONE. SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.
  - LOWER COMPACTION ZONE.

**KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT**

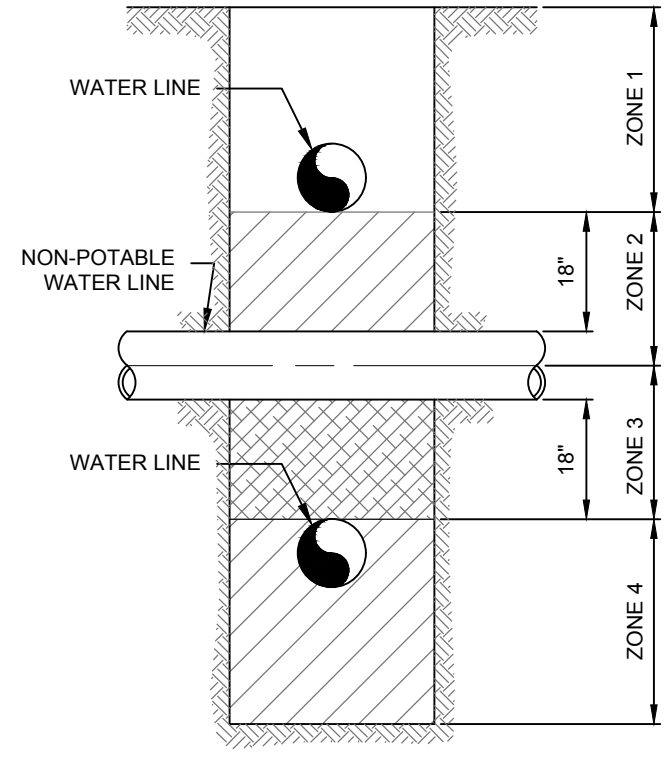
IN AREAS WHERE IT IS NECESSARY TO CUT THE ASPHALT PAVEMENT AND DIG A TRENCH FOR BURIAL OF CONDUIT CABLE OR OTHER CITY UTILITY, THE TRENCH SHALL BE BACKFILLED WITH A LEAN CONCRETE MIX WITH THE FOLLOWING PROPORTIONS OF MATERIALS:

COARSE AGGREGATE (3/4" MINUS) SAND PORTLAND CEMENT WATER

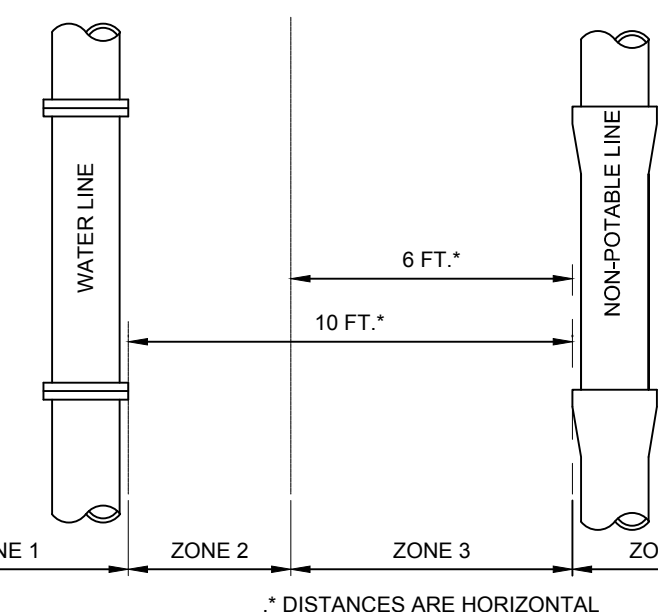
WATER CONTENT IS MAXIMUM AND MAY BE REDUCING DOWNWARD. CARES SHALL BE TAKEN TO ASSURE THAT EXCESS WATER IS NOT PRESENT IN THE MIXING DRUM PRIOR TO CHARGING THE MIXER WITH MATERIALS. THOROUGH MIXING WILL BE REQUIRED PRIOR TO DISCHARGE.

NO COMPACTION, VIBRATION OR FINISHING IS REQUIRED, THE LEAN CONCRETE MIX SHALL BE STRUCK OFF AT OR BELOW THE ELEVATION OF THE PLANT MIX SURFACING WITH A SQUARE-NOSE SHOVEL OR SIMILAR HAND TOOL. THE BACKFILL MIX SHALL BE ALLOWED TO SET FOR A MINIMUM OF 2 HOURS BEFORE THE PERMANENT PLANT MIX SURFACING IS PLACED TO COMPLETE THE TRENCH REPAIR. TEMPORARY PLACEMENT OF ASPHALT COLD MIX SURFACING MAY BE NECESSARY TO ACCOMMODATE TRAFFIC WITHIN THE FIRST 2 HOURS OF BACKFILL PLACEMENT PRIOR TO COMPLETING THE PERMANENT REPAIR.

