



Planning and Zoning

Regular Meeting

~ Minutes ~

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

Keshia Owens
(208) 726-7801

Monday, February 13, 2017

5:30 PM

Ketchum City Hall

Commissioners Present: Jeff Lamoureux, Chairperson
Erin Smith, Vice-Chairperson
Matthew Mead, Commissioner
Betsey Mizell, Commissioner
Neil Morrow, Commissioner

Staff Present: Micah Austin, Director of Planning & Building
Brittany Skelton, Senior Planner
Carl Anderson, Associate Planner
Keshia Owens, Planning Technician

Members of the Public

1. **5:00 PM SITE VISIT: 820 Walnut Avenue, Ketchum, Idaho**
2. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**

Commissioner Lamoureux called the meeting to order at 5:31 PM

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

Gary Lipton, Ketchum resident, provided comment on Bracken Station. He pointed out that there is a large amount of snow accumulation at Tenth Street and Highway-75. He also indicated a light will need to be put in at that same intersection if the applicant decides to appeal and a gas station is built at that location.

4. **COMMUNICATIONS FROM STAFF**

- a. **The Commission will consider and take action on an application for a Mountain Overlay Design Review application for the remodel and addition to a single-family residence.**

COMMENTS:

Pete Anderson, Architect, described the project in detail and said that the new structure will meet all zoning setbacks and standards. He then explained a proposed floorplan enlargement of the existing garage and the expansion the house. He later stated that he met with the Planning Department to discuss wall heights and commented on the City's code for upgrading the non-conforming structures.

Rob King, Landscape Architect, explained the landscaping of the project and pointed out that the existing grade of the driveway will be flattened. He also mentioned the location of stairways, stones, a patio, access to the back of the house, and a subsurface drywell. He clarified the various native plantings that will be used to screen the property and detailed the materials that will be used in the style of the home.

Carl Anderson, Associate Planner, said that the project is completely within the Mountain Overlay Zone. He commented that the project was properly noticed by both mail and postings and further explained that it complies with the requirements of the Mountain Overlay zone. He commented that the project was circulated to city staff for questions and comments and pointed out that the Public Works Department recommended the following conditions:

- The final driveway design shall be reviewed and approved by the City Streets Department and City Engineer.
- The applicant will coordinate with the City Utilities Department to address any issue with the water service line size prior to the issuance of the building permit.

Commissioner Lamoureux voiced concerns over the project and voted nay because he disagreed with the structure being rebuilt under Chapter 17.136 Nonconforming Use and Nonconforming Buildings. He referenced Chapter 17.136.050 (B) which states that, "fifty percent (50%) of the building footprint and exterior walls of a Nonconforming Structure must remain unaltered." He disagreed with staff's interpretation of Chapter 17.136.070 Structural Changes which states that, "any building or other structure containing a Nonconforming Building or portion declared unsafe by the city building inspector may be strengthened or restored to a safe condition." He also stated that an increase in wall height creates an increase in nonconformity.

Commissioner Smith motioned to approve the application from owners Ed and Susan Cutter and representative Anderson Architecture P.A. for the Mountain Overlay Design Review application, finding the application meets the standards for approval under Chapter 17.104 of Ketchum Zoning Code Title 17 with the following conditions: one through nine.

Commissioner Mead seconded.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Erin Smith, Commissioner
SECONDER:	Matthew Mead, Commissioner
AYES:	Neil Morrow, Matthew Mead, Betsy Mizell
NAYS:	Jeff Lamoureux

- b. **The Commission will consider and take action on an application for a Conditional Use Permit application for a live-work studio.**

COMMENTS:

Carl Anderson, Associate Planner, said that the applicant is Lynn Knudson and she is requesting to have an art studio and a residential unit in the LI. He added that the application is subject to residential light industrial standards and has met all noticing requirements. He detailed the history of the project and explained the zoning standards for the Light Industrial-2 and added that parking will be the only change to the standards for LI development.

