



**Planning and Zoning Commission - Regular Meeting AGENDA**

Tuesday, August 11, 2020 at 4:30 PM  
Ketchum City Hall  
480 East Avenue North, Ketchum, ID 83340

In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at [ketchumidaho.org/meetings](http://ketchumidaho.org/meetings).

If you would like to comment on a PUBLIC HEARING item, please submit your comment to [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) by noon the day of the meeting. Comments will be provided to the Planning and Zoning Commission.

If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

If you would like to provide comment on a PUBLIC HEARING item on the agenda in person, you may speak to the Commission when called upon but must leave the room after speaking and observe the meeting outside City Hall.

Dial-in: 669-900-9128

Meeting ID: 984 7595 2430

**CALL TO ORDER**

**COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE**

**CONSENT AGENDA:** Note: **(ALL ACTION ITEMS)** The Commission is asked to approve the following listed items by a single vote, except for any items that a Commissioner asks to be removed from the Consent Agenda and considered separately

- 1. Minutes of June 8, 2020**
- 2. Minutes of June 22, 2020 - Special Meeting**
- 3. Minutes of July 13, 2020**

**PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**

- 4. ACTION- Lofts at 660 Condominium Subdivision Preliminary Plat:** 660 First Ave (Ketchum Townsite Lot 6, Block 34) The Commission will consider and take action on an application submitted by Galena Engineering on behalf of property owner Galena Peak Partners LLC to subdivide a building currently under construction at 660 1st Avenue, Ketchum, ID 83340 (Ketchum Townsite Lot 6, Block 34) into seven (7) condominium units and common areas. The three-story building is currently under construction and was designed with the intent to subdivide the building into condominium units. The Preliminary Plat is the first step in the platting process.
- 5. ACTION - Fourth and Walnut Mixed-Use Building Design Review:** (Project Location: Ketchum Townsite: Block 44: Lots 7 and 8, 371 and 391 N Walnut Avenue) The Commission will consider and take action on a Design Review Application submitted by Graham Whipple of Resin Architecture for a new 20,876 square-foot, two-story mixed-use building and associated site

improvements located on two lots at the southwest corner of the intersection of Walnut Avenue and 4th Street within the Retail Core of the Community Core (CC-1). **Continued from July 13, 2020.**

- 6. ACTION - Floodplain Ordinance Amendments:** The Planning and Zoning Commission will consider amendments to Ketchum Municipal Code, Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District and Chapter 17.08, Definitions. **Continued from July 13, 2020**

## **STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

### **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 Commission- Regular Meeting MINUTES

Monday, June 08, 2020 at 5:30 PM  
Ketchum City Hall  
480 East Avenue North, Ketchum, ID 83340

### CALL TO ORDER

The meeting was called to order at 5:32 PM by Vice-Chairman Matthew Mead.

### PRESENT

Vice-Chairman Mattie Mead  
Commissioner Tim Carter  
Commissioner Jennifer Cosgrove  
Commissioner Kurt Eggers

### ABSENT

Chairman Neil Morrow

### COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Tim Carter and Vice-Chair Matthew Mead individually visited the sites associated with the items on this agenda except for the Redfish Building, which had been the location of a previous site visit.

### CONSENT CALENDAR—ACTION ITEMS

1. **ACTION - Minutes of March 9, 2020**
2. **ACTION - Minutes of May 19, 2020**
3. **ACTION - Mountain Land Design Showroom Design Review** Findings of Fact and Conclusions of Law

**Motion to approve the Consent Calendar and authorize the Chair to sign the Findings of Fact and Conclusions of Law for the Mountain Land Design Showroom Design Review.**

*Motion made by Commissioner Eggers, Seconded by Commissioner Carter.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

### PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

4. **ACTION: Administrative Appeal of Zoning Administrator's Decision on 201 Garnet Street.**  
Recommendation to 1) Accept Administrator's certification of procedural requirements; 2) Accept the record of the case; 3) Set the appeal hearing for June 8, 2020; 4) Affirm the determination of the Planning and Zoning Administrator and direct preparation of Findings of Fact.

**Motion to accept the Administrator's Certification of Procedural Requirements finding all procedural requirements have been satisfied and fees have been paid included as Attachment A to the Staff Report dated June 8, 2020.**

*Motion made by Commissioner Carter, Seconded by Commissioner Eggers.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

**Motion to accept the record of the case consisting of the Administrator’s Determination Letter dated March 9, 2020 and the supporting documents referenced to reach the determination included as Attachment B to the Staff Report dated June 8, 2020.**

*Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

**Motion to set the Appeal Hearing to occur in Ketchum City Hall, Council Chambers, 480 East Ave N, Ketchum, Idaho 83340 with the opportunity for the applicant to participate through the virtual meeting platform hosted at Ketchumidaho.org on Monday, June 8, 2020 at 5:30 PM. Finding the appellant has been given proper notice of the proposed hearing time, date, and location, has submitted a brief, and is present to give oral argument.**

*Motion made by Commissioner Carter, Seconded by Commissioner Eggers.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

Senior Planner Brittany Skelton presented the Staff Report for the Administrator’s Determination Letter stating a minimum 15’ setback from the edge of asphalt is required for a proposed single-family dwelling on the property at 201 Garnet St.

The Appellant was represented by attorney Fritz Haemmerle. Site plans were distributed to the Commission and the distance from the property line to portions of the house were disclosed. The Appellant thought the decision was contrary to Zoning Code and State Law. He disagreed with the City engineer, that Garnet is not a street, but an access easement and thought the setback was not justified. He asked for the Commission to reverse the Staff position.

Commissioner Eggers asked the appellant if the site plan provided was different from the plan in the packet. Haemmerle noted it was a revised site plan for a single-story building. Eggers asked if it was a right-of-way or street. Haemmerle stated it is a public right-of-way by prescriptive easement. Eggers asked if Haemmerle was a neighbor and he replied he grew up in the neighborhood and sold the parcel of land to the Nalens.

Commissioner Carter asked if Garnet was a public or private roadway. Haemmerle said it was an easement as the neighbors own the land beneath the street. He asserted the streets should be declared public by the City. Carter asked why not build to the 15' setback. Haemmele replied the Building was not designed that way. The building had been moved back five feet to meet the setback requirements. Two-Thirds of the building is more than 15' back, while one-third of the building has a 12’ setback, still allowing for adequate snow storage requirements.

Vice-Chair Mead asked if the Commission was ready to make a decision.

Commissioner Cosgrove struggled with the setback vs the private/public road.

Commissioner Eggers thought it did not matter if the street was public or private. The setback is the same and measured from the property line. The applicant must work with the Street Department for drainage, snow storage, etc. He was inclined to grant the appeal.

Commissioner Carter thought the street ownership clouded the issues. If private, what is the City's obligation for maintenance and snow removal vs property damage? If public, how do you reconcile the property line in the middle of the street?

Commissioner Cosgrove questioned why the setback for this building was problematic when the setback was similar to other buildings along the street.

Director Frick related the narrow street had resulted in damage to private property when plowing making the City liable for damages. This is a 20-foot wide paved area where the standard street is 60 feet wide, resulting in sub-standard conditions increasing the likelihood of property being damaged. The goal is to have all future properties meet the setback, so that over time, as properties redevelop, the street will be widened to 30 feet to make it a conforming city street.

Vice-Chair Mead wondered if a waiver of City liability would allow building within the setback.

Director Frick stated the City will continue to plow the street and the residents will provide sufficient space for access by trimming trees, etc.

Commissioner Eggers saw the validity of the point of view of both sides and agreed with Vice-Chair Mead on a liability waiver and to enforce the setbacks on new developments.

Commissioner Carter thought some attempt was being made to meet the setback.

It was determined the Site Plan provided in the packet was different from the Site Plan referred to by the applicant. Neither version had enough information for the Commission to make a decision. The Commission asked the applicant for additional information and a review by the City Engineer for drainage and snow storage.

**Motion to continue the Appeal Hearing to June 22, 2020 for a Special Meeting of the Commission to obtain updated information from the City Engineer on the drainage and snow storage issues. Applicant's architect to provide information on porches or other structures considered in figuring setback calculations prior to the meeting date.**

*Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

5. **ACTION - Cherp Work/Live Conditional Use Permit Application:** 270 Northwood Way, Unit 201 (Redfish Light Industrial Condominiums, Unit 201) The Commission will consider and take action on a request from property owner Mia Cherp for a work/live unit with a 579 square foot living area and a 754 square foot work floor area; the work use, STITCHstudio, is a craft/cottage industry.

The Cherp Work/Live Conditional Use permit was introduced by Senior Planner Brittany Skelton. The Commission has the option to modify the conditions of the CUP related to the work/live aspects of the CUP. Visits can be made by the Fire Department or Planning Department staff.

The Conditional Use Permit was presented by Attorney Gary Slette, representing the applicant Mia Cherp. Architect Tom Gabney was also present. The Redfish Building contains 2 other work/live units. Cherp holds a Ketchum business license for Stitchstudio, a craft cottage industry, permitted in the Light Industrial. She has many interior decorators using her services. He felt the

application now meets the standards of the zoning code. He felt the past history of the applicant should not be considered for this application. Comment letters from customers support the professionalism of the applicant and she would welcome inspections from the Planning Department. He requested approval.

Commissioner Eggers asked 1) if the live space was going to be rented. 2) How much traffic does it generate? Slette replied Mia Cherp would be living there. The studio would be open by appointment only.

Commissioner Cosgrove asked about other employees. Slette replied there were no employees at this point, but there was room for another worker.

Vice-Chair Mead asked how the business is advertised. Slette informed it is word-of-mouth and referrals from customers. She has a Ketchum business license, but a State registered DBA is not required under state law. Samples of her work-product were shown to the Commission.

The floor was opened to Public comment:

Mike Mead, resident of Lane Ranch, owner of a unit in the Redfish Building. He felt it would be a mistake to approve a work/live unit. He felt the construction work done in the unit was done without a permit and not inspected. He objected to the work being allowed without a permit and felt the City should have a record of the business.

Commissioner Eggers asked Mead if the HOA had any regulations regarding use of units. Mead replied the first floor is commercial only. The second floor has 2 live/work spaces. He formerly used his unit for an artist studio and live/work space.

No further public comments in person or virtual. Comments were closed.

Applicant responded to public comment.

Attorney Slette rebutted public comment. He related traffic at the location was minimal as the applicant goes to the client's location. The HOA does have CCR's and the applicant is compliant with the CCR's. A new building permit and demo permit had been applied for and complied with. He felt local business should be encouraged.

Commissioner Cosgrove asked Staff if a portion of the area could be sublet to an additional light industrial business. Skelton replied it could be sublet as long as the commercial use complied with the code as to zoning, safety, etc.

Commissioner Carter understood the concerns of the commenter given the applicant's history. He would like to impose conditions for verification of the business portion of the unit.

Commissioner Cosgrove wanted to see a definite timeline for inspection, suggesting every 6 months for 2 years to ensure compliance with live/work standards in the Light Industrial Zone.

Vice-Chair Mead agreed but struggled with the past history of this application. He wanted to think this was a qualified use. He agreed with an inspection schedule.

Commissioner Carter referred to Condition 6 requiring periodic/routine inspection requirements.

The Commission discussed various monitoring methods, including time frame, criteria, etc.

Administrator Frick pointed out the Commission can decide on the check-in timetable, as to use of space, sales tax collected, etc. with Staff performing administrative checks of the use of space, the status of the business license, etc. and presenting the results to the Commission. This would be a public hearing and allow for public comment.

Commissioner Cosgrove wanted to see a 6-month check and review by the Commission.

Vice-Chair Mead thought an annual check-in coordinated with the business license renewal.

The Commission continued the general discussion of frequency of inspection.

Director Frick suggested a review before the PZ Commission stating the use of space, amount of sales tax reflecting sales. etc. to verify the business.

Commissioner Cosgrove suggested a 6-month check by staff and a return to the PZ Commission at renewal of the business license with the Commission reserving the right to require subsequent reviews of the work/live unit.

**Motion to approve the Cherp Work/Live Conditional Use Permit for a Live/Work Unit located at 270 Northwood Way, Unit 201 in the Redfish Building with Conditions 1-10, Condition 6 amended as noted.**

*Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

6. **ACTION - 3020 Warm Springs Rd. (Waddell/Roush) Duplex Design Review:** 3020 Warm Springs Rd. (Wills Condominium Subdivision No. 2) The Commission will consider and take action on a Design Review application submitted by architect Craig Lawrence, on behalf of property owners Doug and Stacey Waddell, for the development of a new duplex and associated site improvements within the General Residential Low Density (GR-L) Zoning District. *Continued from May 19, 2020.*

Associate Planner Abby Rivin gave feedback to the applicant as to the side and back facades and recommends approval with conditions as noted.

The Design Review was presented by architect Craig Lawrence. There were concerns over the starkness of the rear facade. Cedar siding had been added to the rear and the sides, the windows were unchanged. Undulation was added with the vertical siding adding character to the home. Mature firs, spruce and aspens were added bringing variety to the landscaping. He urged approval, with conditions, to move the project along.

Commissioner Carter asked about the colors used on the siding and stucco. Lawrence indicated it was a pre-stained product in a grey tone.

Vice-Chair Mead asked about the vertical vs horizontal siding. Lawrence answered it was to provide interest, character, and variety to the building.

Commissioner Cosgrove asked if the roof plane could undulate to break-up the façade. Lawrence replied changing the roofline would eliminate a bedroom in each unit.

Commissioner Eggers asked about the three levels of the cedar siding on the building. Lawrence added it was to add character and break up the façade without adding bulk.

The Floor was opened for Public Comment:

Mark Kearn, neighbor to the Northwest, referencing 3 public comment letters from neighbors, stated the building is too monolithic and block-like: looking like an apartment building or motel. The rear facade is still a large flat wall. He asked for the applicant to return with an improved design. He requested structural changes, not just cosmetic.

Robert Rudy, lives in the area, noted the overhangs and roof eaves are in the setbacks and should be included in lot area coverage as are the decks.

Alex Hughes, owner of neighboring property, does not feel the building is compatible with the neighborhood. She requested the re-design of the building as the sides and rear are too box-like.

Baird Gourlay, neighbor and former PZ Commissioner, stressed the building is too block-like, and would change the character of Warm Springs Road.

Gary Slette, representing Jamie Kearn, urged the Commission not to rush with this decision, to follow the Code, and to consider the block walls of the rear facade.

Doug and Stacey Waddell, applicants, felt the suggestions from the last meeting had been incorporated into the design. He asked for approval of the design review.

James and Joy Rousch, co-applicants, also owns other property on Warm Springs Rd, wants project to move forward and asked for approval of the project.

Brian Poster addressed comments from the last meeting including materials and landscaping. He indicated increased interest and variety can be achieved with finishing techniques of the cedar. He urged approval so the project can move forward.

Steven Hart, adjacent neighbor, opposed the proposal. He thought the project was nice from the front but not from the back or sides. The changes do not change or minimize the harsh mass. He was afraid this would set a precedent and other vacant lots would be subject to the same unappealing views.

David Hurd, resident, thought the design maxed-out all aspects of the building, including height, mass, etc. He thought it looked good from the front, but only changed the painting of the box and did not change the sides.

Public comments closed.



Craig Lawrence, architect, addressed comments as to the blank walls on the sides and the rear. In order to change the rear or side walls, a bedroom would be lost. The building now has undulation. The colors improve the appearance and the project meets all codes.

Vice-Chair Mead asked about the comment that overhangs were in the setbacks. Lawrence related the overhangs have been altered and the building plans will be in compliance.

Planner Rivin related the code for overhangs and decks as related to the setbacks.

Commissioner Cosgrove noted the disconnect between the front and sides of the building and felt it lacked unity from all sides.

Commissioner Eggers understood the neighbors' concerns but felt they cannot preserve the view. The code is subjective, but he thought the project met the code. He felt comfortable with approving the project but questioned the inconsistency of the siding on the rear wall.

Commissioner Cosgrove wanted to see changes in line with the community comments. She felt there was no cohesiveness between the front and sides.

Commissioner Carter was sensitive to the neighbors but also considered that the project meets the requirements of the code. To change the roof, the square footage of the unit would have to be reduced.

Vice-Chair Mead understood why the windows were moved but it only increased the mass of the side view. The changes in exterior materials helped the massing. He supported more changes to the design and to continue the project. He wanted to see the first-floor windows brought back.

Commissioner Cosgrove agreed with a continuance, due to the amount of Community comments. She wanted to see a more wholistic approach to the design.

The Commission continued to discuss header beams, window trim, and exterior materials. Design concepts were considered but wondered about the precedence of this project for other developments along Warm Springs Road.