THE TERM "LINE" APPLIES TO BOTH MAIN LINES AND SERVICE LINES

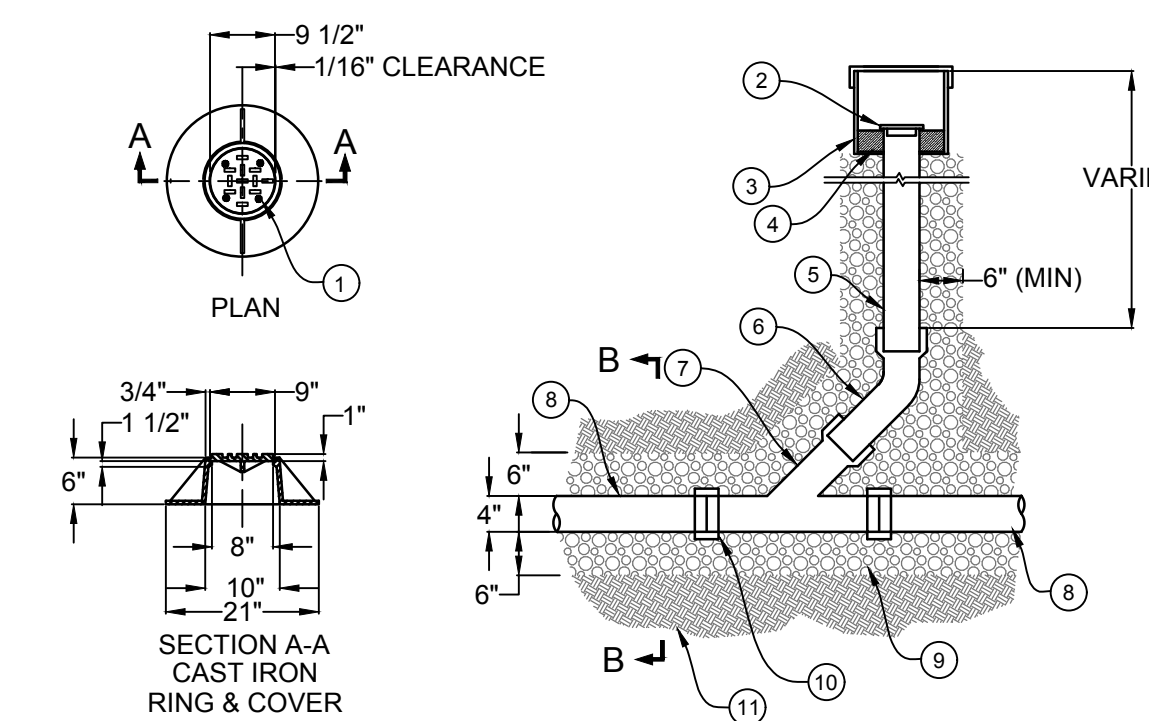


- VERTICAL SEPARATION REQUIREMENTS**
- ZONE 1:** A) WATER AND NPWL MUST BE SEPARATED BY AT LEAST 18" AND B) ONE FULL UNCUT LENGTH OF BOTH PVL AND NPWL PIPE MUST BE CENTERED ON THE CROSSING SO THAT THE JOINTS ARE AS FAR AS POSSIBLE FROM THE CROSSING.
- ZONE 2:** A) ONE FULL UNCUT LENGTH OF BOTH PVL AND NPWL PIPE MUST BE CENTERED ON THE CROSSING SO THAT THE JOINTS ARE AS FAR AS POSSIBLE FROM THE CROSSING. AND EITHER B) NPWL MUST BE CONSTRUCTED TO WATER MAIN STANDARDS AND PRESSURE TESTED FOR WATER TIGHTNESS FOR A HORIZONTAL DISTANCE OF 10 FEET ON BOTH SIDES OF CROSSING.
- OR**
- C) EITHER THE NPWL OR WATER LINE OR BOTH MUST BE ENCASED WITH A SLEEVEING MATERIAL ACCEPTABLE TO DEQ FOR A HORIZONTAL DISTANCE OF 10 FEET ON BOTH SIDES OF THE CROSSING.
- ZONE 3:** SAME REQUIREMENTS AS ZONE 2 EXCEPT THE NPWL MUST ALSO BE SUPPORTED ABOVE THE CROSSING TO PREVENT SETTLING.
- ZONE 4:** SAME REQUIREMENTS AS ZONE 1 EXCEPT THE NPWL MUST ALSO BE SUPPORTED ABOVE THE CROSSING TO PREVENT SETTLING.



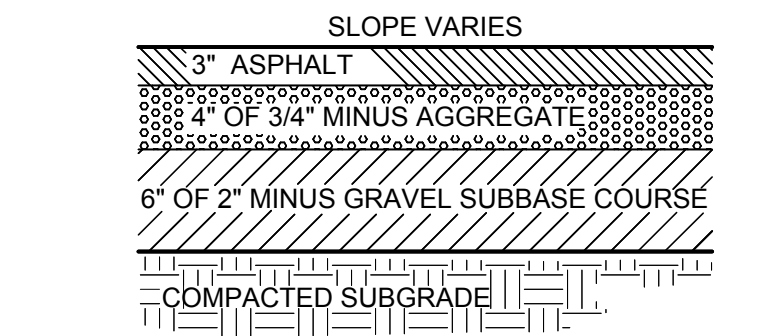
- HORIZONTAL SEPARATION REQUIREMENTS**
- ZONE 1:** A) NO SPECIAL REQUIREMENTS.
- ZONE 2:** A) NO SPECIAL REQUIREMENTS FOR POTABLE OR NON-POTABLE SERVICES B) WATER AND NPWL SEPARATED BY AT LEAST 6 FEET AT OUTSIDE WALLS. AND C) WATER AT LEAST 18 INCHES HIGHER IN ELEVATION THAN THE NPWL. AND EITHER D) NPWL CONSTRUCTED TO POTABLE WATER MAIN STANDARDS AND PRESSURE TESTED FOR WATER TIGHTNESS. OR E) SITE SPECIFIC REQUIREMENTS APPROVED BY DEQ.
- ZONE 3:** NOT ALLOWED WITHOUT DEQ WAIVER.
- NOTE:** SANITARY SEWER FORCE MAINS MUST HAVE MIN. 10' HORIZONTAL SEPARATION AND 18" VERTICAL SEPARATION. ZONE 2 AND ZONE 3 PLACEMENTS ARE NOT ALLOWED WITHOUT A WAIVER GRANTED BY DEQ.

**6 POTABLE AND NON-POTABLE WATER LINE (NPWL) SEPARATION**  
N.T.S.



- LEGEND**
- 4 - 1" DIA. HOLES ON 3 1/2" RADIUS.
  - 6" PVC PIPE CAP (SPEARS FIPT CAP OR APPROVED EQUAL).
  - CARSON 6" ROUND BOX VALVE BOX WITH LID.
  - FIBER JOINT MATERIAL.
  - PVC ASTM D3034.
  - 45° BENDS.
  - "Y" FITTINGS.
  - EXISTING OR NEW PIPE.
  - TYPE 1 BEDDING MATERIAL.
  - MINIUM COUPLER OR APPROVED SUBSTITUTION.
  - UNDISTURBED MATERIAL.

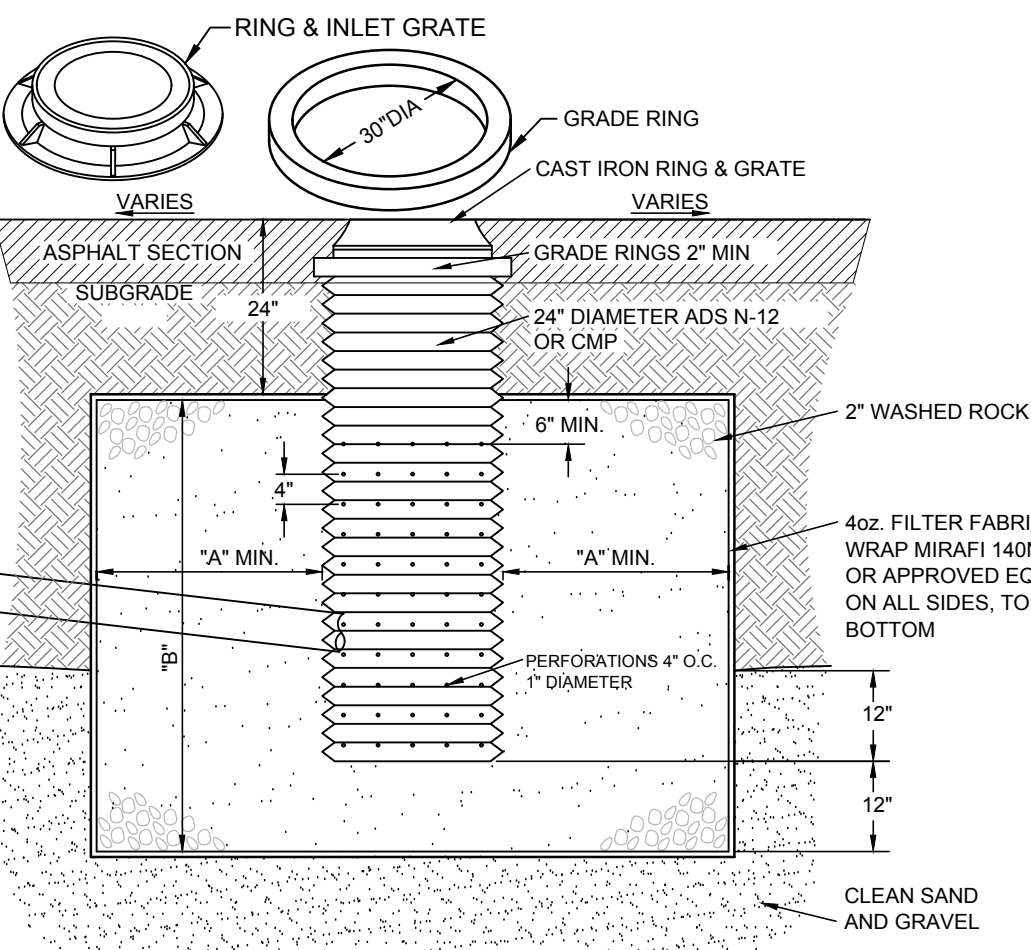
**7 4" TRAFFIC RATED CLEAN-OUT**  
N.T.S.



