



Recorded

**CITY OF KETCHUM
PLANNING AND ZONING COMMISSION MEETING
July 28, 2014, 5:30 p.m.
Ketchum City Hall Meeting Room, Ketchum, Idaho**

Present: Chairperson Deborah Burns
Vice-Chairperson Steve Cook
Commissioner Mike Doty
Commissioner Jeff Lamoureux
Commissioner Erin Smith

Also Present: Ketchum Director of Planning and Building Joyce Allgaier
Ketchum Senior Planner Rebecca Bundy
Ketchum Recording Secretary Sunny Grant

1. Chairperson Deborah Burns opened the Regular Planning and Zoning meeting at 5:30 p.m.

2. PUBLIC COMMENT ON ISSUES NOT ON THE AGENDA

There was no public comment at this time.

3. Election of Officers

Chairman Deborah Burns nominated Commissioner Steve Cook as vice-chairman. Commissioners discussed naming a new chairman at this time, but decided to wait until Chairman Burns' term is up in March.

Chairman Deborah Burns moved to elect Commissioner Steve Cook as Vice Chairman of the Planning and Zoning Commission. Commissioner Michael Doty seconded the motion. Motion passed unanimously.

Commissioner Erin Smith nominated Chairman Deborah Burns as Chairman of the Planning and Zoning Commission. Burns accepted the nomination.

Commissioner Michael Doty moved to elect Commissioner Deborah Burns as chairman of the Planning and Zoning Commission, seconded by Commissioner Jeff Lamoureux. Motion passed unanimously.

4. CODE AMENDMENT WORKSESSION Fences, hedges and walls, building height, sheds and outbuildings.

Ketchum Senior Planner Rebecca Bundy said these items in the code are unclear and result in a lack of clear direction for Planning staff and the Planning Commission.

Fences, Hedges and Walls

- The Code language states, "Maximum height within 30 feet of the front property line...", but it does not say what the height is measured to: finished grade, existing grade, or lowest grade. A recent application consisted of a fence directly on top of a retaining wall. Should that be allowed?

- Should a series of retaining walls should be totaled cumulatively, and how?
- When should the Planning Commission be able to give a height exemption through the design review process?
- If a terrace on a retaining wall is higher than 30", should the required guardrail be included in the height calculation?
- Sometimes walls attached to a building need to be taller than 6 feet. Staff would like to clarify that these are building walls, rather than site walls.
- Staff is inclined to not include hedges in the regulations.
- Arbors are allowed in the Community Core, but not mentioned elsewhere in the Code.
- Staff sometimes struggles with whether a fence repair/replacement should require the \$20 fence permit.

Staff suggests that fence height shall be measured as the vertical distance from any point along the subject fence, wall or hedge, to existing or finished grade, whichever is lowest.

Planning Commission comments and questions:

- The City may want to regulate hedges when they act as a fence. When does a hedge become a fence? Can hedges get too big or tall and be a problem or hazard? Commissioners felt hedges should remain in the Code as a safeguard in case there is a problem.
- If hedges are going to remain in the Code, there should be a definition, which would be something like, "A row of plants, planted so densely that you can't walk through it" and an indication of maximum opacity. Hedges have to be looked at for what they can grow into. Should hedges be limited to 6 feet in height? The Commission wanted hedges to remain in the Code, with a definition.
- Front yard fences and walls shall not exceed 4 feet in height, unless approved to be taller through the design review process. If a fence follows a dip in the grade, should the height of the fence be kept level or dip down with the grade? The height of the fence should be measured from the grade below—natural, existing or finished, whichever is lowest. A 1964 Patterson survey of Ketchum can be used to determine natural grade; or test pits can be dug.
- Suggested language: "Height shall be the vertical distance from any point along the subject fence's length."
- Do Commissioners want to allow pilasters on an entry gate or wood fence posts to exceed the height of the fence? Should posts/pilasters have a maximum height and lateral dimension? Can a gate be taller? How wide can it be? Staff will work on a definition.
- Staff struggles with interpretation of the Code in dealing with retaining walls in landscaped areas. If the distance between two walls, or between a hedge and lower wall is less than or equal to 30 inches, should the two walls be added to come up with a total height? The 30 inch horizontal space between the two could be used for landscaping, and should be set at a minimum so vegetation can be established. Access to the landscaped area will be difficult if the walls are tall and/or too close together. Commissioners asked staff to draw some more examples.

- A retaining wall cannot be taller than 4 feet without structural engineering. “Retaining walls” are considered walls. Could a fence be put on top of a retaining wall?
- Guardrails are required to be 36 inches tall (42 inches for commercial). Guardrails could potentially be located on top of a 6 foot tall wall. If a guardrail is somewhat translucent, should it be exempted from the calculation? Commissioners thought a guardrail should be more than 50% transparent. Perforated metal could be 50% transparent, but still be basically opaque. Guardrails required by Code for life safety will have to meet Building Code.