**Motion to continue to Special Meeting of June 22, 2020 for further Design Review to address concerns of the Commission and the Community relative to the lack of detailing on the sides and rear of the building.**

*Motion made by Commissioner Cosgrove, Seconded by Commissioner Eggers.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

- 7. ACTION - Bavarian Village Townhomes Subdivision Preliminary Plat: 112 Rember Street (Bavarian Village: Lot 2) The Commission will consider and take action on a Townhouse Subdivision Preliminary Plat application submitted by Benchmark Associates, on behalf of property owner Tim Linehan, to subdivide Lot 2 of Bavarian Village Subdivision within the General Residential High Density (GR-H) Zoning District into two townhouse sublots.**

Planner Abby Rivin gave the introduction to the Preliminary Plat. The Design Review was approved administratively, and the townhouses were under construction. Each lot would be divided into 2 townhouse sublots. Each townhome unit has a detached storage accessory building which is platted with the associated townhouse. Staff recommends Commission recommend approval to City Council.

The Floor was opened for public comment. No comments were made, and comments were closed.

**Motion to recommend approval of the Bavarian Village Subdivision Preliminary Plat to City Council with Conditions 1-8 and to authorize the Vice-Chair to sign the Findings of Fact and Conclusions of Law.**

*Motion made by Commissioner Eggers, Seconded by Vice-Chairman Mead.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

- 8. ACTION - 4th & Main St Mixed-Use Building Pre-Application Design Review:** Main Street between 4th and 5th Streets (Ketchum Townsite: Block 5: Lots 1, 2, 3, and 4.) The Commission will consider and give direction on a Pre-Application Design Review submitted by Chris Ensign of Solstice Homes Development for a new four-story, 47.5 foot tall, 59,130-square-foot mixed-use building located on four lots on Main Street between 4th and 5th Streets within the Retail core of the Community Core (CC-1). *Continued from March 9, 2020.*

Commissioner Eggers recused himself from this agenda item.

The project was introduced by Associate Planner Abby Rivin. Staff recommended continuing the design review for this project to allow for further refinements of the design.

The updated Design Review was given by Chris Ensign. A "fly-over" video of the project was shown. The design changes worked to improve the undulation to relieve the monolithic appearance of the building. He explained the team worked to make the appearance fit in with Ketchum architecture. Changing the decks created more window area for the retail spaces. Ensign asked for feedback from the Commission.

Vice-Chair Mead remarked that due to the impact of the project, the design review is a thoughtful and careful process.

Commissioner Carter emphasized the impact this project would make on Ketchum. He thought this was an improvement over the previous design but had high expectations for the project. He liked the distressed brick and would like to see an artisan quality to the brickwork. He liked the steel aspect to the design. He wanted to see the 4th Street entrance be converted to a retail space to contribute to the retail /walking area qualities of 4th Street.

Vice-Chair Mead echoed Commissioner Carter's concerns over the retail space on 4th Street.

Commissioner Cosgrove agreed with the commissioners and appreciated the fly-over. She agreed this would be a huge presence in town and although improvements have been made, she wanted to see it look more integrated into the community.

Ensign thought the Comprehensive Plan was comfortable with this amount of mass. He was looking for direction from the Commission. He expressed his frustration that Staff had recommended continuation for further design refinement. He thought his design met the code and should be approved.

Director Frick went over the purpose of the Pre-Design Review process and how it can evolve.

Vice-Chair Mead liked the undulation, but not the repetitive shapes of the façade. He wanted variation on the undulations.

Commissioner Carter encouraged the applicant to work together with the Commission to find the best solutions for the Community. He did not want to see it look like 3 different buildings. He liked the alcoves on the Main Street side as they provided “protected” spaces from the traffic.

Commissioner Cosgrove encouraged patience in the process. She liked the addition of the alcoves, but felt the mass was oppressive.

Vice-Chair Mead saw the elevations as challenging. He thought the design was improving but objected to the repetitions in the front elevations. He urged the applicant to emphasize what is working (as in the 4th Street elevation) and incorporate it into the Main St. elevation.

Commissioner Carter appreciated the renderings as a helpful tool but wanted to see a rendering of the view from Main St locations to see the project in context with surrounding buildings. He questioned the amount of heating and air-conditioning that might be required with the large amount of glass on the façade. He wanted to see a well-performing building as well as a building to enhance the beauty of the community.

Planner Skelton commented that out of 100 lots in downtown, there are only 5 developments that cover a half of a block or more. She concluded this is a significant building in downtown Ketchum. Skelton commented that the Code stated the by-right Floor Area Ratio in the Community Core Zone is 1.0 and MAY be permitted to go to 2.25 if Community Housing is involved and a Design Review is approved. A proposed 2.5 FAR is not by-right.

Vice-Chair Mead acknowledged the applicant’s frustration, but the job of the Commission is to provide the best for the Community.

Ensign requested a workshop but was told a developer could hold a community workshop to help with feedback and acceptance from the community.

**Motion to continue the Pre-Design Review for 4<sup>th</sup> and Main Street Mixed-Use Building to a future date.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove.*

*Recused: Commissioner Eggers*

## STAFF REPORTS & CITY COUNCIL MEETING UPDATE

The projects scheduled for the June 15<sup>th</sup> City council Meeting are:

- 425 N Bigwood Dr. Lot Line Shift and Waiver
- Parkway Dr Lot Line Shift and Easement Relocation
- Mountain Land Design Showroom Exceedance Agreement

City Council July 6<sup>th</sup>:

- 425 N Bigwood Dr. Final Plat

Planning Special Meeting June 22:

- Nalen Appeal
- 3020 Warm Springs Rd Waddell/Rousch Duplex

Planning on July 13<sup>th</sup>:

- Roberts Brothers Townhomes Subdivision Preliminary Plat
- W Ketchum Residences Phased Development Agreement and Preliminary Plat
- Gem Street Subdivision Preliminary Plat and Lot Line Shift
- 4th and Walnut Mixed-Use Project Design Review
- North Pass Subdivision Preliminary Plat

## ADJOURNMENT

### **Motion to adjourn at 9:30 PM**

*Motion made by Commissioner Carter, Seconded by Commissioner Cosgrove.*

*Voting Yea: Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

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Matthew Mead  
Acting Chairman and Vice-Chairman



**Planning & Zoning Commission Special Meeting - MINUTES**

Monday, June 22, 2020 at 5:30 PM  
Ketchum City Hall  
480 East Avenue North, Ketchum, ID 83340

**CALL TO ORDER**

The meeting was called to order at 5:39 PM by Chairman Neil Morrow.

**PRESENT**

Chairman Neil Morrow  
Vice-Chairman Mattie Mead  
Commissioner Tim Carter  
Commissioner Jennifer Cosgrove  
Commissioner Kurt Eggers

**COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE**

Commissioner Jennifer Cosgrove disclosed she had driven by 3020 Warm Springs Rd. There were no further disclosures.

**PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS**

1. **ACTION - 3020 Warm Springs Rd. (Waddell/Roush) Duplex Design Review:** 3020 Warm Springs Rd. (Wills Condominium Subdivision No. 2) The Commission will consider and take action on a Design Review application submitted by architect Craig Lawrence, on behalf of property owners Doug and Stacey Waddell, for the development of a new duplex and associated site improvements within the General Residential Low Density (GR-L) Zoning District. *Continued from May 19, 2020 and June 8, 2020.*

Associate Planner Abby Rivin gave a synopsis of the changes made to the project since the last meeting. Changes included exterior materials and a set-back of the third floor.

Architect Craig Lawrence, representing the applicants, described the changes made to the design, including the exterior materials, upper level facade, changes to the roof, increase of the horizontal and vertical undulation and increased variety. The rear windows were added to the lower level and pilasters and window trim were added. He requested approval of the project.

Vice-Chair Mead asked about the location of the air conditioning units. Lawrence indicated the back of the building was the best placement to allow for future building on adjacent property. Equipment will be screened as per code.

Commissioner Carter asked about the radon fan vent, which Lawrence confirmed would be on the roof.

Commissioner Cosgrove complimented Lawrence on the changes to the design. She asked for more detail on the windows on the upper floor.

Chair Morrow appreciated the efforts put into making the desired changes. He liked the new design.

Public Comment:

Mark Kern, resident, felt the concerns of the neighbors were not being addressed. They were concerned with the bulk of the building and the loss of the view. They asked for a smaller building overall. He felt the changes made to the sides would not improve the view from the rear of the building.

Brian Poster, contractor for the project, related the improvements to the size, texture and colors of the project. He spoke to the low decibel level of the HVAC unit, and felt the project met all design criteria. He asked for approval of the project.

Commenting by phone:

Doug and Stacey Waddell, applicants, said they are not maximizing dimensions and are trying to be good neighbors. He asked for approval.

James and Joy Rouch, applicants, noted the changes made, and asked for approval of the revised design.

Steve Hart, neighbor, thought improvements had been made to the rear of the building. The current structure has a backyard, but the new project has no backyard or rear access. He did not feel this project met the Ketchum Code with a three-story blank wall.

There were no further comments and Public Comment was closed.

The Commission discussed the conflict between a proposed structure that meets the design review standards and the objections of the neighbors. The rights of the property owner vs the objections of the neighbors were discussed.

Vice-Chair Mead thought the design team had done a good job, and he understood the concerns of the neighbors, but the project does conform to code.

Director Frick noted that the code allows the Commission broad discretion and judgement in the approval of projects. The Commission can require more restrictive standards to ensure a project is compatible with the surrounding area.

Commissioner Cosgrove asked for additional landscaping at the rear of the building. The Commissioners discussed the location and types of venting.

**Motion to approve the Waddell/Roush Design Review with Conditions 1-10 with the addition of Condition 11 for venting of the radon fan on the roof and landscaping at the rear of the building.**

*Motion made by Commissioner Cosgrove, Seconded by Commissioner Eggers.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers*

2. **ACTION: Administrative Appeal of Zoning Administrator's Decision on 201 Garnet Street.** Recommendation to 1) Accept Administrator's certification of procedural requirements; 2) Accept the record of the case; 3) Set the appeal hearing for June 8, 2020; 4) Affirm the determination of the Planning and Zoning Administrator and direct preparation of Findings of Fact. *Hearing continued from June 8, 2020.*

Senior Planner Brittany Skelton presented the points of the appeal including determining the setbacks, snow storage, and drainage. The current setback does not allow adequate room for basic City services. This would require a different level of service than the standards met by any other development. All other developments are required to build to today's standards.

Commissioner Carter asked about the City liability for damage occurring during snow removal when the structures are non-conforming.

Director Frick related the City is responsible for damage on private property outside of the right-of-way. The street standard is for a 60-foot wide right-of-way with a paved area of about 26 feet to assist with snow removal. Garnet Street is an easement with a 20-foot-wide paved road and no right-of-way which does not allow for snow storage areas. In the past, the City has paid for damages. It is highly likely that anything within the 15-foot setback will be damaged. This decision will affect future developments. The fence, porch and the building are all within the 15-foot setback. The City had declined to continue plowing the street since it was too narrow, and damages were common. The residents said it was a public street and should be plowed. The City is developing a plan to name it a street with a setback of 15 feet on each side of the center line. Issues will have to be addressed on a case-by-case basis.

Fritz Haemmerle, attorney for the appellant, stated the previous comments to the Commission were untrue. He felt the Local Land Use Planning Act dealing with uniformity in zoning was not addressed. He stated the code cited was not a bulk requirement and the setback is measured from the property line. He argued a 15-foot setback is not required in the Ketchum Code. He stated not all of the building is in the 15-foot setback. The staff report stated the setback is 11' but claimed the setback ranges from 11' 8" to 12' 3" for one-third of the building frontage. The eaves do not encroach because there are no posts. The code does not require snow storage on the property. The drainage concerns were addressed by re-sloping the driveway. The fence can be removed, if need be. The client is willing to hold the City harmless for the portion of the building in the setback. Haemmerle related the streets had been paved by the City, and sewer and waterlines had been installed. The issue is one-third of the house encroaching 3 feet into the right-of-way. The owner is willing to indemnify and hold the City harmless.

Commissioners Carter and Eggers asked about Emerald and Topaz Streets. Haemmerle noted that the Timbers was built on the property line with no setbacks. He calculated the 30% snow storage to include the driveway and walkway. The fence will be removed to allow for snow plowing.

Commissioner Cosgrove urged the appellant to address the Commission with respect. Haemmerle thought it should go both ways.

Chairman Morrow asked if the house could be moved back 3 feet to avoid these problems. Haemmerle replied it is a non-conforming street. The Commission discussed the merits of public vs private streets, non-conforming properties, easements, right-of-way, setbacks, and Uniform Zoning Code.

Chairman Morrow asked Staff how best to deal with non-conforming areas.

Director Frick related the research done on the Gem Streets. There had been no consistency in applying the Code. Two lots, 202 and 204 Garnet dedicated a 15-foot right-of-way to the city, as did the Timbers on Emerald St.

Chair Morrow restated that new buildings should conform to current code.

Eggers thought it is a colorful neighborhood. A 60-foot right-of-Way is not reasonable for this area. He thought the setback should be measured from the property line, regardless of snow storage. He would allow the current site plan with the indemnity to the city and an easement for drainage and snow storage.

Vice-Chair Mead found this to be a difficult question of conformity but supported the project with indemnification of the City.

Commissioner Carter considered the recommendations of the Street Department and the City Engineer. He wanted to see the uniqueness of the neighborhood preserved. He thought the Commission could apply discretion and was comfortable with allowing the plan as presented. He wanted to see the standards upheld but supported approval with indemnity.

Commissioner Cosgrove felt more inconsistency was not appropriate.

The Commission further discussed conformity of easements, streets, and private roads.

Director Frick informed the Commission this matter would go before the City Council to resolve the easement question and indemnification agreement with the City. The decision of the City Council would become the Standard for the Gem Streets.

**Motion to modify the Zoning Administrator's determination to establish a 10-foot unobstructed easement from the edge of the pavement, enter into an indemnification clause for any damage to structures within the 15-foot setback of the pavement, and eliminate the proposed fence within the 15-foot setback.**

Motion made by Commissioner Carter, Seconded by Commissioner Eggers.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers

## **STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Senior Planner Brittany Skelton proposed a change to the PZ Commission meeting dates and starting time. It was decided to hold PZ Commission meetings at 4:30 PM on the 2nd Tuesday of the month starting with the August 2020 meeting.

The Commissioners requested the packet be sent to the commission as separate PDF's.



**ADJOURNMENT**

The meeting was adjourned at 8:00 PM

**Motion to adjourn**

Motion made by Chairman Morrow, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers

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Neil Morrow  
Chairperson



## Planning and Zoning Commission - Regular Meeting MINUTES

Monday, July 13, 2020 at 5:30 PM  
Ketchum City Hall  
480 East Avenue North, Ketchum, ID 83340

### **CALL TO ORDER**

The meeting was called to order at 5:37 PM by Chairman Neil Morrow.

### **PRESENT**

Chairman Neil Morrow  
Vice-Chair Mattie Mead  
Commissioner Tim Carter  
Commissioner Kurt Eggers  
Commissioner Jen Cosgrove (by video feed)

### **COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE**

There were no disclosures made by the Commissioners.

### **CONSENT CALENDAR—ACTION ITEMS**

- 1. Nalen Appeal Findings of Fact and Conclusions of Law**
- 2. 3020 Warm Springs Rd Duplex Design Review Findings of Fact and Conclusions of Law**
- 3. Cherp Conditional Use Permit Findings of Fact and Conclusions of Law**

Senior Planner Brittany Skelton commented on the Cherp Conditional Use Permit. She recommended a 6-month review of the business license to coincide with the Staff check-in at the January 2021 PZ meeting. Condition 6 states to review in 6 months and then at business license renewal with any further review at the Commission's discretion. The Commission elected to review in 6 months.

**Motion to approve Items 1, 2, and 3 of the Consent Calendar with additions as noted.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Eggers.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Cosgrove, Commissioner Eggers*

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

- 4. ACTION - North Pass Subdivision Preliminary Plat: 128 & 130 Short Swing Lane A & B (North Pass Condominiums No. 8: Units A & B) The Commission will consider and make a recommendation regarding a Townhouse Subdivision Preliminary Plat to convert an existing duplex containing two condominium units located at 128 and 130 Short Swing Lane within the City's General Residential Low Density (GR-L) Zoning District into two townhomes.**

Associate Planner Abby Rivin gave the overview of the project for North Pass condos to convert a duplex condominium to townhome ownership. There are no changes to the site or the buildings. There is a plat note indicating the existing duplex is not built to current townhouse building code.

Commissioner Eggers asked about the shared utilities.

Bruce Smith, representing applicant, indicated the plat notes show a shared utility easement.

Commissioner Cosgrove asked about short-term rentals of this unit.

Smith related that the applicant now owns both units and will rent the second unit for long term.