NOTE: ASPHALT THICKNESS PER THIS DETAIL OR MATCH EXISTING, WHICHEVER IS GREATER.

**8 TYPICAL ASPHALT SECTION**  
N.T.S.

DRYWELL ID	"A"	"B"
DRYWELL "A" (PUBLIC)	3'	10'
DRYWELL "B" (ONSITE)	2'	8'

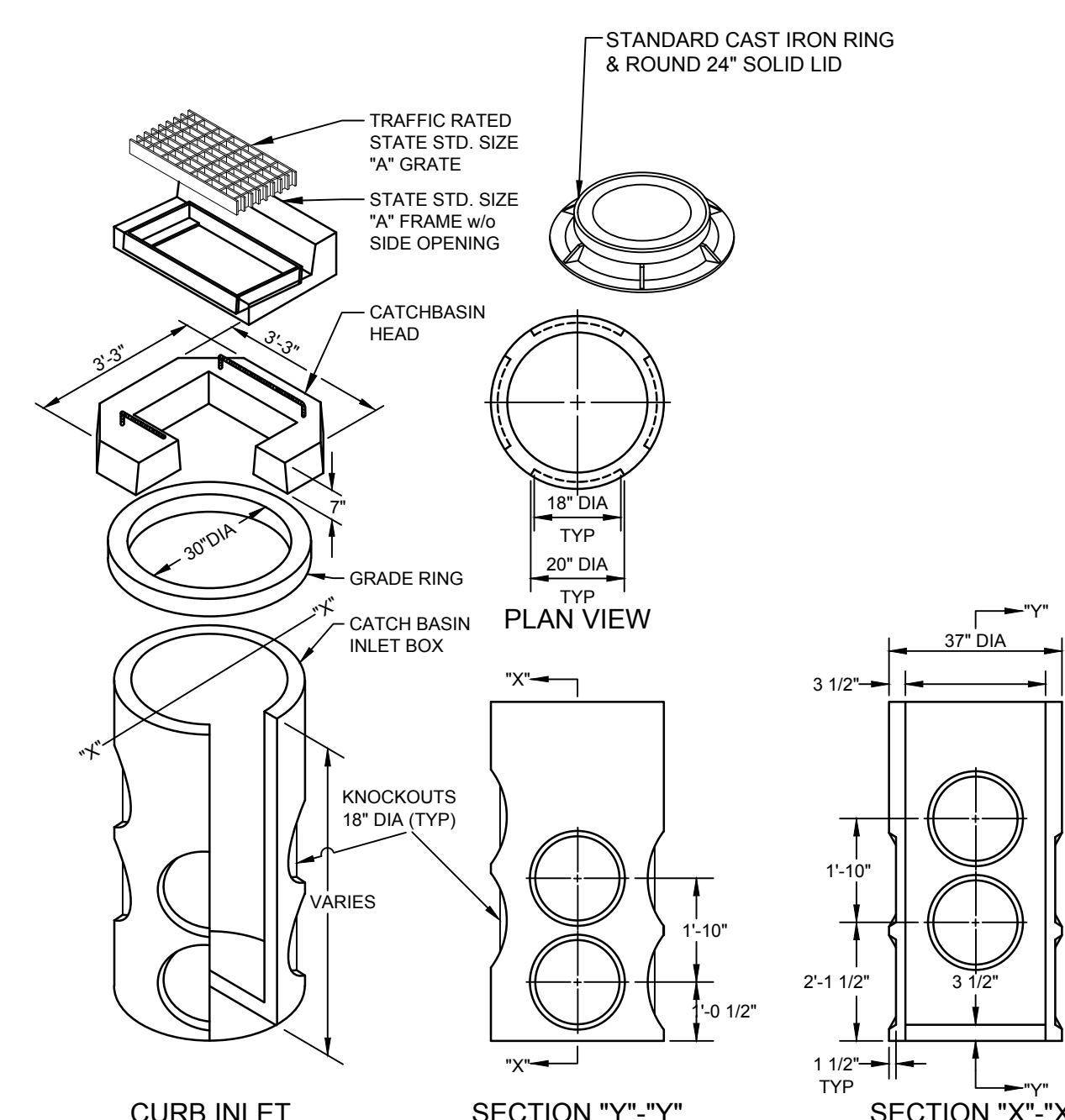


NOTE: THE BED SHALL BE EXCAVATED A MINIMUM OF 24" INTO CLEAN SAND AND GRAVEL. MAXIMUM DEPTH SHALL NOT EXCEED 12 FEET. IF CLEAN SAND AND GRAVEL IS NOT ENCOUNTERED WITHIN 12 FEET, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER.

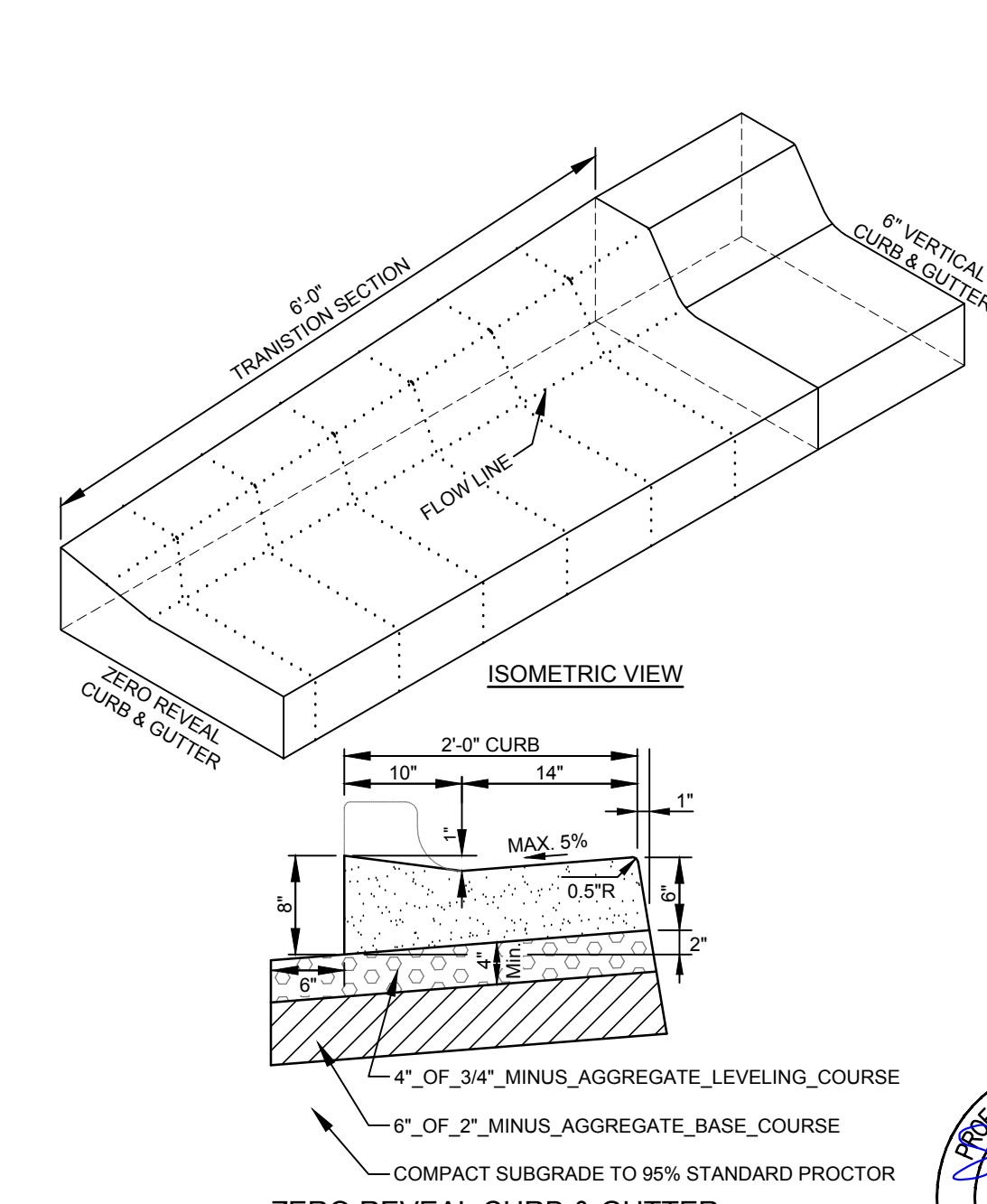
**9 DRYWELL DETAIL**  
N.T.S.