Roof height:

- Staff would like to devise a different roof height diagram that is clearer and more applicable to current architectural designs. Currently, building height is measured from the tallest point of the roof to the lowest adjacent grade. A building on a slope is allowed a 5 foot bonus added to the zoning district’s building height maximum. The bonus is measured to the “lowest exposed floor”. Staff and Commissioners agreed to change the language to measure to “adjacent grade”.
- There is a provision that no façade shall be taller than 35 feet, but doesn’t state what the starting point of that measurement is.
- In some zoning districts, setbacks are required to be 1 foot for every 2 feet of building height or every 3 feet of height. Staff calculates setback on the tallest façade, but the Code isn’t specific.
- Commissioners feel the diagram works well for houses pushed into steeply sloped areas, but it is difficult to use for the majority of lots that are not as steep. The formula may work, but the single diagram example is difficult to use. Perhaps other example diagrams should be provided that are more like current projects, including those with flat roofs and roof decks.
- Sun Valley’s Code states that only up to 33% of the ridgeline of the roof can exceed 35 feet in height.
- Ketchum sees more flat roofs on sloped lots to minimize building height.
- Should a guardrail on a roof deck be included in the height limit?
- Solar panels intended to collect heat throughout the year are installed more vertically than horizontal and often end up being higher than 5 feet high to keep them out of accumulated snow.
- Commissioners agreed with using the tallest façade on buildings that step up a hillside to determine setback. A façade is an entire side, so does the highest portion or element of a façade govern its height?
- Some codes distinguish between flat roofs and gable roofs in determining building height. Pitched roofs in some codes are measured midway down from the peak to the eave, which avoids disincentives for steeper pitched roofs. Ketchum’s Code in Tourist and GR-H zoning districts allows the mean height of the roof to be the determination of building height if the pitch is steeper than 5:12.
- Ketchum’s maximum height for a flat roof is 35 feet; maximum height for a pitched roof is in the T and GR-H zoning districts is 44 feet. Commissioners considered the 35 foot height limit a challenge in GR-H and T zones, where Ketchum is looking for more density.

Setbacks:

- The Code relates setbacks to buildings, which are defined as having floors and a roof. In the past, small sheds that didn't require a building permit were overlooked. The Building Code now allows a building up to 200 square feet without a building permit and any required setbacks. Sheds are occasionally built right on the property line. Some communities regulate the size of small buildings; some regulate type of foundation, and some have reduced setbacks for small buildings. Sheds have to date been allowed in side and rear yards, without the code expressly regulating them. Staff would prefer to see structures over a certain size be subject to the Building Code, with perhaps an exemption for small sheds and small greenhouses, etc. For example, buildings under 100 square feet in size could be required to have a 5 foot setback. Commissioners agreed that small buildings should not be allowed in the front yard. Small buildings in an alley should have a 3 foot setback, if only to make plowing the alleys easier.
- Should use in sheds be regulated to storage and workshops? What about little bedroom sheds (without a bathroom) or office/playhouse/workshop/studios? Guest houses are defined as having a minimum of 400 square feet of living area.

RVs:

- The Nuisance Code requires an RV longer than 16 feet and taller than 8 feet, that is parked on the property for longer than 14 days in a calendar year, to be screened. The Nuisance Code refers to setbacks for screening in the Zoning Code, which do not exist in the Zoning Code. Only a couple complaints about RVs parked in a driveway have been received in recent years, but there should be regulations. Screening seems rather ineffective, since an RV is bigger than the screen. Commissioners decided that RVs parked on a property should not need to be screened.
- Commissioners asked if the Fire Chief has access issues due to RVs parked in driveways.
- The Commission felt that RVs should not be lived in for longer than 14 days due to health/safety/sanitary and other issues, but a lot of people do it. There is a large RV in the Warm Springs area that is inhabited all winter long.
- Ketchum resident Lee Echinova mentioned that he walks around Ketchum neighborhoods and hasn't seen many RVs. Most people who have large RVs in Ketchum hide them.

5. CONSENT AGENDA: APPROVAL OF MINUTES

- 1. February 24, 2014 Site Visit**
- 2. February 24, 2014 Site Visit**
- 3. April 14, 2014 Regular Meeting**

Chairman Deborah Burns moved to approve the Consent Agenda Minutes of both February 24, 2014 site visits and regular meeting of April 14, 2014 as amended, and seconded by Commissioner Michael Doty. Motion passed with four in favor and Commissioner Erin Smith abstained from all three site visits since she was not a Commissioner at the time.

7. STAFF COMMENTS & CITY COUNCIL MEETING UPDATE

- Council approved Vue Townhomes Subdivision Preliminary and Final plats.

- Council adopted the change to the Light Industrial District zoning code that allows restaurants to be open past 9:00 with a CUP. Commissioners discussed the potential of private parties and non-industrial uses in the LI.

8. COMMISSION COMMENTS

Commissioners did not have comments at this time.

9. ADJOURNMENT

Chairman Deborah Burns moved to adjourn the meeting at 7:36pm. Commissioner Steve Cook seconded the motion, and it passed unanimously.



Chairperson Deborah Burns or
Vice Chairperson Steve Cook

CC: City Council