



**REGULAR PLANNING AND ZONING COMMISSION MEETING**  
**Monday, July 13, 2015, 5:00 pm**  
**Ketchum Project Site Visit**

**Present:**           **Chairperson Steve Cook**  
                          **Commissioner Betsy Mizell**  
                          **Commissioner Mike Doty**  
                          **Commissioner Erin Smith**

**5:10 p.m. – SITE VISIT at 104 AND 106 SADDLE ROAD. The Commission will convene for a site visit in regard to the application by The Villas at the Crossings Townhouse Owners Association for a Waterways Design Review/Floodplain Development Permit.**

The following features of the proposed project were viewed and discussed:

- Location and condition of seven (7) cottonwood trees that were cut without approval.
- Location of the riparian setback and turf grass in that setback.
- Location of high traffic area and wish to delineate private property.
- Location of proposed ten (10) foot wide mowed strip in the riparian setback.
- Location proposed of shrubs.
- Condition of mature riparian habitat on the adjacent Big Wood Church lot.

**Also Present:**   **Micah Austin, Planning and Building Director**  
                          **Morgan Brim, Senior Planner/Current and Long-range Planning Manager**  
                          **Rebecca Bundy, Senior Planner/Building and Development Manager**  
                          **Trent Stumph, Sawtooth Environmental Consulting, Inc., Applicants' Representative**  
                          **Karl Nichols, Nichols Group Property Maintenance, Applicants' Representative**  
                          **Carol Pintler, Nichols Group Property Maintenance, Applicants' Representative**  
                          **Lori Holland, Homeowner**  
                          **Chip McIntosh, Homeowner**  
                          **Tom Sherby, Homeowner**  
                          **Peter Palmato, Homeowner**

The Commissioners had no further questions and the site visit was concluded at about 5:20 pm.

  
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Steve Cook  
Planning and Zoning Commission Chair



# Planning and Zoning

## Regular Meeting

~ Minutes ~

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

Robin Crotty  
(208) 726-7801

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Monday, July 13, 2015

5:00 PM

Ketchum City Hall

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**Commissioners Present:** Steve Cook, Chairperson  
Erin Smith  
Mike Doty  
Betsy Mizell

**Staff:** Micah Austin, Director of Planning and Building  
Rebecca Bundy, Senior Planner  
Morgan Brim, Senior Planner

1. **5:00 p.m. – SITE VISIT at 104 and 106 Saddle Road. The Commission will convene for a site visit in regard to the application by Villas at the Crossings Townhouse Owners Association, for a waterways design review/floodplain development permit.**

2. **CALL TO ORDER**

Commissioner Steve cook called the meeting to order at 5:36 pm.

3. **CONSENT CALENDAR**

a. **EST. 5:30 p.m. FINDINGS OF FACT**

i. **Felker Floodplain Design Review – Approval – no comments**

ii. **Foxhole Townhomes Subdivision PP – Approval**

- Commissioner Erin Smith made grammatical corrections to the Findings of Fact.

iii. **Foxhole Townhomes Design Review – Approval**

There was a discussion regarding whether or not there was any condition in place regarding undergrounding the power lines. Morgan Brim Senior Planner said there was a discussion, however, they were not required to put the power lines underground but they were working with Idaho Power. Rebecca Bundy Senior Planner read the minutes that pertain to the findings. Commissioner Erin Smith suggested changing the finding of fact to reflect what the minutes said and Chair Steve Cook would review them prior to signing.

b. **EST. 5:35 p.m. APPROVAL OF MINUTES**

i. **June 22, 2015**

Commissioner Erin Smith made grammatical corrections and asked that all conditions for the preliminary plat get spelled out in the minutes. All Commissioners were in agreement and felt this would assure accuracy.

**Motion to approve minutes with modifications and amendments in the consent calendar**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith
<b>SECONDER:</b>	Michael Doty
<b>AYES:</b>	Steve Cook Chairperson, Erin Smith, Betsy Mizell, Michael Doty

**4. PUBLIC COMMENT**

No public comment.

- a. EST. 5:40 p.m. Communications from the public for items not on the agenda.

**5. COMMUNICATIONS FROM STAFF**

- a. EST. 5:45 p.m. **VILLAS AT THE CROSSINGS, WATERWAYS DESIGN REVIEW/FLOODPLAIN DEVELOPMENT PERMIT** – The Planning and Zoning Commission will take action on an application for a riparian management and mitigation plan for the riparian area in the floodplain overlay adjacent to the Big Wood River at 104 and 106 Saddle Road, (Villas at the Crossings Common Area)

Ms. Bundy presented regarding the site visit at 104 and 106 Saddle Rd. There were (7) seven trees that were cut down or severely damaged in April. She and Juerg Stauffacher, Park & Natural Resources Superintendent, talked to the Property Manager and advised them of what they should have done. The Property Managers are now coming before the Commission for approval of work that has already been completed.