Infiltration System Sizing Worksheet										
The proposed infiltration system consists of a drywell to infiltrate stormwater from south side of 6th Street adjacent to 100 E 6th Street, 1st Avenue from 5th Street to 6th Street, and the alley.										
<b>Onsite Native Soil Infiltration</b>										
Design Infiltration Rate: 120 in/hr					Assumed T <sub>c</sub> : 15 min					
					Intensity (25-yr, 15 min): 0.43 in/hr					
					Intensity (25-yr, 1 hr): 1.72 in/hr					
<b>Total Site Infiltration Sizing</b>										
Proposed Impervious Area: 19000 sf			Proposed Impervious Area: 0.44 ac			Runoff Coefficient: 0.98		25-Year Design Runoff: 0.74 cfs		
<b>Drywell Structure Dimensions</b>										
Drywell Pipe Diameter: 24 in		Drain Rock Envelope: 36 in		Drain Rock Void Ratio: 0.4		Drywell Rim Elevation: 100.00		Top of Drain Rock Elevation: 98.00		Depth to Bottom of Pipe: 10.5 ft
										Bottom Elevation: 89.47
*6 feet minimum for frost depth										
<b>Drywell Stage-Storage-Discharge</b>										
Drywell Stage	Water Surface Elevation	Storage in MH	Storage in Drain Rock	Total Storage	Bottom Wetted Area	Side Wetted Area	Total Wetted Area	Drywell Infiltration Flow Rate		
(ft)	(ft)	(cf)	(cf)	(cf)	(sf)	(sf)	(sf)	(cfs)		
0.00	10.53	89.47	0.0	0.0	50.3	0.0	50.3	0.140		
0.85	9.68	90.32	2.7	16.1	18.8	50.3	21.4	71.7	0.199	
1.71	8.83	91.17	5.4	32.2	37.5	50.3	42.9	93.1	0.259	
2.56	7.97	92.03	8.0	48.2	56.3	50.3	64.3	114.6	0.318	
3.41	7.12	92.88	10.7	64.3	75.0	50.3	85.8	136.0	0.378	
4.27	6.27	93.73	13.4	80.4	93.8	50.3	107.2	157.5	0.437	
5.12	5.41	94.59	16.1	96.5	112.6	50.3	128.6	178.9	0.497	
5.97	4.56	95.44	18.8	112.6	131.3	50.3	150.1	200.4	0.557	
6.83	3.71	96.29	21.4	128.6	150.1	50.3	171.5	221.8	0.616	
7.68	2.85	97.15	24.1	144.7	168.9	50.3	193.0	243.2	0.676	
8.53	2.00	98.00	26.8	160.8	187.6	50.3	214.4	264.7	0.735	
KETCH III Public 7674 Drainage Design BY: SKS Date: 01/31/19										
Galena Engineering, Inc. civil engineering & land surveys Date: 01/31/19										

Infiltration System Sizing Worksheet										
The proposed infiltration system consists of a drywell to infiltrate stormwater from onsite roof and surface runoff.										
<b>Onsite Native Soil Infiltration</b>										
Design Infiltration Rate: 120 in/hr					Assumed T <sub>c</sub> : 15 min					
					Intensity (25-yr, 15 min): 0.43 in/hr					
					Intensity (25-yr, 1 hr): 1.72 in/hr					
<b>Total Site Infiltration Sizing</b>										
Proposed Impervious Area: 5500 sf			Proposed Impervious Area: 0.13 ac			Runoff Coefficient: 0.98		25-Year Design Runoff: 0.21 cfs		
<b>Drywell Structure Dimensions</b>										
Drywell Pipe Diameter: 24 in		Drain Rock Envelope: 24 in		Drain Rock Void Ratio: 0.4		Drywell Rim Elevation: 100.00		Top of Drain Rock Elevation: 98.00		Depth to Bottom of Pipe: 4.6 ft
										Bottom Elevation: 95.44
*6 feet minimum for frost depth										
<b>Drywell Stage-Storage-Discharge</b>										
Drywell Stage	Water Surface Elevation	Storage in MH	Storage in Drain Rock	Total Storage	Bottom Wetted Area	Side Wetted Area	Total Wetted Area	Drywell Infiltration Flow Rate		
(ft)	(ft)	(cf)	(cf)	(cf)	(sf)	(sf)	(sf)	(cfs)		
0.00	4.56	95.44	0.0	0.0	28.3	0.0	28.3	0.079		
0.26	4.31	95.69	0.8	2.6	3.4	28.3	4.8	33.1	0.092	
0.51	4.05	95.93	1.6	5.2	6.8	28.3	9.7	37.9	0.105	
0.77	3.80	96.20	2.4	7.7	10.2	28.3	14.5	42.8	0.119	
1.03	3.54	96.46	3.2	10.3	13.5	28.3	19.3	47.6	0.132	
1.28	3.28	96.72	4.0	12.9	16.9	28.3	24.2	52.4	0.146	
1.54	3.03	96.97	4.8	15.5	20.3	28.3	29.0	57.3	0.159	
1.80	2.77	97.23	5.6	18.0	23.7	28.3	33.8	62.1	0.173	
2.05	2.52	97.49	6.4	20.6	27.1	28.3	38.7	66.9	0.186	
2.31	2.26	97.74	7.2	23.2	30.5	28.3	43.5	71.8	0.199	
2.56	2.00	98.00	8.0	25.8	33.8	28.3	48.3	76.6	0.213	
KETCH III Onsite 7674 Drainage Design BY: SKS Date: 01/31/19										
Galena Engineering, Inc. civil engineering & land surveys Date: 01/31/19										



**10 30" DIAMETER CATCH BASIN**  
AMCOR CB100 OR EQUIVALENT  
N.T.S.



**11 TYPICAL CURB TRANSITION DETAIL**  
N.T.S.

A SITE GRADING, DRAINAGE AND UTILITY PLAN FOR:  
**KETCH III PDX**  
 LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF HALLEY, BLAINE COUNTY, IDAHO  
 PREPARED FOR WDC PROPERTIES

DESIGNED BY: SKS/STROM  
 CHECKED BY: SKS/STROM  
 REUSE OF DRAWINGS: This drawing is a part of a project or project extensions of this project except by agreement in writing with Galena Engineering, Inc.