Planner Skelton related the benefits of a townhouse designation for financing of purchase.

Public comment was opened. Being no comments, Public Comment was closed.

**Motion to approve the North Pass #8 Townhouse Subdivision Preliminary Plat and authorize the Chair to sign the findings.**

*Motion made by Commissioner Eggers, Seconded by Vice-Chairman Mead.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Cosgrove, Commissioner Eggers*

5. **ACTION - West Ketchum Residences Phased Agreement and Preliminary Plat: 150 Bird Drive** (Lot 5AA, Bavarian Village Sub)The Commission will consider and make a recommendation regarding a Townhouse Subdivision Preliminary Plat and Phasing Plan and Agreement application submitted by Galena Engineering on behalf of West Ketchum Residences, LLC for a 10-unit townhome development proposed for 150 Bird Drive.

Senior Planner Brittany Skelton presented the Phased Agreement and Preliminary Plat. The townhouse units can be platted in phases as they are completed. There is a timeline for completion by 2023. If unforeseen circumstances cause a delay, this agreement can be amended.

Commissioner Cosgrove asked about how we protect against another unfinished project. Planner Skelton indicated utilities are now all installed at the same time, making the property more desirable and ready for development. The Final Plat can be issued for each phase upon the completion of each section.

Administrator Frick indicated the Harriman Hotel is under a Development Agreement versus a Phased Subdivision Agreement. This project has multiple buildings to be built one at a time, which can be completed and sold individually. The Development Agreement is for a single project.

Public comment was opened. Being no comments, Public Comment was closed.

**Motion to approve the Preliminary Plat and Phasing Agreement for the West Ketchum Residences Phased Agreement and Preliminary Plat including Condition 3 amended as noted and authorize the Chair to sign the Findings of Fact.**

*Motion made by Commissioner Eggers, Seconded by Vice-Chairman Mead.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Cosgrove, Commissioner Eggers*

6. **ACTION - Fourth and Walnut Mixed-Use Building Design Review:** (Project Location: Ketchum Townsite: Block 44: Lots 7 and 8, 371 and 391 N Walnut Avenue) The Commission will consider and take action on a Design Review Application submitted by Graham Whipple of Resin Architecture for a new 20,876 square-foot, two-story mixed-use building and associated site improvements located on two lots at the southwest corner of the intersection of Walnut Avenue and 4th Street within the Retail Core of the Community Core (CC-1).

The Design Review was presented by Associate Planner Abby Rivin. Staff recommends to the Commission to review the project, hear public comment, and provide feedback to the applicant. Staff recommends continuing the Design Review to the August meeting for additional information on exterior materials.

Architect Graham Whipple of Resin Architecture described the updated options of the project. The 4th Street bulb-out had been removed. Trees that are removed will be replaced. There is new landscaping along 4th Street with four new street trees. He described the setbacks and undulation of the building. There is 1500 sq. ft of Community Housing, retail and food service on the 1st floor on the 4<sup>th</sup> St side and the Walnut Ave side, and one market-rate residential unit on the ground floor. The 2nd floor has retail space and 2 residential units. There are 7 parking spaces on-site, 4 existing spaces on Walnut and 2 existing spaces on 4th St. for a total of 13 parking spaces. In addition, there are 4 center-of -the-street spaces that can be attributed to this project. The Mansard roof allows for screening of the mechanical equipment on the roof. The exterior has natural stone covering the lower portions and vertical elements at the corner of Walnut and 4<sup>th</sup>. There will be outdoor seating for the coffee shop. Elevations of the building from numerous angles were shown.

Public comment was opened. Being no comments, Public Comment was closed.

Commissioner Cosgrove liked the building and the attention to detail, but thought the corner was not as inviting as it could be. She felt the public should be able to enter the building through the front door. She suggested an awning to tie into the rest of the building. Whipple replied there was an awning, but it was removed in the design updates. He thought they would consider bringing it back.

Vice-Chair Mead agreed with Commissioner Cosgrove and thought the lintel above the corner door was misplaced. He also liked the idea of an awning.

Commissioner Eggers agreed with Commissioner Cosgrove and Vice-Chair Mead that the corner needed more work to provide a cozier, more inviting entrance. He appreciated the larger setbacks. He asked about the basement, the height of the building, and the lighting. Whipple revealed the basement is about one-third of the area of the building. The building height is 42' at the Gold Mine edge and then slopes down with the grade until it is under the maximum height. All lighting fixtures are Dark Sky compliant.

Planner Rivin indicated the building meets the height standard and will work with the applicant to better represent the height. Rivin explained the parking requirement and how this project complied.

Chair Morrow liked the project and agreed with the previous comments about the corner.

Vice-Chair Mead thought the portico/car cover looked "added-on" and thought it could also use review.

**Motion to continue the Fourth and Walnut Mixed-Use Building Design Review to the August 11, 2020 meeting.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Eggers.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Eggers*

*ABSENT: Commissioner Cosgrove*

7. **ACTION - Floodplain Ordinance Amendments** The Planning and Zoning Commission will consider amendments to Ketchum Municipal Code, Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District and Chapter 17.08, Definitions.

Senior Planner Brittany Skelton brought the Floodplain Amendments to the attention of the Commission regarding bringing the Ketchum Ordinance up to FEMA standards. She recommended removing the ability of staff to waive FEMA requirements. She outlined other content changes to align the Ketchum Code with FEMA regulations.

Commissioner Cosgrove indicated the need to educate the public and water-front homeowners of the importance of adhering to code and how their actions affect the river ecosystem.

Commissioner Eggers asked about the variance clause for minor modifications. Skelton replied the Ketchum standards are higher than FEMA standards. She recommended a Request for a Variance should be brought before the Commission.

Public comment was opened. Being no comments, Public Comment was closed.

**Motion to continue the Floodplain Ordinance Amendments to the August 11, 2020 meeting.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Eggers.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Eggers*

*ABSENT: Commissioner Cosgrove*

8. **ACTION - Gem Street Subdivision Preliminary Plat and Lot Line Shift: 131 and 151 Topaz Street** (Lot 1, Shelby Dukes Sub and Ketchum FR SE SW TL 8490 SEC 18 4N 18E) The Commission will consider and make a recommendation regarding a Preliminary Plat submitted by Fritz Haemmerle and Reli Haemmerle to subdivide and adjust the existing lot lines shared by two existing parcels, 131 Topaz (Lot 1, Shelby Dukes Sub) and 151 Topaz (Ketchum FR SE SW TL 8490 SEC 18 4N 18E) into three (3) lots. **Continued to August 11, 2020**

**Motion to continue to the August 11, 2020 meeting.**

*Motion made by Vice-Chairman Mead, Seconded by Commissioner Eggers.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Eggers*

*ABSENT: Commissioner Cosgrove*

## STAFF REPORTS & CITY COUNCIL MEETING UPDATE

- PZ Commission meetings have been moved to the second Tuesday of the month at 4:30 PM.
- The August 11, 2020 meeting will address several Plat actions.
- Meeting August 13, at 4:30 PM to re-hear PEG Project to allow for greater noticing.
- Vice-Chair Mead asked for a clarification on attending meetings in person vs video feed.

## ADJOURNMENT

### **Motion to adjourn at 7: 08 PM**

*Motion made by Commissioner Eggers, Seconded by Vice-Chairman Mead.*

*Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Cosgrove, Commissioner Eggers*

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Neil Morrow  
PZ Commission Chairman



City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF AUGUST 11, 2020**

**PROJECT:** Lofts at 660 1<sup>st</sup> Avenue Condominium Subdivision Preliminary Plat

**FILE NUMBER:** P20-055

**ASSOCIATED PERMITS:** P19-084, BP19-112

**OWNER:** 660 First Ave LLC (per Blaine County assessor 8/4/20)

**REPRESENTATIVE:** Galena Engineering

**REQUEST:** Preliminary Plat to condominimize seven (7) condominium units within a multi-family residential development currently under construction

**LOCATION:** 660 N. 1<sup>st</sup> Avenue (Lot 6, Block 34, Ketchum Townsite)

**NOTICE:** Notice was mailed to political subdivisions and property owners within a 300' radius of the subject property on July 23, 2020 and was published in the Idaho Mountain Express on July 22, 2020.

**ZONING:** Community Core, Sub-district 2 – Mixed Use

**OVERLAY:** None

**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:**

- A. Application
- B. Preliminary Plat dated August 2020
- C. Draft Findings of Fact and Conclusions of Law

**BACKGROUND**



The subject property is owned by 660 First Ave LLC and is being developed by Galena Peak partners LLC. The development is currently under construction and upon completion will be a 12,129 square foot three-story building with seven (7) dwelling units, including one Community Housing unit. The project is located on N. 1<sup>st</sup> Avenue near the southeast corner of E. 7<sup>th</sup> Street and N. 1<sup>st</sup> Avenue in downtown Ketchum’s Community Core Subdistrict 2 Mixed Use zoning district. This application begins the process of platting the dwelling units into condominium units.

The building previously received Design Review approval and a building permit (P19-084, B19-112) and the building was designed and intended to be condominimized.

All city departments have reviewed the Preliminary Condominium Plat and have no

comments or concerns at this time as all public improvements (sidewalks, street lights, and so forth) and utility services were vetted and approved through the Design Review and Building Permit review and approval processes.

**PUBLIC COMMENT**

No public comment has been received. Any public comment received after publication of the staff report will be forwarded to the Commission and included in the record.

**OVERVIEW – CONDOMINIUM PLAT**

The first step in the Condominium Plat process is to receive review and recommendation by the Commission for the Preliminary Plat. After the Commission’s review and recommendation, the Plat is forwarded to City Council for review and approval. After the Council’s approval of the Preliminary Plat a Final Plat may be submitted. Since this is a condominium plat the Final Plat should be submitted when the building is nearing completion. If the Final Plat conforms to the Preliminary Plat the Council will approve the Final Plat. The Final Plat will not be signed and recorded until a Certificate of Occupancy for the building has been issued.

**Table 1: City Department Comments**

City Department Comments			
Compliant			
Yes	No	N/A	



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>City Department Comments</b>	<b>Utilities:</b> <ul style="list-style-type: none"> <li>No comment at this time.</li> </ul>
				<b>Fire Department:</b> <ul style="list-style-type: none"> <li>No comment at this time.</li> </ul>
				<b>Engineering and Streets:</b> <ul style="list-style-type: none"> <li>Completion of the right-of-way improvements prior to issuance of the Certificate of Occupancy for the building and signing of the Final Plat is required.</li> </ul>
				<b>Planning and Zoning:</b> <ul style="list-style-type: none"> <li>See comments throughout staff report.</li> </ul>

**Table 2: Preliminary Plat Requirements for All Projects and Condominium Preliminary Plats**

Please see Attachment C: Draft Findings of Fact, Conclusions of Law, and Decision for analysis of all preliminary plat development standards.

**STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission recommend approval of the Lofts at 660 1<sup>st</sup> Avenue Condominiums Preliminary Plat to the City Council, subject to conditions 1-8 below. Staff also recommends authorizing the Chair to sign the draft Findings of Fact and Conclusions of Law that are attached as Attachment C.

**RECOMMENDEDMOTION**

“I MOVE TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE LOFTS AT 660 1<sup>ST</sup> AVENUE CONDOMINIMUM PRELIMINARY PLAT, WITH CONDITIONS 1-7, AND TO AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FINDINGS OF FACT AND CONCLUSIONS OF LAW”

**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 two (2) years 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, including completion of the right-of-way improvements prior to issuance of the Certificate of Occupancy for the building and signing of the Final Plat.

**ATTACHMENTS:**

- A. Application
- B. Preliminary Plat dated August 2020
- C. Draft Findings of Fact and Conclusions of Law

**Attachment A.  
Application**



City of Ketchum  
Planning & Building

OFFICIAL USE ONLY	
Application Number	P20 055
Date Received	7-9-20
By:	MP
Fee Paid:	3675 <sup>00</sup>
Approved Date:	
By:	

### 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: The Lofts at 660 1st Avenue			
Owner of Record: Galena Peak Partners, LLC			
Address of Owner: PO Box 1769, Ketchum ID 83340			
Representative of Owner: Sean Flynn/Galena Engineering			
Legal Description: Ketchum Lot 6 Blk 34			
Street Address: 660 1st Avenue, Ketchum ID 83340			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 7 units			
Total Land Area: 5501 sq ft			
Current Zoning District: CC2: Community Core			
Proposed Zoning District: CC2: Community Core			
Overlay District: None			
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:			
Easements to be dedicated on the final plat: <b>Utilities</b>			
Briefly describe the improvements to be installed prior to final plat approval:			
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 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.

*Sean Flynn*  
Applicant Signature

7/8/20  
Date

**Attachment B.**  
**Preliminary Plat dated August 2020**

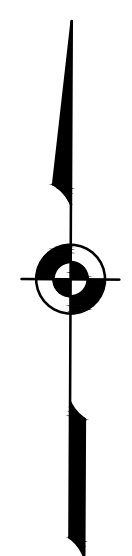
A CONDOMINIUM PLAT SHOWING  
**THE LOFTS @ 660 1ST AVENUE**

WHEREIN LOT 6, BLOCK 34, KETCHUM TOWNSITE IS CONDOMINIUMIZED  
 LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

AUGUST 2020



SCALE IN FEET



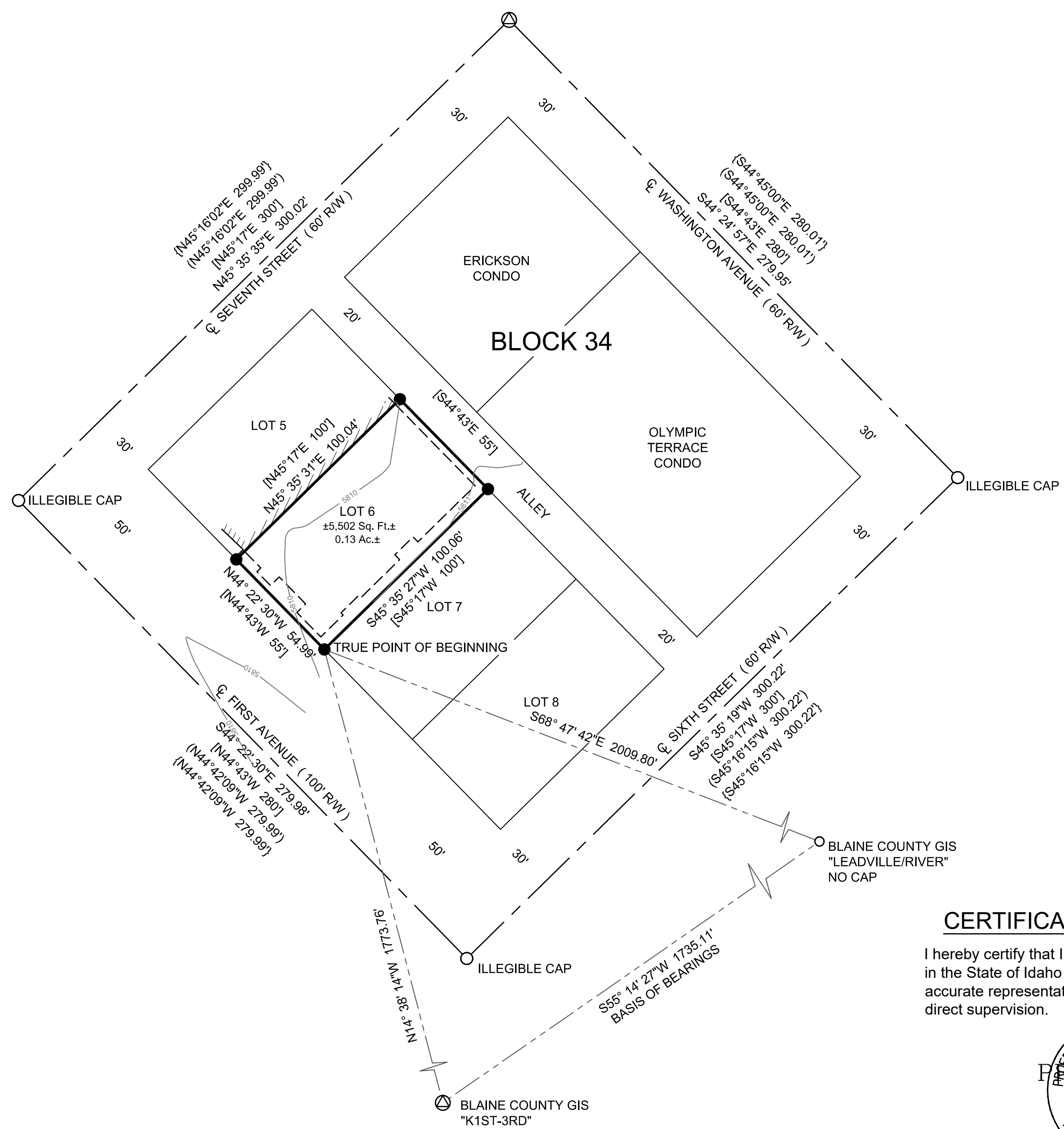
SCALE: 1" = 40'

**LEGEND**

- Property Line
- Adjacent Property Line
- Centerline Right of Way
- GIS Tie Line
- Composite Building Footprint of All Floors
- Existing Building
- 1' Contour Interval
- [ ] Record Bearing & Distance, Village of Ketchum, Instrument Number 302967
- ( ) Record Bearing & Distance, Olympic Terrace Condominiums, Instrument Number 547744
- { } Record Bearing & Distance, Ketchum Townsite: Block 34: Lot 4A, Instrument Number 531695
- Found 5/8" Rebar
- ⊙ Found Aluminum Cap on 5/8" Rebar
- Set 5/8" Rebar, P.L.S. 16670

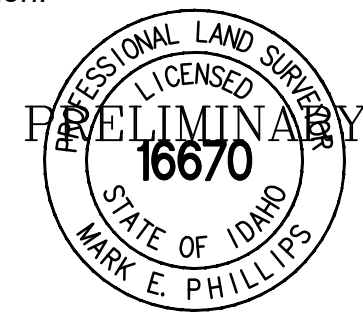
**SURVEY NARRATIVE & NOTES**

1. The purpose of this survey is to show the monuments found and set during the boundary retracement of Lot 6, Block 34, Ketchum Townsite, Instrument Number 302967, records of Blaine County, Idaho, and to condominiumize said property as shown hereon. All found monuments have been accepted. Lot corner monuments were set by block breakdown and proportioning record distances. Instrument Numbers of the recorded surveys are listed in the legend, being the documents used in the course of this survey. Vertical Datum is NAVD 1988.
2. 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.
3. Dimensions shown hereon will be subject to slight variations, owing to normal construction tolerances.
4. 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.
5. 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 recorded under Instrument Number \_\_\_\_\_, records of Blaine County, Idaho. Consult the Condominium Declarations for the definition of common and limited common area.
6. 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.
7. Building ties are to the interior corners of unit walls.
8. 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.
9. The current zoning is CC. Refer to the City of Ketchum Zoning Ordinance for specific information about this zone.
10. The owner is 660 First Avenue LLC, Reid Sanborn representative, PO Box 5023 Ketchum, ID 83340. The surveyor/representation is Mark E. Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, Idaho 83333.