Ms. Bundy presented the code. She explained that the applicant has submitted a retroactive application. She showed pictures of what was removed and discussed what trees should be left. She presented a landscape plan and there was a discussion regarding the Findings of Facts for the original development and the riparian setbacks called for on the landscape plan.

Ms. Bundy showed a slide of staff's recommendation. The applicant will be proposing another recommendation. She said that Jen Smith, Parks and Recreation Director offered to do routine city visitation to provide trash pick-up. She showed a slide that showed a drawing of the applicant's proposal. Juerg Stauffacher and Jen Smith have seen their proposal and have a few concerns as outlined in Jen's letter, included in the Commissioners' packets.

Staff made 5 recommendations for the conditions of approval.

Ms. Bundy said that City staff has the ability to cite and fine where we find infractions and that this would be a misdemeanor. She explained that staff chose to work with the applicant and ask them to apply for a retroactive permit. Ms. Bundy suggested that staff has considered a re-write of the code so staff could possibly cite for an infraction but not file a misdemeanor. In this case, the applicant has been very cooperative.

Commissioner Erin Smith questioned the fact that the applicant has received a permit in the past for cutting down trees but this time no permit was applied for.

The meeting was turned over to the applicant.

Trent Stumph, Sawtooth Environmental Consulting, presented on behalf of the applicant. He explained that the applicant is here to get approval for work that was done in the riparian zone and a permit to do more work. They would like to propose mitigation plantings, propose riparian buffer maintenance, and to remove dead and dried materials. The primary objective is to maintain a public strip to cut back on fire hazards. If granted they would propose to further enhance the riparian and would like permission to use small equipment. If that is not granted they will plant by hand. If disturbances were made they would be returned to pre-disturbed state and they have proposed to utilize the approved plant palette from the city code.

Commissioner Erin Smith questioned Kentucky blue grass as opposed to the natural grasses and fire hazards. Trent Stumph said this is a heavily used site. The applicant hired him to find out what they could do. Commissioner Michael Doty said he is not in favor of the mowed area and asked if there could be stakes to delineate the fisherman's access easement, but not detract from the beauty and functionality. He is also concerned about the fire hazard.

Chair Steve Cook thought that there is a strong unified position on trying to preserve the riparian setback and followed up on Commissioner Michael Doty's thought. He explained that he is having a problem with the visuals of the applicant's plan and asked if they could continue this to the next meeting with a larger, more detailed plan that they can see and understand more clearly. Chair Steve Cook asked whether there was a 5 foot discrepancy. Trent Stumph said the 10 ft. easement will continue to be naturalized and there will be an additional 5 feet of plantings, plus the proposed ten foot mowed strip, which will help delineate private property.

Commissioner Michael Doty asked to go on record as not in favor of mowed strip. All commissioners were in agreement.

Chair Steve Cook said he thinks, as presented, the proposal may not be approved tonight. The applicant consulted with his clients and said they would like a continuation to develop a more thorough landscape plan and then come back for presentation.

Commissioner Michael Doty was in agreement and suggested that the amount of planting that they propose not be the bare minimum.

Ms. Bundy said the meeting would need to be scheduled for a date certain. Applicant and staff decided on Monday, August 10th, 2015.

Chair Steve Cook opened the meeting for public comment. There was none. Public comment was closed.

**Motion to continue to date certain, August 10, 2015.**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Erin Smith  
**SECONDER:** Michael Doty  
**AYES:** Steve Cook Chairperson, Erin Smith, Betsy Mizell, Michael Doty

b. **EST. 6:15 p.m. WORKSESSION, Code Rewrite Phase II, Design Review, (Chapters 17.18 & 17.96 of the Draft Title 17, Zoning Ordinance).**

Mr. Brim conducted the workshop for the Code Rewrite II, Design Review. He explained that the Subdivision Ordinance will be in phase III and made the Commissioners aware of Sterling Codifiers' process.

Mr. Brim is proposing a new Chapter 17.96 Design Review to repeal and replace the current Chapter 17.96. The proposed chapter also consolidates design review standards from the Community Core Zoning District. Major changes include establishing clear and objective standards, clarifying public improvements for street trees, lighting and sidewalks and establishing uniform application procedures for design review through the Planning and Zoning Commission and on the administrative level.

In addition to clarifying standards, the proposed design review regulations are more objective and have been truncated to exclude provisions not relevant to review criteria.

Mr. Brim showed the track changes in the document and talked about design review standards of 17.96 and said the code was condensed from 100 pages to 9 pages. The already adopted phase I ordinance will be in effect as soon as it is published in Wednesday's paper.

Mr. Brim presented the Applicability section and talked about which projects qualify for design review, the exemptions and which projects are required to have pre-application. If a project does not need a building permit it is exempt from the design review process. Landscaping and Temporary Structures do not have to go through design review. Projects regarding murals or public art can make a request and staff will decide the process on a case by case basis. Micah Austin Planning & Building Director would like it to read. "Public Art excluding Murals".