GALENA ENGINEERING, INC.  
 Civil Engineers & Land Surveyors  
 317 N. River Street  
 Halley, Idaho 83333  
 (208) 788-1705  
 (208) 788-4612 fax  
 email galena@galena-engineering.com

NO. DATE BY REVISIONS  
 01/31/19 SKS DESIGN REVIEW/SUBMITTAL  
 PROJECT INFORMATION: P:\subprojects\19\wpc\Construction\19742\_Eng Base\KETCH III.dwg D:\1919\2405\21.Plt  
 PROFESSIONAL ENGINEER LICENSE NO. 13171/19 DATE OF 10/10/2018 WITH A STABILIZER

C2



**Attachment B.**

**Fire Department comments**

- The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances.
- Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade.
- Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.
- An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1125 ([www.ketchumfire.org](http://www.ketchumfire.org)) and the National Fire Protection Association Standard 13. An approved fire sprinkler flow bell, Knox box and Fire Department Connection shall be installed in an approved location visible to approaching firefighters. Water service lines to structures shall be hydraulically calculated for size to meet fire sprinkler flow requirements. Fire sprinkler systems shall be annually tested and maintained per NFPA 25. An approved fire department connection and flow bell shall be installed in a location approved by the fire department and the system shall be supervised by an approved alarm system.
  - NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshals office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems. Inspections of fire sprinkler systems by the Fire Chief or an appointee are required. Inspections must be scheduled at least 48 hours in advance.
- An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1125 ([www.ketchumfire.org](http://www.ketchumfire.org)) and the requirements of NFPA 72. Two (2) sets of alarm system plans shall be submitted to the Ketchum Fire Department for approval and a permit is required prior to installation of alarm systems. Inspections of fire detection systems by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance.
- Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.
- An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department. The key box shall be a Knox box brand and sized to accommodate keys to every door of the project.
- Inspections of fire department permit required installations shall be scheduled at least 48 hours in advance.
- An 8 ½ by 11 color coded site map of this project shall be provided on paper and electronically to the fire department. This site map shall show the locations of gas shut-offs, power shut-offs, fire sprinkler riser rooms, fire department connections, alarm panels, Knox boxes, access doors, egress windows, stairways and any **additional fire department requirements. Exact details for color coded "On-Sites" can be found at [www.ketchumfire.org](http://www.ketchumfire.org).**

- Final inspections of all fire department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at [www.ketchumfire.org](http://www.ketchumfire.org).

**THOMAS ANCONA | KETCHUM FIRE DEPARTMENT**

Assistant Chief / Fire Marshal

P.O. Box 966 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7805 | f: 208.726.7844

[tancona@ketchumfire.org](mailto:tancona@ketchumfire.org) | [www.ketchumfire.org](http://www.ketchumfire.org)

**Attachment C.**

**Draft Findings of Fact and Conclusions of Law**



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Ketch 2	)	<b>KETCHUM PLANNING AND ZONING COMMISSION</b>
Design Review	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
Date: February 11, 2019	)	<b>DECISION</b>
	)	
File Number: P19-004	)	

**BACKGROUND FACTS**

**PROJECT:** Ketch 2 Design Review

**FILE NUMBER:** #P19-004

**OWNERS:** Mark R. Madden Revocable Trust, Mark R. Madden Trustee

**REPRESENTATIVE:** Gene Bolante, Studio 3 Architecture

**REQUEST:** Design Review of a three-story residential building containing 17 apartments and one (1) commercial space

**LOCATION:** 100 E. 6<sup>th</sup> Street (Lot 5, Block 35, Ketchum Townsite)

**NOTICE:** Notice was mailed to adjacent landowners on January 31, 2019

**ZONING:** Community Core (CC) & Sub-District 2, Mixed Use

**BACKGROUND:**

Mark Madden of Portland, OR based WDC Properties, represented by Gene Bolante, AIA, of Salem, OR Studio 3 Architecture, has submitted a Design Review application for Ketch 2, a new three-story, mixed-use building proposed to contain 17 residential apartments, one (1) ground-floor retail storefront space, a ground-floor interior space dedicated to trash and recycling collection and a ground-floor room with storage lockers for use by residents of the building. Residential apartments will be located on all three levels of the building. The Commission reviewed the Pre-Application Design Review for this project on January 14, 2019, gave feedback (including feedback requesting changes to the façade and parapet wall and for a rendering illustrating existing buildings in the vicinity), and recommended advancing the application to Design Review. For Design Review the applicant has made modifications to the exterior of the building and included a rendering with context.

The subject property is located at 100 E. 6th Street, the southeast corner of E. 6th Street and N. 1st Avenue. The applicant also owns the adjacent property, 560 N. 1st Avenue, and in 2018 received Design Review for the Ketch 1 development, a two-story, 18-unit apartment building. The building permit for Ketch I is currently under review. The applicant intends to begin construction on Ketch I and Ketch II in 2019.

The program for Ketch 2 includes nine (9) 2-bedroom apartments, five (5) 1-bedroom apartments, three (3) studio apartments and one retail storefront proposed to be 402 square feet in size. The apartments range in size from 422 sf (studio apartment) to 650 sf (2-bedroom apartment). The Community Core zone permits a Floor Area Ratio (FAR) of 1.0 by right, and up to a FAR of 2.25 if Community Housing regulations are met. The proposed development has a FAR of 2.16. As with the Ketch I development, the applicant proposes to designate several apartments for deed restricted community housing in order to receive the density bonus.

**ANALYSIS:**

Analysis of the application is provided in Tables 1-4 including the project’s compliance with the City Department comments, Community Core (CC) Zoning District requirements, Design Review standards, and other provisions of Ketchum City Code.

**FINDINGS OF FACT**

**Table 1. Requirements for All Applications**

General Requirements for all Design Review Applications						
Compliant			Standards and Staff Comments			
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.080	<b>Complete Application</b>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Fire Department:</b> 1. See Attachment B.		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<b>Streets / City Engineer:</b> 1. Right-of-way improvements meeting city standards will be required on 1st Avenue, 6 <sup>th</sup> Street, and the alley. These improvements include grading, paving and drainage. 2. Snow removal from the decks will require some coordination and possibly a permit.		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<b>Utilities:</b> 1. There is an old Ketchum Springs water main in the alley, however, the water main is not available for the subject property or the adjacent vacant property. a. If the grade of alley is lowered, or if any cover is taken off of the alley surface, the applicant will have to lower the Ketchum Springs Line lowered 6’. 2. The applicant should address how the project will be metered for water; the configuration of water metering will affect impact fees. 3. Sewer impact fees will be calculated according to the city’s fee schedule and based on the number of bedrooms.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Building:</b> ○ <i>No comment at this time.</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Arborist:</b> ○ The proposed landscaping species are adequate and are fairly drought tolerant. ○ The city encourages drip irrigation systems.		