**CERTIFICATE OF SURVEYOR**

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate representation of a survey done under my direct supervision.



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

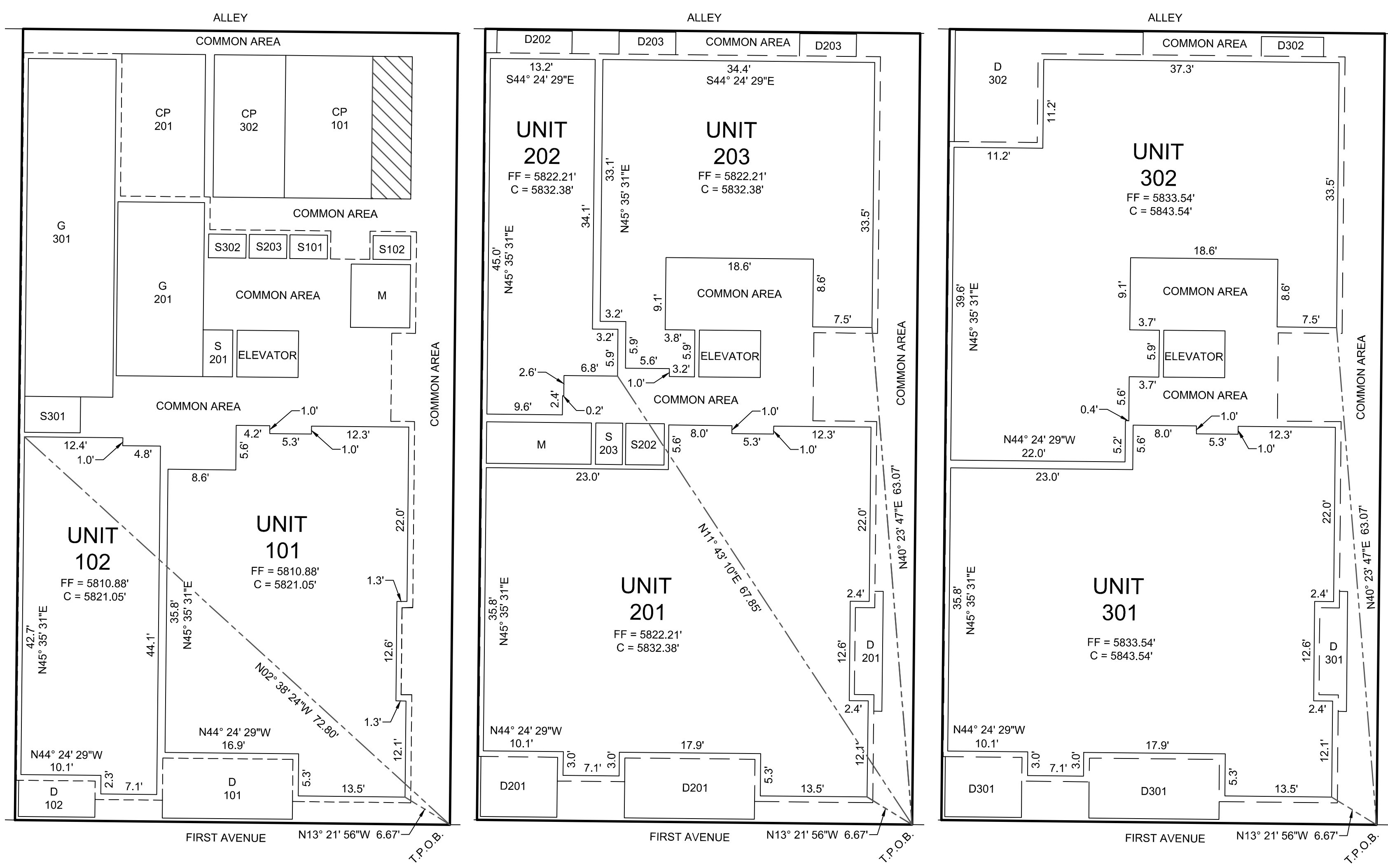
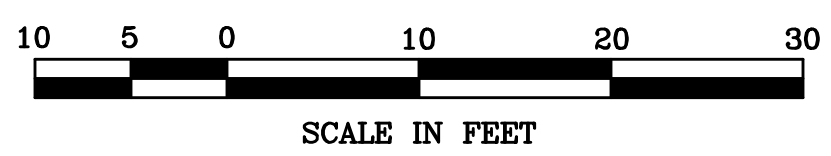
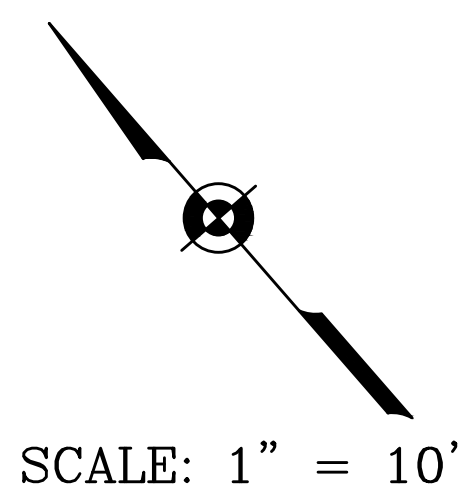
A PLAT SHOWING  
 THE LOFTS @ 660 1ST AVENUE  
 GALENA ENGINEERING, INC.  
 HAILEY, IDAHO

SHEET 1 OF 3  
 Job No. 7724

# A CONDOMINIUM PLAT SHOWING THE LOFTS @ 660 1ST AVENUE

WHEREIN LOT 6, BLOCK 34, KETCHUM TOWNSITE IS CONDOMINIUMIZED  
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

AUGUST 2020

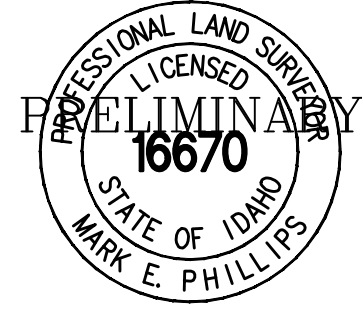


### LEGEND

- Property Line
- Unit Outline
- Building Footprint - 1st Level
- Building Footprint - 2nd Level
- Building Footprint - 3rd Level
- Tie Line
- CP# Carport with Unit Number
- D# Deck with Unit Number
- G# Garage with Unit Number
- S# Storage Area with Unit Number
- M Mechanical Room
- FF Finish Floor Elevation
- C Finish Ceiling Elevation
- T.P.O.B. True Point of Beginning

### CERTIFICATE OF SURVEYOR

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate representation of a survey done under my direct supervision.



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

1ST LEVEL

2ND LEVEL

3RD LEVEL

SEE PAGE 1 FOR SURVEY NARRATIVE & NOTES

A PLAT SHOWING THE LOFTS @  
660 1ST AVENUE  
  
GALENA ENGINEERING, INC.  
HAILEY, IDAHO  
  
SHEET 2 OF 3  
Job No. 7724

**Attachment C.**  
**Draft Findings of Fact and Conclusions of Law**





City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Lofts at 660 1 <sup>st</sup> Avenue Condominium Subdivision	)	<b>KETCHUM PLANNING AND ZONING COMMISSION</b>
Preliminary Plat	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
Date: August 11, 2020	)	<b>DECISION</b>
	)	
File Number: P20-052	)	

**Findings Regarding Application Filed**

**PROJECT:** Lofts at 660 1st Avenue Condominium Subdivision Preliminary Plat

**APPLICATION TYPE:** Condominium Subdivision Preliminary Plat

**FILE NUMBER:** P20-055

**ASSOCIATED PERMITS:** P19-084, BP19-112

**OWNERS:** 660 First Ave LLC (per Blaine County assessor 8/4/20)

**REPRESENTATIVE:** Galena Engineering

**REQUEST:** Preliminary Plat to condominimize seven (7) condominium units within a multi-family residential development currently under construction

**LOCATION:** 660 N. 1st Avenue (Lot 6, Block 34, Ketchum Townsite)

**NOTICE:** Notice was mailed to political subdivisions and property owners within a 300' radius of the subject property on July 23, 2020 and was published in the Idaho Mountain Express on July 22, 2020.

**ZONING:** Community Core, Sub-district 2 – Mixed Use

**OVERLAY:** None

**Findings Regarding Associated Development Applications**

The subject property is owned by 660 First Ave LLC and is being developed by Galena Peak partners LLC. The development is currently under construction and upon completion will be a 12,129 square foot three-story building with seven (7) dwelling units, including one Community Housing unit. The project is located on N. 1<sup>st</sup> Avenue near the southeast corner of E. 7<sup>th</sup> Street and N. 1<sup>st</sup> Avenue in downtown Ketchum's Community Core Subdistrict 2 Mixed Use zoning district. This application begins the process of platting the dwelling units into condominium units.

The building previously received Design Review approval and a building permit (P19-084, B19-112) and the building was designed and intended to be condominimized.

**Findings Regarding City Department Comments**

All City Department standards as well as required right-of-way improvements were reviewed through the Design Review and Building Permit processes. Prior to issuance of a Certificate of Occupancy City Departments will conduct final inspections to ensure compliance with all conditions and requirements of the associated Design Review, Exceedance Agreement, Building Permit, and Preliminary Plat approvals.

**Findings Regarding Condominium Subdivision Procedure  
(KMC§16.04.070)**

All land subdivisions in the City of Ketchum are subject to the standards contained in Ketchum, Municipal Code, Title 16, Subdivision. Many standards are related to the design and construction of multiple new lots that will form new blocks and infrastructure, such as streets that will be dedicated to and maintained by the City. The standards for certain improvements (KMC §16.04.040) including street, sanitary sewage disposal, planting strip improvements are not applicable to the subject project as the application proposes to subdivide a building currently under construction into condominium units. As conditioned, the request to subdivide meets all applicable standards for Condominiums Preliminary Plats contained in Ketchum Municipal Code’s Subdivision (Title 16) and Zoning (Title 17) regulations. The Condominium Subdivision does not change the proposed residential use or alter the proposed development as reviewed and approved through Design Review P19-084 and Building Permit B19-112.

The first step in the condominium platting process is Preliminary Plat review and to receive a recommendation from the Planning and Zoning Commission. The Planning and Zoning Commission held a public hearing and unanimously recommended approval of the Preliminary Plat application to the City Council on August 11<sup>th</sup>, 2020.

**Table 1: City Department Comments**

City Department Comments			
Compliant			
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>City Department Comments</b></p> <p><b>Utilities:</b></p> <ul style="list-style-type: none"> <li>No comment at this time.</li> </ul> <p><b>Fire Department:</b></p> <ul style="list-style-type: none"> <li>No comment at this time.</li> </ul> <p><b>Engineering and Streets:</b></p> <ul style="list-style-type: none"> <li>Completion of the right-of-way improvements prior to issuance of the Certificate of Occupancy for the building and signing of the Final Plat is required.</li> </ul> <p><b>Planning and Zoning:</b></p> <ul style="list-style-type: none"> <li>See comments throughout staff report.</li> </ul>

**Table 2: Preliminary Plat Requirements for All Projects and Condominium Preliminary Plats**

Preliminary Plat Requirements				
Present on Preliminary Plat?			Standards	
Yes	No	N/A	City Code	City Standards and Staff Comments
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	<b>The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.</b>
			Comments	All required information has been submitted.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	<b>Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:</b>
			Comments	All required information is present.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	<b>The scale, north point and date.</b>
			Comments	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .2	<b>The name of the proposed subdivision.</b>
			Comments	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.3	<b>The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.</b>
			Comments	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.4	<b>Legal description of the area platted.</b>
			Comments	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .5	<b>The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.</b>
			Comments	Present
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030. J.6	<b>A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.</b>

			<b>Comments</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J.7</b>	<b>The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.</b>
			<b>Comments</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J .8</b>	<b>Boundary description and the area of the tract.</b>
			<b>Comments</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J.9</b>	<b>Existing zoning of the tract.</b>
			<b>Comments</b>	Present. See plat note #8.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J.10</b>	<b>The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.</b>
			<b>Comments</b>	Present
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030.J .11</b>	<b>The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030.J .12</b>	<b>The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.</b>
			<b>Comments</b>	N/A, this application is to plat an existing building that is under construction into condominium buildings.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030.J .13</b>	<b>The direction of drainage, flow and approximate grade of all streets.</b>
			<b>Comments</b>	N/A, this application is to plat an existing building that is under construction into condominium buildings.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J .14</b>	<b>The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.</b>
			<b>Comments</b>	N/A at this time, site drainage was addressed with Building Permit review and approval.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J.15</b>	<b>Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials</b>
			<b>Comments</b>	The original Ketchum townsite plat serves as the vicinity map.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J.16</b>	<b>The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or avalanche overlay district.</b>

			<b>Comments</b>	N/A subject property is not located in floodplain or avalanche overlays.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J.17</b>	<b>Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.</b>
			<b>Comments</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .18</b>	<b>Lot area of each lot.</b>
			<b>Comments</b>	Present
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J .19</b>	<b>Existing mature trees and established shrub masses.</b>
			<b>Comments</b>	Not applicable – none existing.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .20</b>	<b>To be provided to Administrator:</b>  <b>20. Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.</b>
			<b>Comments</b>	The name of the development is unique.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J .21</b>	<b>All percolation tests and/or exploratory pit excavations required by state health authorities.</b>
			<b>Comments</b>	NA
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>Comments</b>	<b>A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.</b>
			<b>Comments</b>	Provided
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .23</b>	<b>A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.</b>
			<b>Comments</b>	Provided.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .24</b>	<b>A digital copy of the preliminary plat shall be filed with the administrator.</b>
			<b>Comments</b>	Provided.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.A	<p><b>Required Improvements:</b> The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat.</p> <p>Construction design plans shall be submitted and approved by the city engineer.</p> <p>All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.</p> <p>Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</p>
			<b>Comments</b>	N/A. This is a condominium plat for a building that is currently under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.B	<p><b>Improvement Plans:</b> Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.</p>
			<b>Comments</b>	N/A. This is a condominium plat for a building that is currently under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.C	<p>Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.</p>
			<b>Comments</b>	N/A. This is a condominium plat for a building that is currently under

<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.D</b>	<b>As Built Drawing:</b> Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			<b>Comments</b>	N/A. This is a condominium plat for a building that is currently under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.E</b>	<b>Monumentation:</b> Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows: <ul style="list-style-type: none"> <li>1. All angle points in the exterior boundary of the plat.</li> <li>2. All street intersections, points within and adjacent to the final plat.</li> <li>3. All street corner lines ending at boundary line of final plat.</li> <li>4. All angle points and points of curves on all streets.</li> <li>5. The point of beginning of the subdivision plat description.</li> </ul>
			<b>Comments</b>	Flagging this for awareness. Not needed at this time, but prior to Final Plat.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.F	<p><b>Lot Requirements:</b></p> <ol style="list-style-type: none"> <li>1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings.</li> <li>2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: <ol style="list-style-type: none"> <li>a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.</li> <li>b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</li> </ol> </li> <li>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</li> <li>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</li> <li>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</li> <li>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</li> </ol>
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			<b>Comments</b>	N/A. This is a condominium plat for a building that is currently under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.G</b>	<b>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</b> <b>1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</b> <b>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</b> <b>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</b> <b>4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</b>
			<b>Comments</b>	No new blocks are being created. NA.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.1</b>	<b>H. Street Improvement Requirements:</b> <b>1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</b>
			<b>Comments</b>	No new streets are proposed. NA.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.2</b>	<b>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in <u>chapter 12.04</u> of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</b>
			<b>Comments</b>	No new streets are proposed. NA.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.3</b>	<b>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</b>
			<b>Comments</b>	NA the subdivision does not contain an existing or propose a new arterial street, railroad, or limited access highway.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.4</b>	<b>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.5</b>	<b>5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.