Smith asked whether the building will have any cooking classes and Anderson clarified that the building official and fire marshal would not allow any cooking classes until it meets the requirements of the IBC and IFC.

Smith asked for a visual graphic of the building and Anderson clarified that the staff report contains plans for the project.

Commissioner Smith made a motion to continue the application to a date certain of February 27, 2017. Commissioner Mizell seconded.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Mead, Morrow, Lamoureux, Smith, Mizell

- c. **City-initiated text amendments to the City of Ketchum Municipal Code to amend Title 17 - Zoning Regulations, Chapter 17.96, Design Review, and Chapter 17.88, Floodplain Management Overlay Zoning District (FP) in order to permit administrative review of developments meeting specified criteria.**

COMMENTS:

Micah Austin said there are three proposed changes to the Planning and Zoning Commissions reviewal of projects:

- exemption of accessory dwelling units
- exemptions of additions under 1,200 square feet
- exemption of all floodplain and riparian projects

He explained that by the time most floodplain, design review and ADUs under 1,200 square feet come to the Commission, they have already been reviewed heavily by staff and he would like to strengthen this process.

Skelton said that the same standards that have applied to floodplain development since the ordinance was adopted will be kept. She then commented that communities like Ketchum that have stricter floodplain standards continue to use administrative processes for similar applications. She explained that she feels comfortable with a switch to an administrative review process because the City's floodplain construction standards are very strong and Ketchum's floodplain criteria meets FEMA's requirements.

Commissioner Mizell made a motion to recommend approval of the first two text amendments provided the noticing period requirements stayed and that the third amendment was not recommended for approval and the floodplains will continue to come to the Commission the same to sections 17.96 and 17.88 to the City Council, provided that the floodplain regulations stay the same and noticing requirements remain the same.

d. Ordinance Adoption Process

Austin said that the mayor and the City Council have asked that planning and zoning changes be brought to the Council as a policy discussion before going to the Planning and Zoning Commission. He explained that planning and zoning changes will be brought to City Council as a discussion and the reason for this is to make sure the Council has provided clear direction to the Commission.

e. Dark Sky Ordinance Discussion

Austin said that the Dark Sky Ordinance Amendments were brought to City Council at their last meeting. He detailed the Dark Sky Ordinance's background and stated that it is a model ordinance for many communities, even though it is outdated. He explained that the proposed ordinance has several goals like strengthening certain sections by removing "encourage" and "discourage" and changing text to "shall" or "shall not." He also explained the proposed restrictions on color temperature, establishing standards for holiday lighting, removing technological references from text, and references to lumens.

Directives:

- Look at curfew and holiday lighting, which should be different for residential and commercial lighting or Community Core versus other parts of the city.
- Kelvin number and security
- Narrowing holiday lighting window on the November end

5. CONSENT CALENDAR

a. Minutes: January 9, 2017

COMMENTS - Current Meeting:

Commissioner Smith made a motion to approve the minutes from January 9, 2017 as amended.
Commissioner Mead seconded.

b. Bracken Station Conditional Use Permit

COMMENTS:

Commissioners Mead and Morrow recused themselves.

Commissioner Smith made a motion to approve the Bracken Station conditional use permit findings of fact dated the 13th of February, 2017.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	
AYES:	Lamoureux, Smith, Mizell
RECUSED:	Mead, Morrow

During the February 27, 2017 Austin stated that the he spoke with the City Attorney on the issue of not having a seconder and the City Attorney determined the Findings of Fact can be approved without a seconder.

6. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Upcoming projects:

- Argyros (Nexstage Theater) text amendment and a full design review
- Knudson CUP
- 231 Sun Valley Road Design Review

7. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

8. Commission reports and ex parte discussion disclosure

9. ADJOURNMENT

Commissioner Mizell motioned to adjourn and Commissioner Morrow seconded.



Jeff Lamoureux
Planning and Zoning Commission Chair