**Table 2: Zoning Standard Analysis**

Compliance with Zoning Standards				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Minimum Lot Area</b>
			<i>Staff Comments</i>	<b>Required:</b> 5,500 square feet minimum <b>Existing:</b> 5,506 square feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.040	<b>Floor Area Ratios and Community Housing</b>
			<i>Staff Comments</i>	<b>Permitted in Community Core Urban Residential Sub-district (CC-C)</b> <i>Permitted Gross FAR: 1.0</i> <i>Permitted FAR with Community Housing requirements satisfied: 2.25</i>  <b>Proposed:</b> <i>Gross floor area: 7,750 square feet</i>  <b>Proposed FAR:</b> <i>FAR: 7,580 gross square feet / 5,506 square foot lot = 1.376</i>  <i>2,074 square feet over the 5,506 permitted by right.</i>  <i>The applicant is aware than an exceedance agreement for the FAR overage will be required. The applicant would be required to develop 353 square feet of Community Housing on site or to pay a fee in-lieu of construction of \$84,014 (353 square feet * \$238/square foot in lieu fee) or to propose another alternative that the Council approves. Currently, the applicant is developing a proposal to include Community Housing on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Minimum Building Setbacks</b>
			<i>Staff Comments</i>	<b>Required:</b> <i>Front (1<sup>st</sup> Ave – south facade): 5’ average</i> <i>Side (adjacent to existing development - east facade): 0’</i> <i>Side (adjacent to vacant lot – west facade): 0’</i> <i>Rear (alley – north facade): 3’</i>  <b>Proposed:</b> <i>Front (1<sup>st</sup> Ave – south facade): 11’-3”</i> <i>Side (adjacent to existing development - east facade): 5’-4”</i> <i>Side (adjacent to vacant lot – west facade): 3’</i> <i>Rear (alley – north facade): 3’-6”</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Building Height</b>
			<i>Staff Comments</i>	<b>Maximum Permitted:</b> 42’ <b>Proposed:</b> 27’-8”
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	<b>Curb Cut</b>
			<i>Staff Comments</i>	<b>Required:</b> <i>A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking.</i> <b>Proposed:</b> No curb cut is proposed. The applicant is not proposing on-site parking with this project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.40.B	<b>Parking Spaces</b>
			<i>Staff Comments</i>	<i>Residential multiple-family dwelling within the Community Core (CC) District and the Tourist (T), Tourist 3000 (T-3000), and Tourist 4000 (T-4000):</i>  <i>Units 750 square feet or less - 0 spaces</i>

				<p><b>Proposed:</b> The applicant is proposing 20 residential dwelling units. The project is located in the Community Core. All proposed units are under 750 square feet. No parking spaces are required.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.020	<p><b>Zoning Matrix</b></p>
			<p><b>Staff Comments</b></p>	<p>Multiple family dwellings are permitted in the Community Core, Subdistrict C, and dwellings may occupy the ground floor in this subdistrict.</p> <p><b>17.08.020 – Definitions</b> Dwelling, Multiple Family: A building, under single or multiple ownership, containing two (2) or more dwelling units used for residential occupancy.</p> <p>The applicant is proposing an 18-unit multi-family development.</p>

**Table 3: Design Review Standards for all projects**

Design Review Requirements				
IMPROVEMENTS AND STANDARDS: 17.96.060				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(A)(1) Streets	<p>The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.</p>
			<p><b>Staff Comments</b></p>	<p>The subject property is a corner lot that has frontage along N. 1<sup>st</sup> Avenue and 6<sup>th</sup> Street. This standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(A)(2) Streets	<p>All street designs shall be approved by the City Engineer.</p>
			<p><b>Staff Comments</b></p>	<p>No changes to the lanes of travel in the street are proposed at this time. However, should improvements be deemed necessary by the Streets Department, such designs shall be approved by the City Engineer.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(B)(1)	<p>All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.</p>
			<p><b>Staff Comments</b></p>	<p>Sidewalks are required on 6<sup>th</sup> Street and 1<sup>st</sup> Avenue. The applicant is aware of this requirement and has indicated new sidewalks for both street frontages.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(2)c	<p>Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.</p>
			<p><b>Staff Comments</b></p>	<p>The city right-of-way standard for both 6<sup>th</sup> Street and 1<sup>st</sup> Avenue requires an 8’ sidewalk. The city engineer recommends matching the condition for the adjacent Ketch 1 property for the 1<sup>st</sup> Avenue sidewalk, including a maintenance easement for the portion of sidewalk (approximately 3’) that is located on private property. For the 6<sup>th</sup> Street sidewalk an 8’ width is required and the final design will be approved by the City Engineer prior to issuance of a building permit.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(3)	<p>Sidewalks may be waived if one of the following criteria is met:</p> <ul style="list-style-type: none"> <li>a. The project comprises an addition of less than 250 square feet of conditioned space.</li> <li>b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.</li> </ul>
			<p><b>Staff Comments</b></p>	<p>N/A. Right-of-way improvements, which include sidewalk, are required for this project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(4)	<p>The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</p>
			<p><b>Staff Comments</b></p>	<p>This standard has been met, the applicant proposes sidewalks equal to the length of the 1<sup>st</sup> Avenue and 6<sup>th</sup> Street property lines. See Preliminary Civil Plan, sheet C1.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060 (B)(5)	<b>New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.</b>
			<i>Staff Comments</i>	<i>Sidewalks have been proposed on both 1<sup>st</sup> Avenue and 6<sup>th</sup> Street. Paved surfaces adjacent to the building on the front and interior sides provide pedestrian access around the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(6)	<b>The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.</b>
			<i>Staff Comments</i>	<i>N/A, voluntary cash contribution in-lieu of improvements for this project is not recommended.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(1)	<b>All storm water shall be retained on site.</b>
			<i>Staff Comments</i>	<i>A preliminary civil plan has been submitted that proposes retaining all stormwater on site. Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(2)	<b>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</b>
			<i>Staff Comments</i>	<i>Drainage improvements addressing 1<sup>st</sup> Avenue, 6<sup>th</sup> Street and the alley are required to meet city standards. Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(3)	<b>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</b>
			<i>Staff Comments</i>	<i>Final details will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(4)	<b>Drainage facilities shall be constructed per City standards.</b>
			<i>Staff Comments</i>	<i>Improvements on both private property and in the right-of-way shall meet city standards. Final plans will be reviewed and approved by the City Engineer prior to issuance of a building permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(1)	<b>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</b>
			<i>Staff Comments</i>	<i>Preliminary civil plans have been submitted and the applicant is aware of this requirement.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(2)	<b>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</b>
			<i>Staff Comments</i>	<i>Utility, power and communication lines within the site have not yet been designed. However, the applicant is aware of the requirement to install all on-site utilities underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(3)	<b>When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.</b>
			<i>Staff Comments</i>	<i>The applicant is aware of the requirement to install services for high-speed internet to the site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(E)(1)	<b>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</b>
			<i>Staff Comments</i>	<i>The 3D color rendering sheet included in the plan set most accurately represents the proposed exterior colors of the project. The proposed color palette consists of medium to dark burgundy/chestnut brown/red hues for the siding and parapet accented by charcoal-colored belly band, corner, and cornice features.</i>