<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.6</b>	<b>6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;</b>
			<b>Comments</b>	N/A dedication of right-of-way is not necessary, this development has frontage on an existing city street.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.7</b>	<b>7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.8</b>	<b>8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.9</b>	<b>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.10</b>	<b>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.11</b>	<b>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</b>
			<b>Comments</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.12</b>	<b>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</b>
			<b>Comments</b>	NA

<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.13</b>	<b>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.14</b>	<b>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.15</b>	<b>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.16</b>	<b>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.17</b>	<b>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</b>
			<b>Comments</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.H.18</b>	<b>18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;</b>
			<b>Comments</b>	Street lighting per Design Review / Building Permit approvals.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.19</b>	<b>19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and <u>chapter 12.04</u> of this code;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.20</b>	<b>20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.21</b>	<b>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</b>

			<b>Comments</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.H.22</b>	<b>22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;</b>
			<b>Comments</b>	Sidewalks were addressed with Design Review and Building Permit approvals.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.23</b>	<b>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.H.24</b>	<b>24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone</b>
			<b>Comments</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.I</b>	<b>I. Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.</b>
			<b>Comments</b>	Alley improvements were addressed with Design Review and Building Permit approvals.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.J.1</b>	<b>J. Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands. 1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.</b>
			<b>Comments</b>	Plat note #8 states, "Utility easements necessary to allow for access and maintenance of utilities serving."
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.2</b>	<b>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</b>

			<b>Comments</b>	N/A parcels do not border a waterway, drainageway, channel or stream.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.3</b>	<b>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</b>
			<b>Comments</b>	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.4</b>	<b>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</b>
			<b>Comments</b>	N/A the subject property does not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.5</b>	<b>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</b>
			<b>Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.6</b>	<b>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.</b>
			<b>Comments</b>	N/A this is an infill parcel on a single lot in the Ketchum townsite.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.K</b>	<b>K. Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</b>
			<b>Comments</b>	Sewer services to the existing sewer main are being installed per building permit requirements.

<input type="checkbox"/>	X	<input type="checkbox"/>	<b>16.04.040.L</b>	<b>L. Water System Improvements:</b> A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.
			<b>Comments</b>	Water services to the existing water main are being installed per building permit requirements.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.M</b>	<b>M. Planting Strip Improvements:</b> Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.
			<b>Comments</b>	N/A.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.1</b>	<b>N. Cuts, Fills, And Grading Improvements:</b> Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following: 1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.
			<b>Comments</b>	Item #1, soil report, not required by staff – building is currently under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.2</b>	<b>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information:</b> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.

			<b>Comments</b>	N/A grading was addressed with the building permit review and approval.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.3</b>	<b>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</b>
			<b>Comments</b>	N/A grading was addressed with the building permit review and approval.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.4</b>	<b>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</b>
			<b>Comments</b>	NA
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.N.5</b>	<b>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</b>
			<b>Comments</b>	Landscaping was addressed with Design Review approval.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.N.6</b>	<b>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods). c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability. d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope. e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</b>
			<b>Comments</b>	Cuts/fills were addressed with Building Permit review and approval.

X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.O</b>	<b>O. Drainage Improvements:</b> The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			<b>Comments</b>	Drainage was addressed with Building Permit review and approval.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.P</b>	<b>P. Utilities:</b> In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.
			<b>Comments</b>	Utilities are being extended to this site concurrent with the building that is under construction.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.Q</b>	<b>Q. Off Site Improvements:</b> Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			<b>Comments</b>	Building is under construction. No off-site improvements were determined to be necessary.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.R</b>	<b>R. Avalanche And Mountain Overlay:</b> All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.
			<b>Comments</b>	N/A property is not in Avalanche or Mountain Overlay.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.S</b>	<b>S. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</b>
			<b>Comments</b>	N/A.



X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.B	<b>B. Preliminary Plat Procedure:</b> The subdivider of the condominium project shall submit with the preliminary plat application a copy of the proposed bylaws and condominium declarations of the proposed condominium development. Said documents shall adequately provide for the control and maintenance of all common areas, recreational facilities and open space. The commission and council shall act on the preliminary plat pursuant to subsections 16.04.030D and E of this chapter.
			Comments	Submitted.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.070.C	<b>C. Final Plat Procedure:</b>  <b>1. The final plat procedure contained in subsection 16.04.030G 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>2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to title 17, chapter 17.96 of this code. Prior to final plat approval, the subdivider shall submit to the city a copy of the final bylaws and condominium declarations which shall be approved by the council and filed with the Blaine County recorder, including the instrument number(s) under which each document was recorded.</b>
				N/A at this time, pertains to Final Plat.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.D	<b>D. Garage:</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.
				The garages are allocated to residential units.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.E	<b>E. Storage Areas:</b> Adequate interior storage space for personal property of the resident of each condominium unit.
				Storage units for each unit are indicated on the plat.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.F	<b>F. Maintenance Building:</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.
				A maintenance room, M, is indicated on the plat.

X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.G</b>	<b>G. Open Space: 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>
				There are ground floor common areas indicated on the plat. This is an infill project on a single Ketchum townsite lot, "open space" as would exist in a land subdivision is not practical.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.070.H</b>	<b>H. General Applicability: 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>
				All requirements associated with the Building Permit and Design Review approvals remain in effect.

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations, which Ordinances are codified in the Ketchum City Code ("KMC") and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the Applicant's Condominium Subdivision Final Plat application for the development and use of the project site.
2. The Commission has authority to hear the applicant's Condominium Subdivision application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
4. The Condominium Subdivision Preliminary Plat application is governed under Sections 16.04.010, 16.04.020, 16.04.030, and 16.04.070 of Ketchum Municipal Code Chapter 16.04.
5. The proposed Condominium Subdivision for the Lofts at 660 1<sup>st</sup> Avenue development meets the standards for Preliminary Plats under Title 16 of Ketchum Municipal Code subject to conditions of approval.

**DECISION**

**THEREFORE**, the Ketchum Planning and Zoning Commission **recommends approval** of this Condominium Subdivision Preliminary Plat application this Tuesday, August 11th, 2020 subject to the following conditions:

**CONDITIONS OF APPROVAL**

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 two (2) years 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, including completion of the right-of-way improvements prior to issuance of the Certificate of Occupancy for the building and signing of the Final Plat.

Findings of Fact **adopted** this 11th day of August, 2020

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Neil Morrow, Commission Chair

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Suzanne Frick, Planning and Building Director



STAFF REPORT  
KETCHUM PLANNING AND ZONING COMMISSION  
MEETING OF AUGUST 11, 2020

- PROJECT: 4<sup>th</sup> & Walnut Ave Commercial Development Design Review
- FILE NUMBER: P20-046
- APPLICATION TYPE: Design Review
- APPLICANT: Graham Whipple, Resin Architecture
- PROPERTY OWNER: Walnut & Fourth LLC
- LOCATION: 371 & 391 N Walnut Avenue (Ketchum Townsite: Block 44: Lots 7 & 8)
- ZONING DISTRICT: Retail Core Subdistrict of the Community Core (CC-1)
- NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on June 26<sup>th</sup>, 2020. The public hearing for this application was continued from the July 13<sup>th</sup> Planning & Zoning Commission Meeting.
- REVIEWER: Abby Rivin, Associate Planner

**BACKGROUND**

The Planning & Zoning Commission previously considered this Design Review application for the development of a new mixed-use building at the southwest corner of 4<sup>th</sup> Street and Walnut Avenue during their last meeting on July 13<sup>th</sup>. The Commission moved to continue review of the project and directed the applicant to update the project plans based on their feedback.



Figure 1: 4<sup>th</sup> and Walnut Perspective, Preliminary Design Review Project Plans, Sheet AS-102

**UPDATED PROJECT PLANS**

The updated project plans are attached as Exhibit A to the Staff Report. The following analysis summarizes the proposed changes and additions to the project plans.

### Colors & Materials

The applicant has annotated the elevations (Sheets A-201 & A-202) to specify the proposed exterior materials. The applicant has included additional renderings in the updated project plans. A link to a video illustrating the project from all elevations is attached to the Staff Report as Exhibit B.

### Corner Element

The project is anchored by a coffee shop at the southwest corner of 4<sup>th</sup> Street and Walnut Avenue. The applicant has introduced a shed roof overhanging the entrance and decreased the size of the second-level window. The overhang distinguishes the corner entrance at the street level and facilitates an inviting pedestrian experience.



Figure 2: Exterior Materials, Project Plans, Sheet AF-101



Figure 3: Exterior Lighting Fixtures, Project Plans

### Exterior Lighting

The applicant has provided specifications for the proposed exterior lighting fixtures on Sheet AF-102 of the updated project plans. The lighting plan proposes four types of fixtures—three fully shielded wall sconces and one recessed can light. The first and second floor plans (Sheets A-101 & A-102) show the proposed locations of the four types of fixtures. The wall sconces frame the entrances to the retail spaces and the coffee shop. The lighting enhances safety for pedestrians entering and exiting the mixed-use building. The proposed exterior lighting is Dark Sky compliant as the fixtures shield the light bulbs to minimize glare and light trespass (KMC 17.132.030.H).

### Public Amenities

Two benches along 4<sup>th</sup> Street have been added to the architectural site plan (Sheet AS-101). The site plan notes that benches, trash receptacles, and art are anticipated to be provided with the project. The applicant will coordinate with the City Engineer, Streets Department, and Planning Department to determine the final location of all public amenities associated with the project.

### ANALYSIS

This project combines vibrant uses—retail with engaging storefront windows, a coffee shop with outdoor dining areas, and housing—within an appropriately scaled mixed-use building designed to enhance the visual quality of downtown Ketchum’s built environment. The design incorporates exterior materials and ornamentation characteristic of alpine and barn architecture with timber trusses and decorative gable ends. Not only is the building contained within the 42-foot maximum

height limit, but all roof-mounted equipment, including the development's solar system, will be fully screened within the recession created by the false mansard roof. While buildings in the Retail Core may be built all the way to front and street-side property lines, this development is setback along 4th Street and Walnut Avenue. This setback provides outdoor dining and seating areas that will encourage spontaneous and accessible social interactions and gatherings. Activating a pedestrian-friendly streetscape, the project will enliven Ketchum's dynamic downtown by facilitating social connections that build community.

Staff's comprehensive analysis of the project is attached as Exhibit C, including: (1) the project's compliance with zoning and dimensional standards, (2) evaluation of Design Review criteria, (3) evaluation of Community Core Design Review standards, and (4) City Department comments.

#### STAFF RECOMMENDATION

After considering the updated project plans attached as Exhibit A, Staff's analysis attached as Exhibit C, the applicant's presentation, and public comment, Staff recommends the Commission move to approve the Design Review application for the 4<sup>th</sup> & Walnut Ave Commercial Development project.

#### RECOMMENDED MOTION

"I move to approve the Design Review application for the 4<sup>th</sup> & Walnut Ave Commercial Development project, subject to conditions 1-13."

#### RECOMMENDED CONDITIONS OF APPROVAL

1. This Design Review approval is subject to all comments and conditions as described in Exhibits C1, C2, C3, and C4.
2. Prior to issuance of a building permit for the project, the applicant must receive approval of a Lot Line Shift application to remove the common boundary line separating Lots 7 and 8 of Block 44 within Ketchum's Townsite.
3. As a voluntary contribution, in exchange for an increase in FAR, a total community housing contribution of 765 square feet is required. A Floor Area Ratio Exceedance Agreement between the applicant and the City to memorialize the community housing contribution shall be signed prior to issuance of a building permit for the project.
4. 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 for all on-site improvements 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.
5. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy.
6. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho to include specifications for the ROW, utilities, and drainage improvements to be reviewed and approved by the City Engineer, Streets, and Utilities departments prior to issuance of a Building Permit for the project.

7. Prior to issuance of a building permit for the project, the applicant shall submit a ROW Encroachment Permit application for any proposed encroachments within the 4<sup>th</sup> Street, Walnut Avenue, or alley rights-of-way for review and approval by the Ketchum City Council.
8. The term of Design Review approval shall be twelve (12) months from the date that the 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 (KMC §17.96.090).
9. All Design Review elements shall be completed prior to issuance of a Certificate of Occupancy for the building.
10. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and will be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the building.
11. 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.
12. Prior to issuance of a building permit for the project, the applicant shall submit a construction management plan, which addresses each of the standards as set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards.
13. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

#### **EXHIBITS**

- A. Updated Project Plans
- B. Video Link
- C. Staff Analysis
  1. Zoning and Dimensional Standards Analysis
  2. Design Review Standards Analysis
  3. Community Core Design Review Standards Analysis
  4. City Department Comments
- D. Link to July 13<sup>th</sup> Staff Report

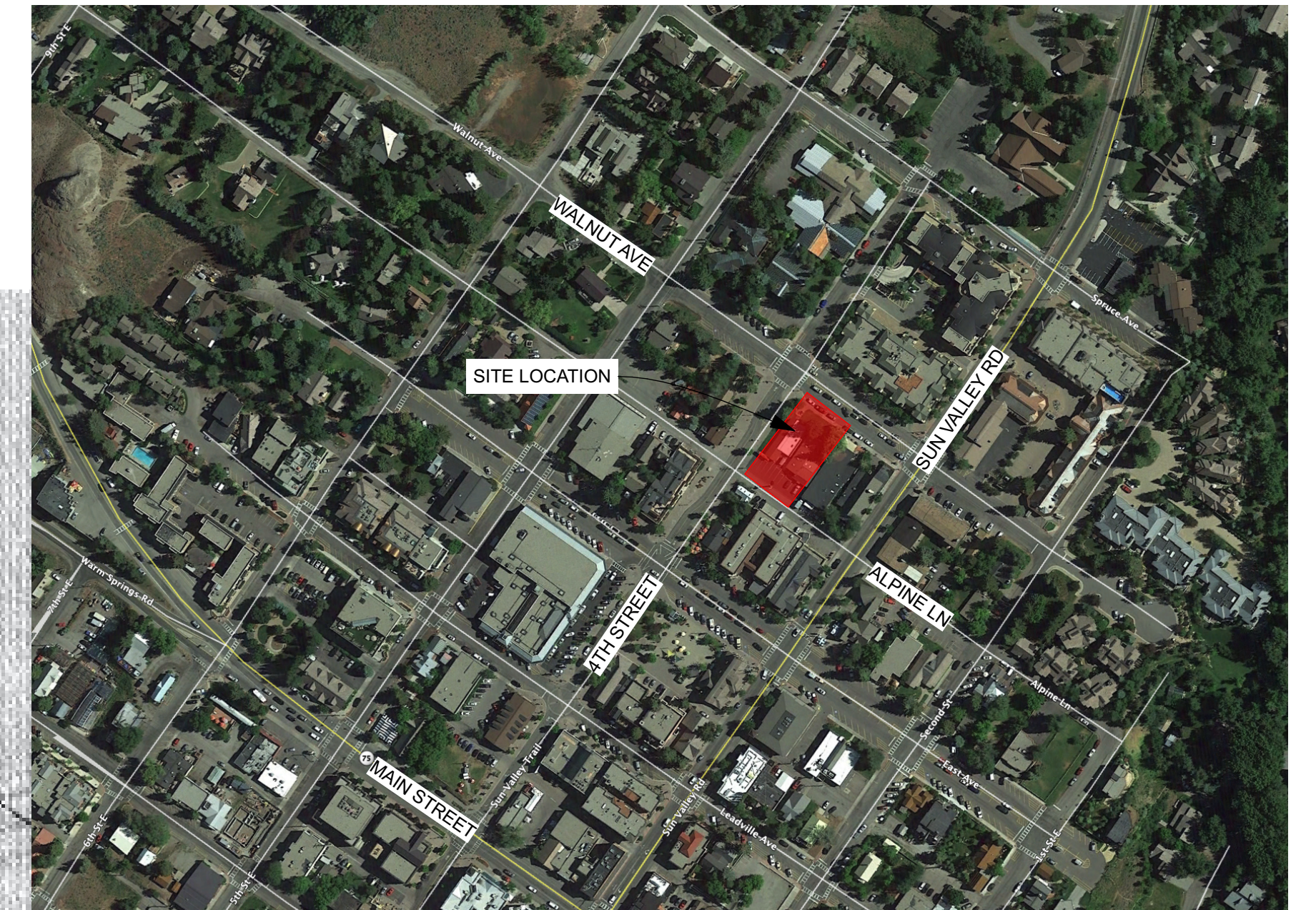
# Exhibit A:

## Updated Project Plans



# 4th & Walnut Ave. Commercial Development

"TBD" Ketchum Idaho 83340



N  
VICINITY MAP  
NOT TO SCALE

<b>Cover Sheet</b>	G-1 COVER SHEET
<b>Civil</b>	C0.1 NOTES AND DETAILS C0.2 NOTES AND DETAILS C1.1 SITE PLAN
<b>Landscaping</b>	L-1 DEMOLITION LANDSCAPING PLAN L-2 LANDSCAPING PLAN L-3 LANDSCAPING PLANTS
<b>Architectural Site Plans</b>	AS-101 ARCHITECTURAL SITE PLAN AS-102 ARCHITECTURAL VICINITY MAP AS-103 CONSTRUCTION MANAGEMENT PLAN
<b>Floor Plans</b>	A-100 BASEMENT FLOOR PLAN A-101 FIRST FLOOR PLAN A-102 SECOND FLOOR PLAN
<b>Elevations</b>	A-201 ELEVATIONS A-202 ELEVATIONS
<b>Renderings</b>	A-301 RENDERINGS A-302 RENDERINGS
<b>Materials</b>	AF-101 EXTERIOR MATERIALS AF-102 EXTERIOR LIGHTING

## COVER SHEET

8/4/20

# 4th & Walnut Ave. Commercial Development

Design Review August 11th 2020

G-1



305 1st STREET,  
Idaho Falls, ID 83401  
PH: 208.757.5700  
www.resinarchitecture.com

Original document is on file  
with the date and architect signature

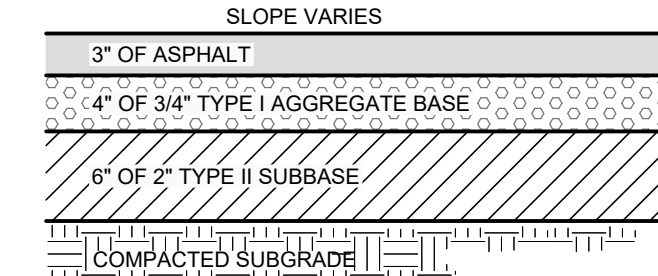
Original documents signed by:  
J. GRAHAM WHIPPLE  
Date original documents signed:  
8/4/20

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**CONSTRUCTION NOTES**

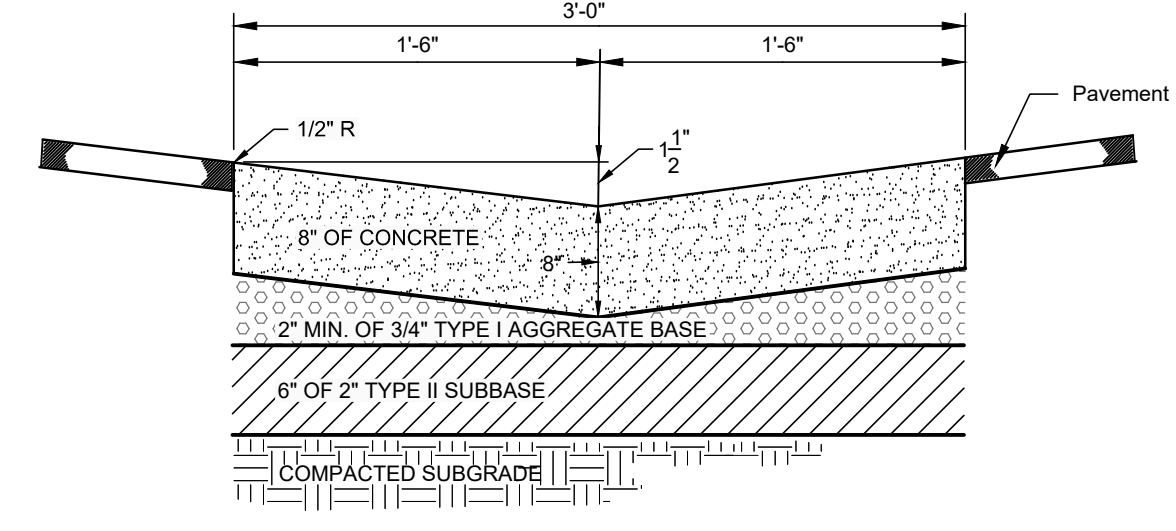
1. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE MOST CURRENT EDITION OF THE "IDAHO REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS," THE CURRENT EDITION OF THE "IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION" (ISPMC), AND CITY OF KETCHUM STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND KEEPING A COPY OF THE ISPMC 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 (1-800-342-1995) 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 (ISPMC), 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 (ISPMC), AMERICAN WATER WORKS ASSOCIATION (AWWA) STANDARDS, AND THE PRESSURE TESTING, DISINFECTING, AND MICROBIOLOGICAL TESTING PROCEDURES.
7. ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL BE ANSINSF 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 ANSINSF 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 ISPMC SECTION 201.
12. ALL EXCAVATION & EMBANKMENT SHALL CONFORM TO ISPMC 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 ITS T-99.
13. ALL 2" MINUS GRAVEL SHALL CONFORM TO ISPMC 802, TYPE II (ITD STANDARD 703.04, 2"). SHALL BE PLACED IN CONFORMANCE WITH ISPMC 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 ISPMC 802, TYPE I (ITD STANDARD 703.04, 3/4" B). SHALL BE PLACED IN CONFORMANCE WITH ISPMC SECTION 801 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITS T-99.
15. ALL ASPHALTIC CONCRETE PAVEMENT WORK SHALL CONFORM TO ISPMC SECTION(S) 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPMC SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPMC 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 ISPMC SECTION 701 AND 703. ALL CONCRETE SHALL BE 3,000 PSI MINIMUM, 28 DAY, AS DEFINED IN ISPMC SECTION 703, TABLE 1.C.
19. ALL TRENCHING SHALL CONFORM TO ISPMC 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. TOPOGRAPHIC, SITE, AND BOUNDARY SURVEY SHOWN HEREON WAS CONDUCTED BY GALENA ENGINEERING, INC., 12/6/2019.
21. 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.

**1**  
C.O.1 **TYPICAL STREET ASPHALT SECTION**  
N.T.S.



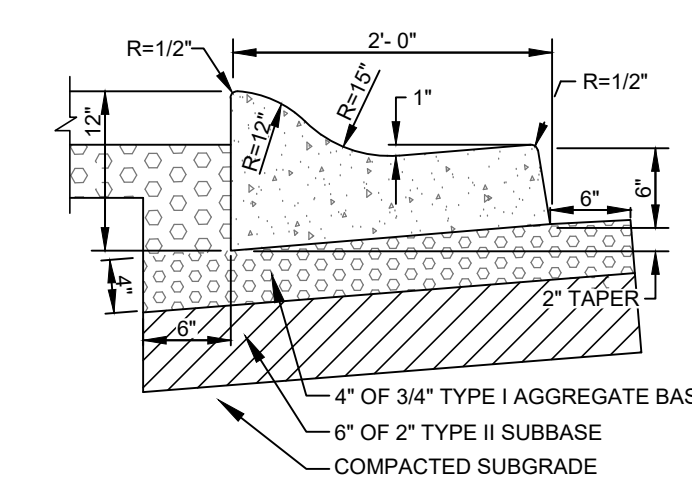
**NOTES:**  
1. SUBBASE CAN BE 2" TYPE II OR 1 1/2" TYPE I CRUSHED AGGREGATE BASE COURSE.  
2. MATERIALS SHALL CONFORM WITH CURRENT ISPMC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.  
3. PAVEMENT SECTION MAY BE MODIFIED IF A PROJECT SPECIFIC GEOTECHNICAL REPORT, STAMPED BY A LICENSED ENGINEER, IS PROVIDED.

**2**  
C.O.1 **36" CONCRETE VALLEY GUTTER**  
N.T.S.



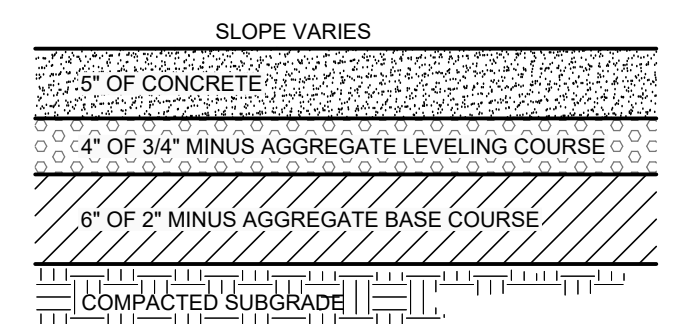
**NOTES:**  
1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.  
2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FOOT MAXIMUM SPACING.  
3. MATERIALS SHALL CONFORM WITH CURRENT ISPMC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.

**3**  
C.O.1 **6" CONCRETE ROLLED CURB & GUTTER**  
N.T.S.

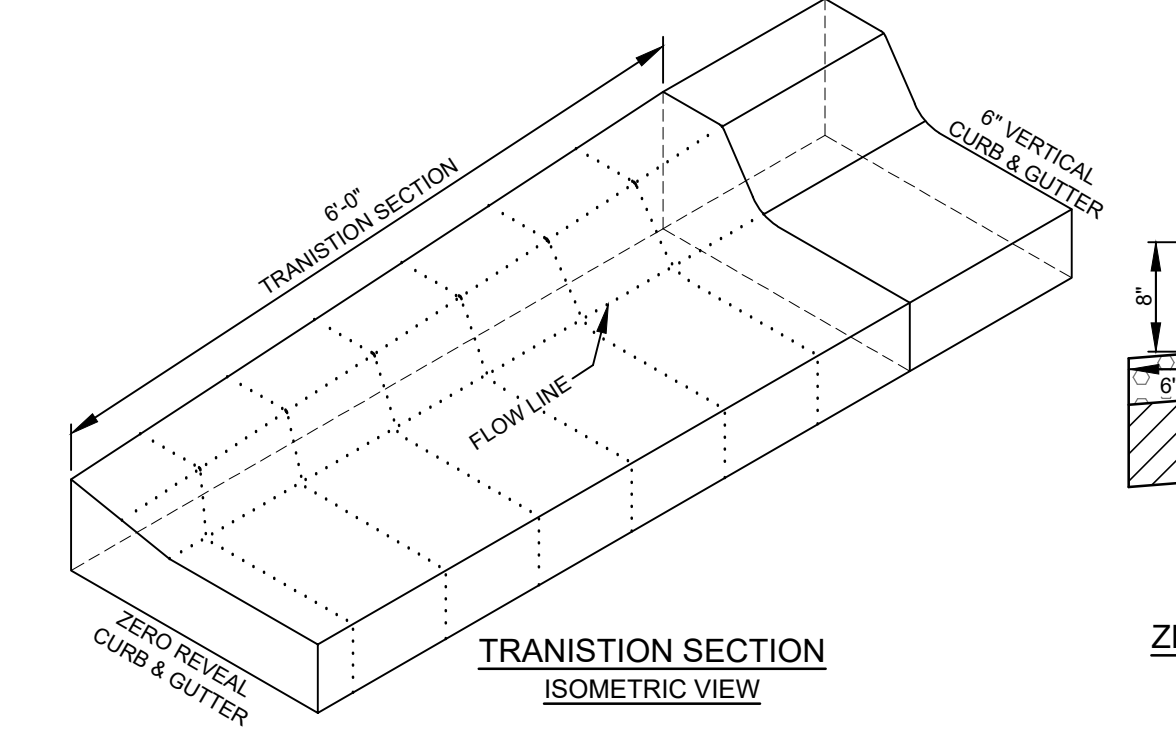


**NOTES:**  
1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.  
2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FOOT MAXIMUM SPACING.  
3. MATERIALS SHALL CONFORM WITH CURRENT ISPMC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.

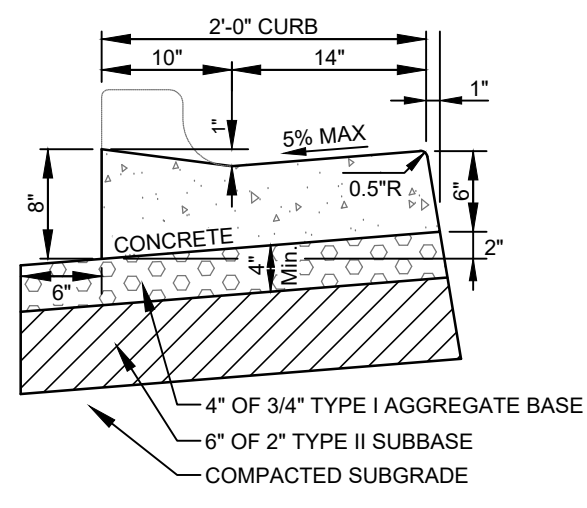
**4**  
C.O.1 **TYPICAL CONCRETE SECTION**  
N.T.S.



**NOTES:**  
1. INSTALL SCORE JOINTS 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. INSTALL EXPANSION JOINTS EVERY 10 FEET IN LONGITUDINAL DIRECTION.  
2. 1/2" TRANSVERSE PREFORMED BITUMINOUS JOINTS AT THE TERMINUS POINTS FOR CURVE AND WHERE SIDEWALK IS PLACED BETWEEN TWO PERMANENT FOUNDATIONS OR ADJACENT TO THE STRUCTURE. PLACE 2" EXPANSION JOINT MATERIAL ALONG THE BACK OF WALK THE FULL LENGTH.  
3. SIDEWALK CONSTRUCTION JOINTS SHALL BE CONSTRUCTED APPROXIMATELY 2" WIDE, 3" IN DEPTH AND FINISHED AND EGED SMOOTH. A PREFORMED EXPANSION JOINT FILLER SHALL BE PLACED EVERY 40' FOR NEW SIDEWALK CONSTRUCTION.  
4. WHEN TRANSITIONING NEW SIDEWALK TO EXISTING, A MINIMUM 5' TRANSITIONAL PANEL SHALL BE SEPARATED AND ISOLATED WITH EXPANSION MATERIAL.  
5. SIDEWALK ALIGNMENT TRANSITIONS SHALL HAVE A MINIMUM RADIUS OF 30' TO THE FACE OF CURB.  
6. MATERIALS SHALL CONFORM WITH CURRENT ISPMC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.  
7. CONCRETE THICKNESS PER THIS DETAIL OR MATCH EXISTING, WHICHEVER IS GREATER.