Mr. Brim explained that the purpose statement is now a simple vision statement. Chair Steve Cook asked if staff could define public art. Micah Austin said he doesn't think we can. Chair Steve Cook asked if we wanted to constrict height, etc. Staff does not. Private property is not included in this. This is strictly public property. Micah explained the purpose statement is general for a reason and gives some guidance.

Mr. Brim explained the consent agenda and how it should be used.

Mr. Brim described the application process and said we went from requiring six copies to requiring one hard copy that is scalable. It is required to be in pdf format and be scalable when printed on 11x17 paper. Commissioner Doty said it can be done but will be difficult. The image will be either too big or too small. Mr. Brim explained that there is a section that allows the administrator to waive this requirement. Commissioner Doty said he can have his staff work with city staff to see what we can do to make this work. Mr. Brim said we don't specify what size the one large copy has to be. The size was discussed at length.

Mr. Brim talked about Criteria Description, Conditions and Security. This section helps the Commission to nail down conditions. It asks you to site which criteria the condition falls into. It helps with the appeals process. Commissioner Smith suggested this section be reworded.

Mr. Brim said the Required Improvements and Standards for all Projects section now requires the Public Works and Street Superintendent to take a more active role in the process in the public right of way.

Mr. Brim explained the section where it reads it's up to the discretion of the Public Works Director. Mr. Brim is going to check with Robyn Mattison Public Works Director/City Engineer on this section and the five ft. sidewalks.

He pointed out the section on sidewalks. Chair Steve Cook asked about the position of Public Works. Is there an attempt to save trees that could be in the sidewalk right of way? Mr. Brim explained that Public Works can work with the applicant and the Arborist to be sure things are done properly. The drainage section is new. Utilities being located underground is now a requirement.

There was a comment from the public regarding landmarks. It's important to save landmarks and we need to be sure people don't invest in things and later find out a surprise? Mr. Austin said he doesn't know how to word something for historical homes. Ms. Bundy indicated that the City has the 2005 Windshield Study on file. It identifies properties that might be of significance. She thinks we may be able to get information out of that study. All this information is cataloged. The determination has already been made. Chair Steve Smith thinks a historical list needs to be periodically reviewed.

#### 6. EST. 6:25 p.m. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Mr. Brim discussed Future Projects and Noticing Requirements.

- 231 Sun valley Road Project. They are noticed for the 27<sup>th</sup> and it's similar to pre application.
- They are going to hold off on condominium noticing.

Working on Thunder Spring. Mr. Austin presented. Council directed staff to work directly with Thunder Spring. Recommendation was to wrap everything up in this development agreement. He will bring it back to council for approval. Micah Austin told commissioners that they can work with Thunder Spring but they cannot give any type of approval per Council. Commissioner Erin Smith said she doesn't agree with the way in which the applicant is handling the procedure. It feels as though they are trying to bypass the Planning Commission. P & Z is the organization that has the expertise. The commission needs to be able to weigh in and give a recommendation to City Council. He suggested P & Z make a recommendation on the 27th. Design Review will be approved by the Planning and Zoning Commission.

- 191 Sun Valley Road - Fisher Building - Looking at doing an exterior remodel on ground floor. They would like to put in a covered walk way area, new landscaping and paint stairwell tower.
- Rebecca did a preliminary review on a waterways design review on Broadway.

#### 7. EST. 6:35 p.m. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Mr. Austin advised the Commission that the budget is under way. The biggest change is the elimination of 11 funds. They will all be put in the General Fund. It does not affect the P & Z Commissioners at all.

Chair Steve Cook suggested a pay increase for P & Z Commissioners. Mr. Austin will put in a recommendation.

Mr. Austin told the Commissioners that the URA budget went for review today. There are \$450,000 ear marked for sidewalks. He encouraged commissioners to show up for the meeting and show their support.

The Limelight Hotel broke ground on Friday.

**8. EST. 6:40 p.m. Commission reports and ex parte discussion or disclosure**

Chair Steve Cook said that for future meetings he would like to move consent agenda to the end of the meeting. Mr. Austin suggested leaving things where they are but if there are any issues we can pull them off consent and move them to the end of the meeting for discussion.

Commissioner Erin Smith asked about the Warfield trash. Mr. Brim said they applied for an amendment to put a screen up. Ms. Bundy said they went through the process.

There was a discussion how the city patrols the Riparian zone. Ms. Bundy advised that the city does not patrol. We don't tell people they can't step into the Riparian zone. Ms. Bundy said if we really want to enforce it we would need to rewrite the code. This would be a huge enforcement issue.

**9. ADJOURNMENT**

**Motion to adjourn at 4:40 p.m.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Doty
<b>SECONDER:</b>	Erin Smith
<b>AYES:</b>	Steve Cook Chairperson, Erin Smith, Betsy Mizell, Michael Doty

  
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 Steve Cook, Chairperson  
 Planning & Zoning Commission