				<p>The materials consist of horizontal wood siding, 12" board and batten siding, steel-framed balconies and balconettes with wood slats and decking, and 18" aluminum lettering denoting the name of the development, "Ketch 2" on two parapet walls.</p> <p>These medium-to-dark earth tones are complementary to the adjacent Ketch 1 building and other buildings in the vicinity that have muted, earth tone hues. Other buildings in the vicinity have facades comprised primarily of natural and composite siding or stucco.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(2)	<p><b>Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.</b></p> <p><i>Staff Comments</i> N/A. There are no identified landmarks on the property.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(3)	<p><b>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</b></p> <p><i>Staff Comments</i> N/A. The subject property is currently vacant.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(1)	<p><b>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</b></p> <p><i>Staff Comments</i> All first-floor units are proposed to have individual doors accessed from either the on-site interior sidewalk or the sidewalks in the right-of-way that will be constructed on the 6<sup>th</sup> Street and 1<sup>st</sup> Avenue facades. There are two stairwells providing access to the units on the second and third floors, both stairwells are accessed from the interior side of the building and the adjacent on-site, interior sidewalk. One stairwell is also accessed through a lobby that connects to the building's main entrance on 1<sup>st</sup> Avenue.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(2)	<p><b>The building character shall be clearly defined by use of architectural features.</b></p> <p><i>Staff Comments</i> The character of the building is defined in part by the use of the same color on the ground floor and parapet wall, the use of the same color on the second and third floors located in between, and the corner trim and belt bands using the same charcoal color between each floor and at each corner. The building is defined by its verticality, which is emphasized by the vertical wood siding, the belt bands, and the vertical wood slats used on the balconies and balconettes throughout.</p> <p>The design of the building has been revised from Pre-Application Design Review. A new vertical design element has been added to the 6<sup>th</sup> Street façade, which serves to break up the horizontal nature of the building. Additionally, the parapet has been reduced in height on the majority of the building, with the exception of the front façade and above the new vertical element on 6<sup>th</sup> Street. In these two areas the parapet adds definition to the building. Reduction in height of the parapet wall reduces the bulk of the building.</p> <p>Additionally, the substantial amount of glazing for the windows and doors, along with the balconies and balconettes, punctuate the mass of the building – reducing the appearance of bulk - and provide visual interest. Glazing has been augmented since Pre-Application Design Review, with additional windows added to the 2<sup>nd</sup> and 3<sup>rd</sup> stories of the interior and 6<sup>th</sup> Street facades.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(3)	<p><b>There shall be continuity of materials, colors and signing within the project.</b></p> <p><i>Staff Comments</i> The same materials and color schemes are used on all four facades of the building.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(4)	<p><b>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</b></p> <p><i>Staff Comments</i> An accessory planter wall has been proposed for the interior side of the building. Plant material proposed for the planter wall is used in other locations on site as well.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(5)	<p><b>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</b></p> <p><i>Staff Comments</i> During the Pre-Application Design Review feedback from the Commission included suggestions to break up the 6<sup>th</sup> Street façade and overall dominance of the rectangular form of the building.</p>

				<p>The architect has modified the building to include additional second and third-story windows on the two longest facades of the building, added vertical features to the 6<sup>th</sup> Street façade, and reduced the height of the parapet wall (other than atop the new vertical element on the 6<sup>th</sup> Street façade) by several feet.</p> <p>The main mass of the building is primarily rectangular, with building mass providing the most undulation and relief on the 1<sup>st</sup> Avenue façade (front façade), where the front entrance to the building is offset from the main mass of the building and the mass is eroded by the corner balconies. The second and third-floor balconettes (6<sup>th</sup> Street façade) and interior side balconies also serve to reduce the appearance of bulk and flatness. The ample use of glazing on all four facades aids in reducing bulk and flatness as well.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(6)	<b>Building(s) shall orient towards their primary street frontage.</b>
			<i>Staff Comments</i>	<i>For properties located on a corner the shortest lot line is considered the front, or primary frontage. In this case the primary street frontage is 1<sup>st</sup> Avenue and the building orients toward it; the main entrance as well as the building signage are located on the 1<sup>st</sup> Avenue side of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(7)	<b>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</b>
			<i>Staff Comments</i>	<i>The first-floor plan and the rendering sheet indicate that the garbage storage area will be enclosed within the building. No satellite receivers are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(8)	<b>Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.</b>
			<i>Staff Comments</i>	<i>An awning attached to the front entrance to the building provides cover from the elements for pedestrians. Additionally, a second-floor balcony provides cover from snow and rain to pedestrians circulating into and out of the ground floor retail space proposed to be located at the corner of 1<sup>st</sup> Avenue and 6<sup>th</sup> Street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(1)	<b>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</b>
			<i>Staff Comments</i>	<i>Equestrian access is not necessary in this location. Pedestrian connections to the sidewalks that will be improved on 1<sup>st</sup> Avenue and 6<sup>th</sup> Street are addressed by the proposed on-site sidewalks that will connect to the improvements in the right-of-way. Likewise, users of the building will have paved surfaces to wheel bicycles from the building to the public sidewalk and streets.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(2)	<b>Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.</b>
			<i>Staff Comments</i>	<i>No awnings are proposed to extend across the public sidewalk. The prominent awning located above the front entrance does not encroach into the right-of-way.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(3)	<b>Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.</b>
			<i>Staff Comments</i>	<i>No vehicle parking is proposed with this project. The internal sidewalks indicated in the rendering appear to be sufficient for pedestrian circulation and connection to a sidewalk in the right-of-way.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(4)	<b>Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.</b>
			<i>Staff Comments</i>	<i>No curb cut is proposed for this development.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(5)	<b>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</b>

			<i>Staff Comments</i>	Access to the city exists from 1 <sup>st</sup> Avenue, 6 <sup>th</sup> street, and an alley at the rear of the property. The alley behind the subject property is currently gravel/dirt. As required by the Streets Department and Fire Department the alley shall be improved to city standards.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(1)	<b>Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.</b>
			<i>Staff Comments</i>	The applicant is still finalizing their snow storage plans and is currently leaning toward a combination of snow melt and snow hauling. An area for temporary snow storage is determined. The applicant is aware that snow storage is required and that the details shall be finalized prior to issuance of a building permit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(2)	<b>Snow storage areas shall be provided on-site.</b>
			<i>Staff Comments</i>	See 17.96.060(H)(1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(3)	<b>A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.</b>
			<i>Staff Comments</i>	See 17.96.060(H)(1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(4)	<b>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</b>
			<i>Staff Comments</i>	See 17.96.060(H)(1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(1)	<b>Landscaping is required for all projects.</b>
			<i>Staff Comments</i>	Landscaping – shrubs and groundcover – have been proposed.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(2)	<b>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</b>
			<i>Staff Comments</i>	The building footprint covers the majority of the 5,506 square foot site. A planter wall on the interior side has been proposed as has groundcover at the rear of the property. The landscaping will enhance the neighborhood and townscape as the parcel is currently vacant and lacks landscaping.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(3)	<b>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</b>
			<i>Staff Comments</i>	The applicant has proposed snowberry bushes, goldflame spirea, and Isanti dogwoods. The city arborist finds the plant species adequate for the site and notes the species are fairly drought tolerant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(4)	<b>Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.</b>
			<i>Staff Comments</i>	The subject property is an urban infill site located in the community core, where the zoning regulations permit 0' side setbacks, a 3' rear setback, and an average 5' front setback. The footprint of the building fill most of the site.  At this time the applicant has proposed a planter wall along the interior side, where the largest side yard area is available. A planting strip has also been proposed to buffer the rear of the building from the alley.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(J)(1)	<b>Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.</b>
			<i>Staff Comments</i>	New sidewalk is required for 1 <sup>st</sup> Avenue and 6 <sup>th</sup> Street and the Streets Department and City Engineer will work with the applicant to finalize any required amenities during building permit review, balancing the value of amenities with the maintenance required by the city for amenities in the right-of-way.