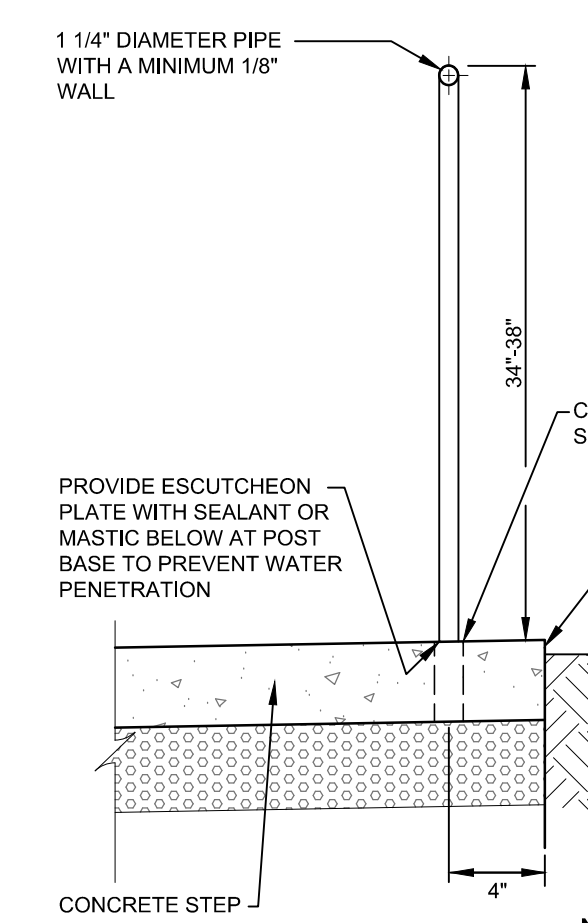
**TRANSITION SECTION ISOMETRIC VIEW**



**ZERO REVEAL CURB & GUTTER**

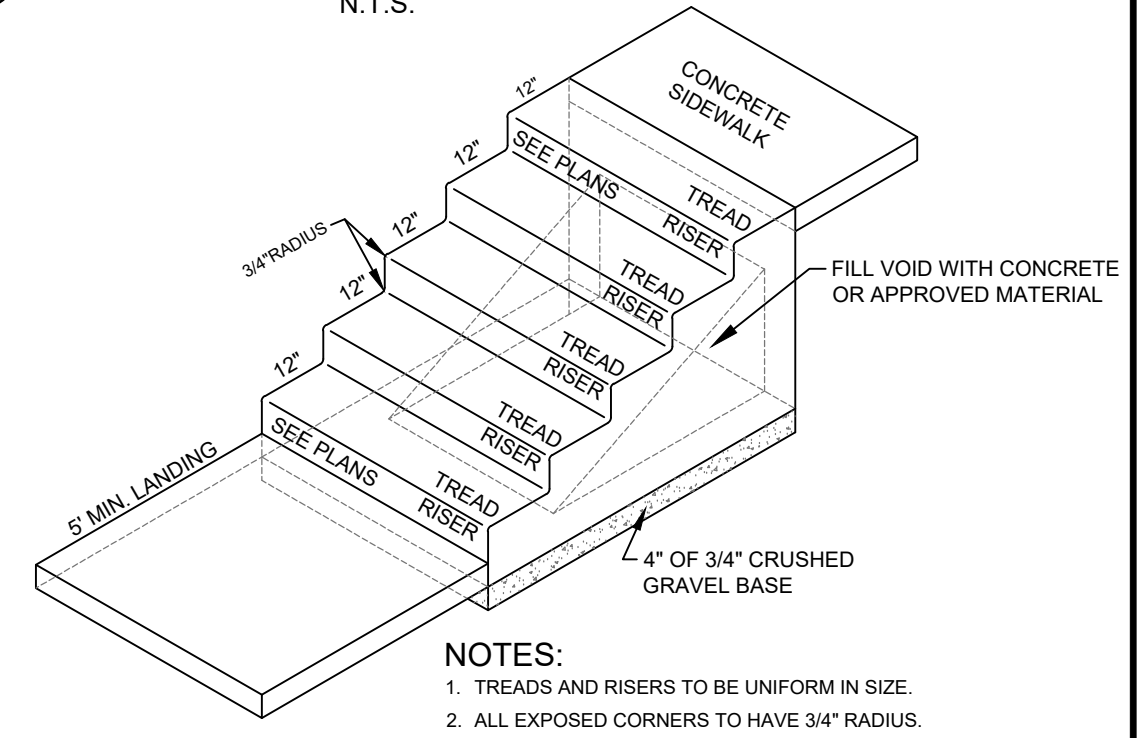
**NOTES:**  
1. SUBBASE CAN BE 2" TYPE II OR 1 1/2" TYPE I CRUSHED AGGREGATE BASE COURSE.  
2. MATERIALS SHALL CONFORM WITH CURRENT ISPMC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.  
3. PAVEMENT SECTION MAY BE MODIFIED IF A PROJECT SPECIFIC GEOTECHNICAL REPORT, STAMPED BY A LICENSED ENGINEER, IS PROVIDED.  
4. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.  
5. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS 10-FOOT MAXIMUM SPACING (8-FOOT W/SIDEWALK).

**5**  
C.O.1 **TYPICAL CURB TRANSITION DETAIL**  
N.T.S.



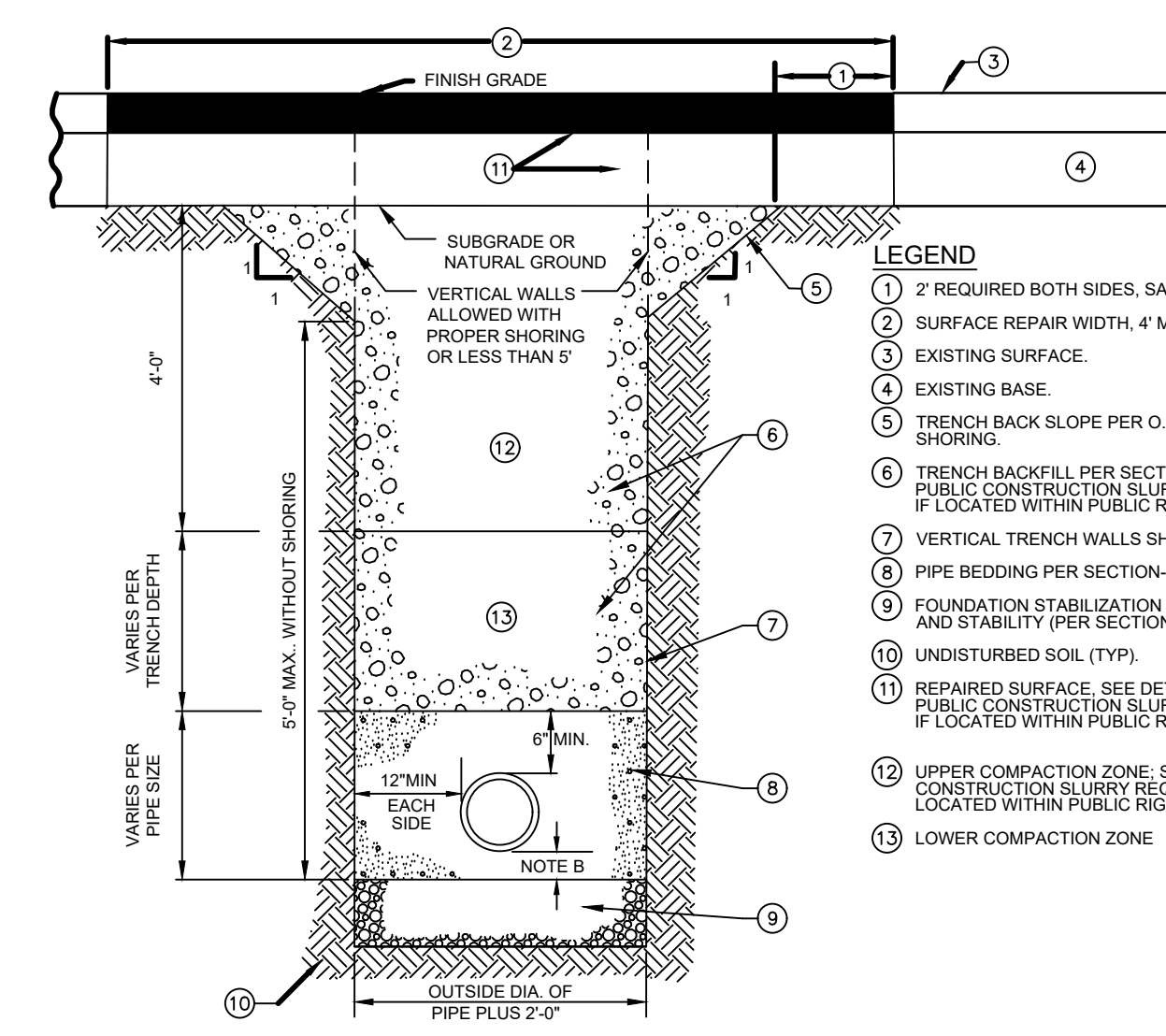
**NOTES:**  
1. HANDRAIL SHALL BE PAINTED. PAINT SPECIFICATIONS PER OWNER.  
2. CLEAR WIDTH: THE CLEAR WIDTH BETWEEN HANDRAILS SHALL BE 36 INCHES MINIMUM PER ADA REQUIREMENTS (405.5).

**STAND ALONE HANDRAIL DETAIL**  
N.T.S.



**NOTES:**  
1. TREADS AND RISERS TO BE UNIFORM IN SIZE.  
2. ALL EXPOSED CORNERS TO HAVE 3/4" RADIUS.  
3. IF SPACE PERMITS, FIRST TREAD TO BE AT GRADE WITH SIDEWALK.

**WALL MOUNTED HANDRAIL DETAIL**  
N.T.S.

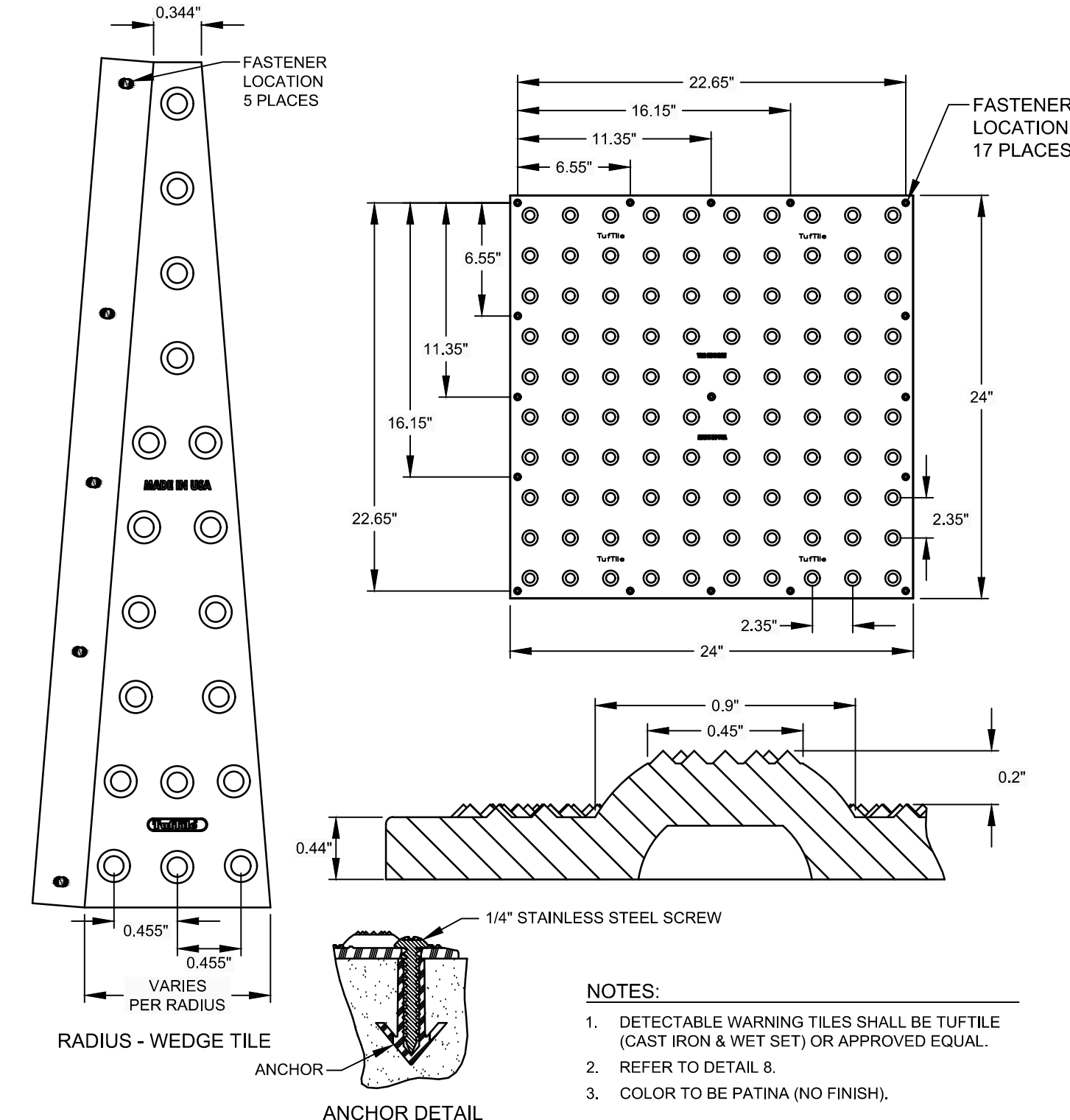


**LEGEND**  
1. 2" REQUIRED BOTH SIDES, SAWCUT REQUIRED.  
2. SURFACE REPAIR WIDTH, 4" MINIMUM. SEE NOTE 5.  
3. EXISTING SURFACE.  
4. EXISTING BASE.  
5. TRENCH BACK SLOPE PER 0.5 H.A. OR SUITABLE SHORING.  
6. TRENCH BACKFILL PER SECTION-306, OR SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" BELOW IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.  
7. VERTICAL TRENCH WALLS SHORING PER O.S.H.A. AND STABILITY (PER SECTION-304).  
8. UNDISTURBED SOIL (TYP).  
9. REPAIRED SURFACE. SEE DETAIL 8. SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" BELOW IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.  
10. UPPER COMPACTION ZONE. SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" BELOW IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.  
11. 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 TO THE BOTTOM OF FINISH SURFACE MATERIAL, WITH THE FOLLOWING PROPORTIONS OF MATERIALS:  
COARSE AGGREGATE (MINUS) : 2,800 LBS  
SAND : 800 LBS  
PORTLAND CEMENT : 94 LBS  
WATER : 11 GALS (MAX.)  
WATER CONTENT IS MAXIMUM AND MAY BE REDUCED DOWNWARD. CARE 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 PLANTMIX 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 PLANTMIX 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 CONSTRUCTION PRIOR TO COMPLETING THE PERMANENT REPAIR.

**NOTES:**  
1. TRENCH EXCAVATION PER SECTION-301.  
2. PIPE BEDDING PER SECTION-305.  
3. BACKFILL AND COMPACTION PER SECTION-306.  
4. SURFACE REPAIR AND BASE PER DETAIL 3.  
5. ASPHALT PAVEMENT FOR SURFACE REPAIR SHALL BE IN ACCORDANCE WITH PLANS AND ISPMC SECTIONS 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPMC SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPMC SECTION 805.  
6. IF TRENCH IMPACTS CROWN OF ROADWAY, CROWN MUST BE MAINTAINED AND POSITIVE DRAINAGE PROVIDED.

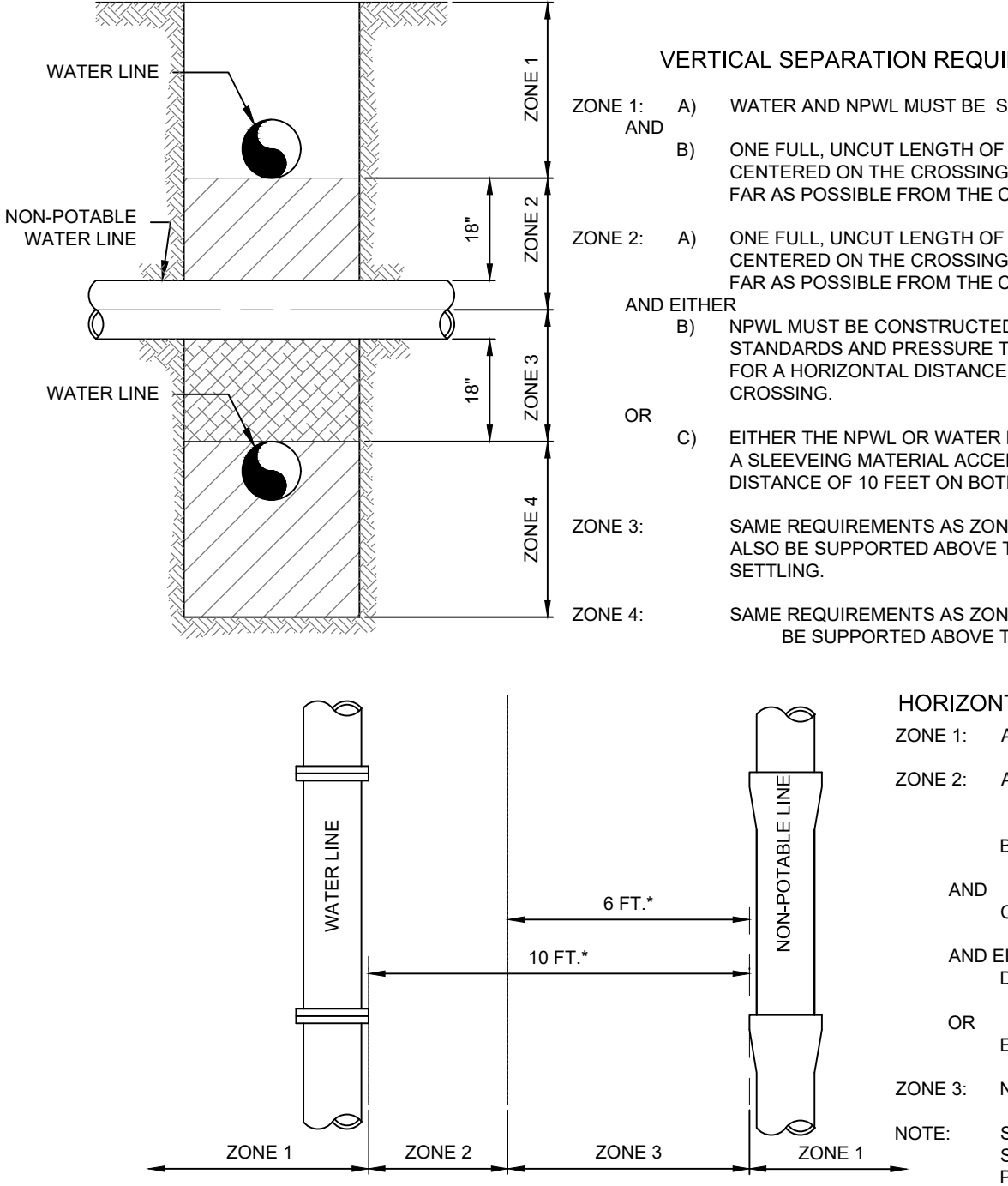
**6**  
C.O.1 **TYPICAL HANDRAIL AND STAIRS DETAIL**  
N.T.S.