**Table 4: Design Review Standards for Community Core Projects**

IMPROVEMENTS AND STANDARDS: 17.96.070 - Community Core (CC) Projects				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 A(1)	<b>Street trees, street lights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>The applicant has not yet proposed indicating street trees, street lights, furnishings, or other right-of-way improvements. However, the applicant is aware that such improvements are required, and such plans are subject to city standards and Public Works Department (Streets, Utilities, and City Engineer) review and approval. For example, the city has required one (1) street tree for the Ketch 1 development; a street tree may be required for Ketch 2.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(2) Streets	<b>Street trees with a minimum caliper size of three (3") inches, shall be placed in tree grates.</b>
			<i>Staff Comments</i>	<i>If a street tree is required, this standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(3)	<b>Due to site constraints, the requirements if this subsection 17.96.070. (A) may be modified by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>This determination will occur during building permit review.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(1)	<b>Facades facing a street or alley or located more than five (5') feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials, and colors as the front façade.</b>
			<i>Staff Comments</i>	<i>All facades include both solid surfaces and window openings. All four facades utilize the same vertical wood siding, horizontal board and batten siding, belly bands/belt bands (the horizontal bands of trim separating the ground floor, second floor, and third floor from one another), and corner vertical trim.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(2)	<b>For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.</b>
			<i>Staff Comments</i>	<i>There is one accessory retail space, 402 square feet in size, proposed at the corner of 6<sup>th</sup> Street and 1st Avenue. The elevations and renderings indicate a glass entry door and glass storefront windows.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(3)	<b>For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.</b>
			<i>Staff Comments</i>	<i>The nonresidential portion of the building has been designed with ample windows and a glass door in order to provide views into the commercial space.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(4)	<b>Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.</b>
			<i>Staff Comments</i>	<i>The form of the roof is a flat roof. The height of the parapet wall has been reduced by several feet in all locations, other than two accent locations, since the building was reviewed by the Commission during Pre-Application Design Review. The color of the roof is the same color as the ground floor wood siding and the band is the same color as the band that separates the ground floor from the first floor and the first floor from the second. This color scheme serves to tie the roof to the main mass of the building. Materials are compatible and consistent as well – wood is used throughout the building façade. No reflective materials are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070 (B)(5)	<b>All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.</b>
			<i>Staff Comments</i>	<i>N/A, the proposed building has a flat roof.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070 (B)(6)	<b>Roof overhangs shall not extend more than three (3') feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Department.</b>
			<i>Staff Comments</i>	<i>The 24" deep band separating the board and batten parapet wall from the third story overhangs over the public sidewalk.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070 (B)(7)	<b>Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.</b>
			<i>Staff Comments</i>	<i>N/A. No front porches or stoops are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(C)(1)	<b>Trash disposal areas and shipping and receiving areas shall be located within parking garages or to the rear of buildings. Trash disposal areas shall not be located within the public right of way and shall be screened from public views.</b>
			<i>Staff Comments</i>	<i>The proposed garbage storage area is located within the building, adjacent to 6<sup>th</sup> Street, at the rear corner of the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(C)(2)	<b>Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.</b>
			<i>Staff Comments</i>	<i>No roof or ground mounted mechanical or electrical equipment has been proposed at this time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(1)	<b>When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.</b>
			<i>Staff Comments</i>	<i>There are no existing mature trees on site; there are two evergreen trees adjacent to the site in the 6<sup>th</sup> Street right-of-way.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(2)	<b>Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.</b>
			<i>Staff Comments</i>	<i>Trees are not proposed; rather, bushes/shrubs are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(3)	<b>The city arborist shall approve all parking lot and replacement trees.</b>
			<i>Staff Comments</i>	<i>There is no parking lot proposed with the project. There are no existing trees on site, therefore, replacement trees are not necessary.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(1)	<b>Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.</b>
			<i>Staff Comments</i>	<i>N/A. There is no parking proposed for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(2)	<b>Surface parking lots shall incorporate at least one (1) tree and one (1) additional tree per ten (10) onsite parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.</b>
			<i>Staff Comments</i>	<i>N/A. There is no parking proposed for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(E)(3)	<b>Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.</b>
			<i>Staff Comments</i>	<i>Shrubs and groundcover have been proposed within a 2' high raised planter wall located in the interior side yard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(1)	<b>One (1) bicycle rack, able to accommodate at least two (2) bicycles, shall be provided for every four (4) parking spaces as required by the proposed use. At a minimum, one (1) bicycle rack shall be required per development.</b>
			<i>Staff Comments</i>	<i>There are no parking spaces required or proposed for the development. The applicant has expressed verbally that the minimum of one (1) bicycle rack will be installed on-site near the front entry of the building, final location to be determined.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(F)(2)	<b>When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half (1/2) shall be adjusted to the next highest whole number.</b>
			<i>Staff Comments</i>	<i>Because no parking is required, only the minimum of one bicycle rack is required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(3)	<b>Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than fifty (50') feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.</b>
			<i>Staff Comments</i>	<i>The applicant has expressed verbally that the minimum of one (1) bicycle rack will be installed on-site near the front entry of the building, final location to be determined.</i>

## CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17;
3. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17;
4. The City of Ketchum Planning and Building Department provided adequate notice for the review of this application; and
5. The project **does** meet the standards of approval under Chapter 17.96 of Zoning Code Title 17.

## DECISION

**THEREFORE**, the Ketchum Planning and Zoning Commission **approves** this Design Review application this Monday, February 11, 2019, subject to the following conditions:

1. All departmental conditions as described in Table 1;
2. The inclusion of a street tree, approved by the City Arborist and Streets Department, will be addressed prior to issuance of a Building Permit;
3. Final snow storage/melt/hauling, drainage, right-of-way improvements (alley improvements, sidewalk, street trees, public amenities) and utilities plans shall be finalized by the City Engineer, Streets, and Utilities Departments prior to issuance of building permit;
4. All exterior lighting must comply with City Code, Chapter 17.132 Dark Skies;
5. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal;
6. All building and fire code requirements as dictated by 2012 family of international codes shall apply to all construction onsite;
7. Per Title 17, Section 17.96.090: TERM OF APPROVAL: The term of design review approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations;
8. All Design Review elements shall be completed prior to final inspection/occupancy;
9. Any work in the right-of-way will require a right-of-way encroachment permit, reviewed and approved by the City before installation;
10. The project shall comply with the requirements of §17.124.040 Development Standards as adopted on the date a Building Permit is submitted for the project; and
11. As a voluntary contribution, in exchange for an increase in FAR, a total community housing contribution of 1,095 sq ft is required. At the time of Building Permit review, plans will be reviewed to verify FAR calculations and the community housing square footage. An exceedance agreement between the applicant and the City regarding the community housing contribution shall be signed prior to issuance of a Building Permit for the project.

Findings of Fact **adopted** this 11<sup>th</sup> day of February, 2019

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Neil Morrow  
Chairperson  
Planning and Zoning Commission