**NOTES:**  
1. DETECTABLE WARNING TILES SHALL BE TUFTILE (CAST IRON & WET SET) OR APPROVED EQUAL.  
2. REFER TO DETAIL 8.  
3. COLOR TO BE PATINA (NO FINISH).

**7**  
C.O.1 **DETECTABLE WARNING PLATE**  
N.T.S.

**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 PWL 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 PWL 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 AND 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.

**7**  
C.O.1 **POTABLE AND NON-POTABLE WATER LINE (NPWL) SEPARATION**  
N.T.S.

**8**  
C.O.1 **TYPICAL TRENCH**  
N.T.S.

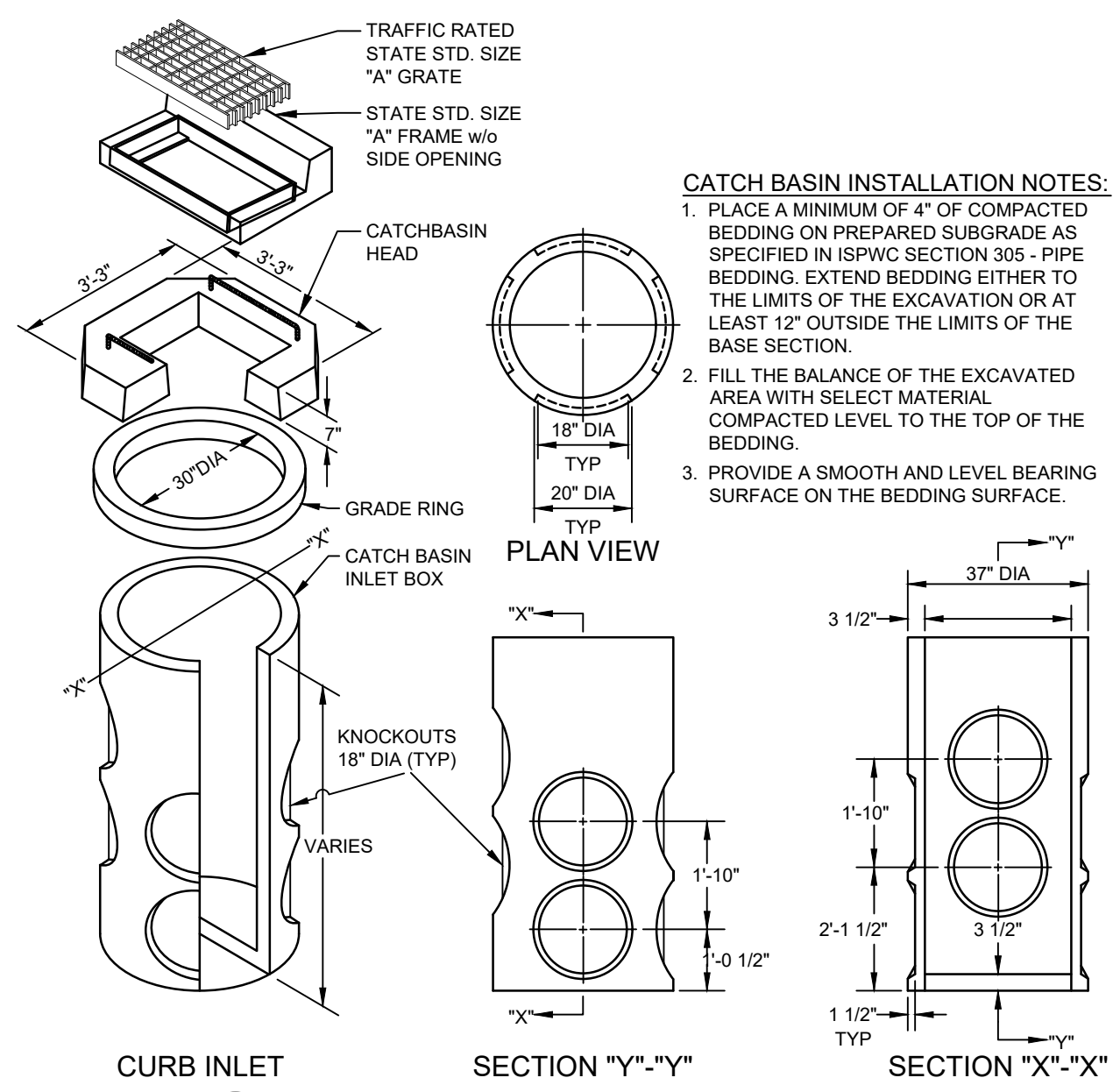
**NOTES AND DETAIL SHEET**  
**4TH AND WALNUT**  
LOCATED WITHIN SECTION 18, T. 4 N., R. 18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO  
PREPARED FOR WALNUT & FOURTH LLC

**PROFESSIONAL ENGINEER**  
LICENSED IN THE STATE OF IDAHO  
1766  
GALENA ENGINEERING, INC.  
Civil Engineers & Land Surveyors  
317 N. River Street  
Halley, Idaho 83333  
(208) 768-1705  
email: galena@galena-engineering.com

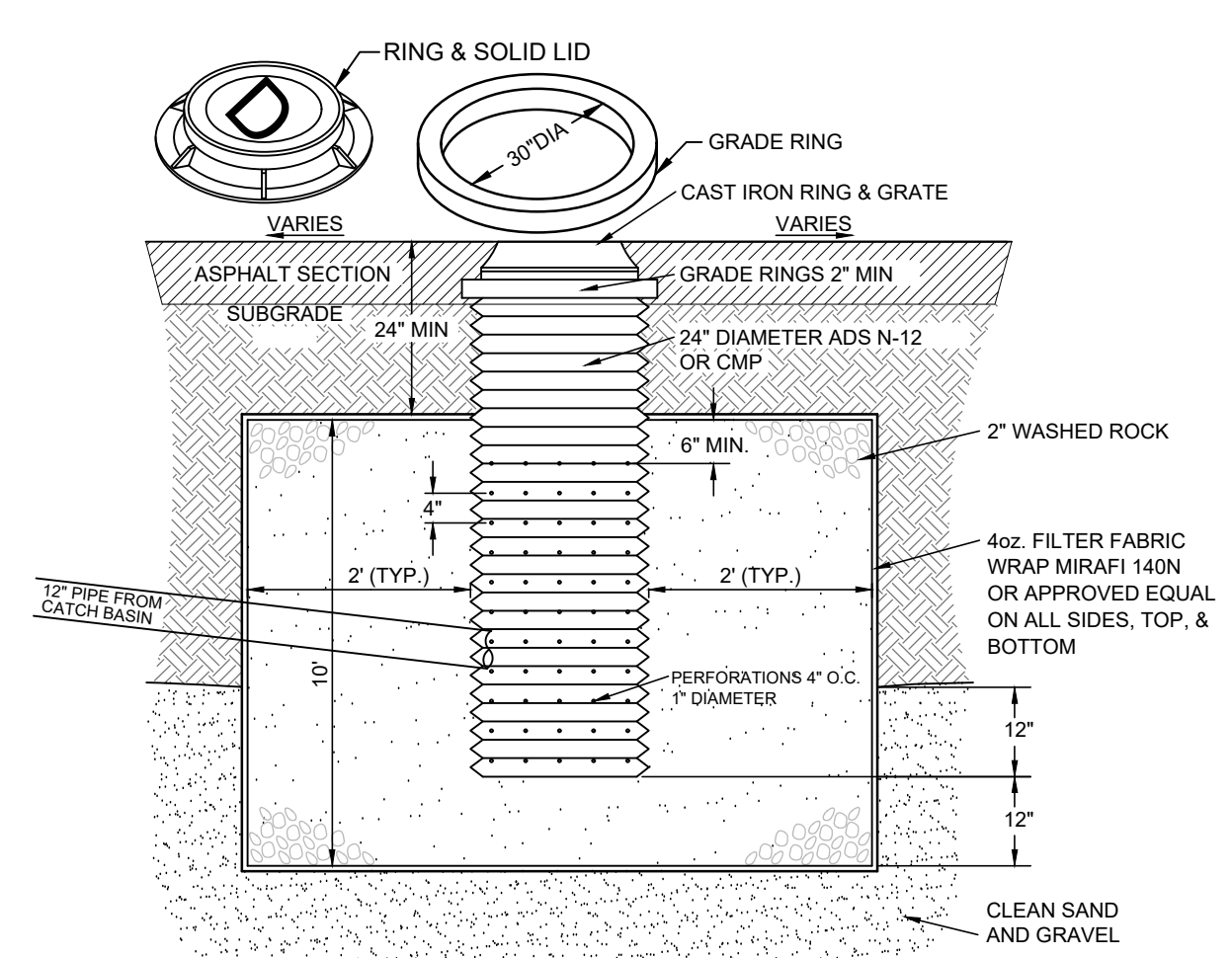
**PURPOSE: ISSUE FOR DESIGN REVIEW (06/09/2020)**

NO.	DATE	BY	REVISIONS

**C.O.1**

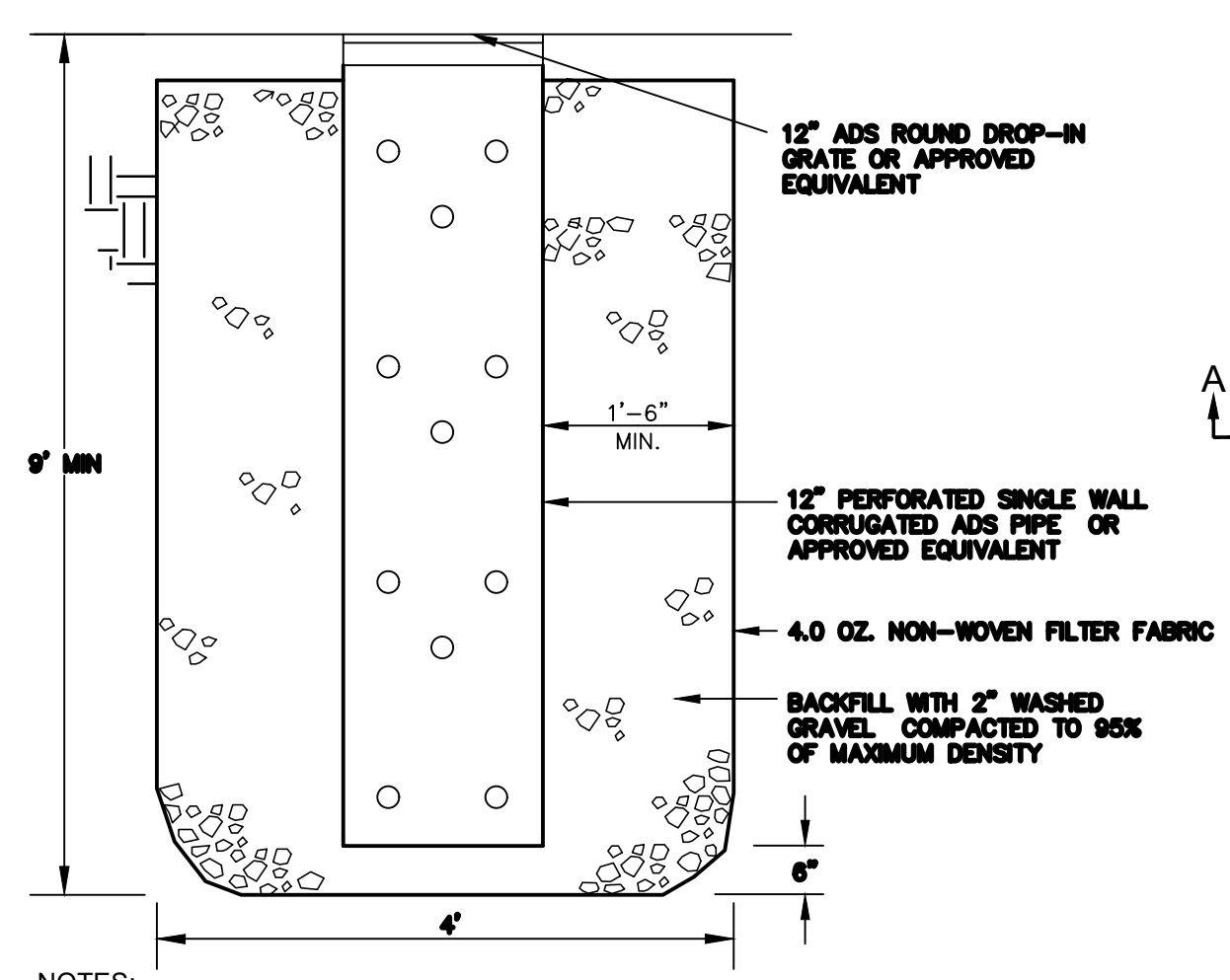


**1**  
C0.2 **30\"/>**



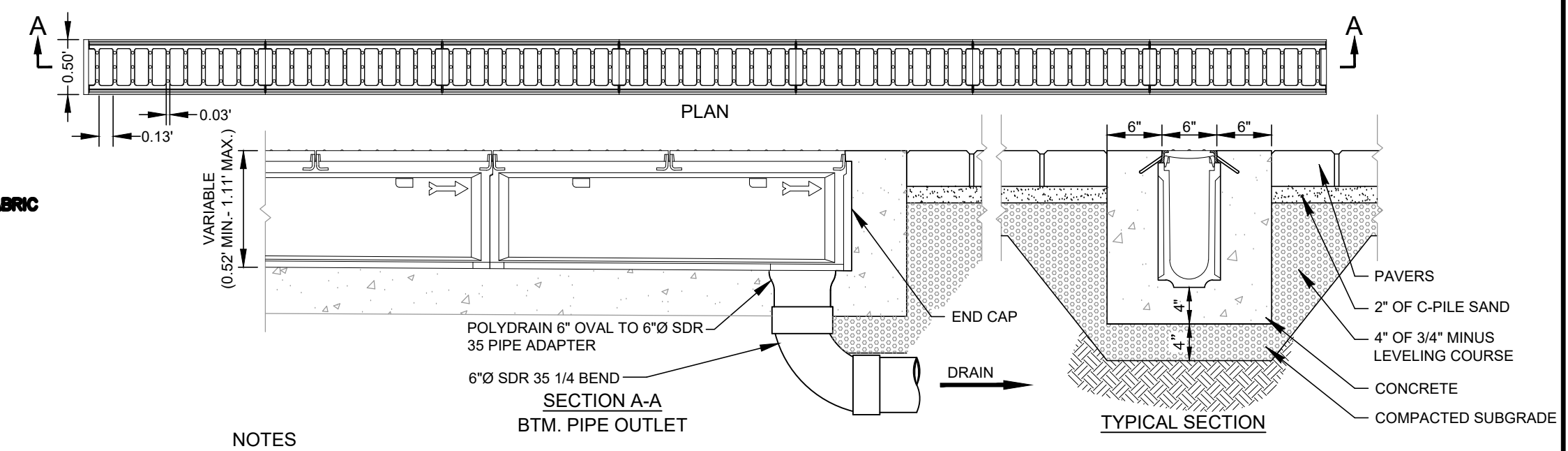
- NOTES:**
1. THE BED SHALL BE EXCAVATED A MINIMUM OF 24\"/>

**2**  
C0.2 **DRYWELL DETAIL (6'X6')**  
N.T.S.



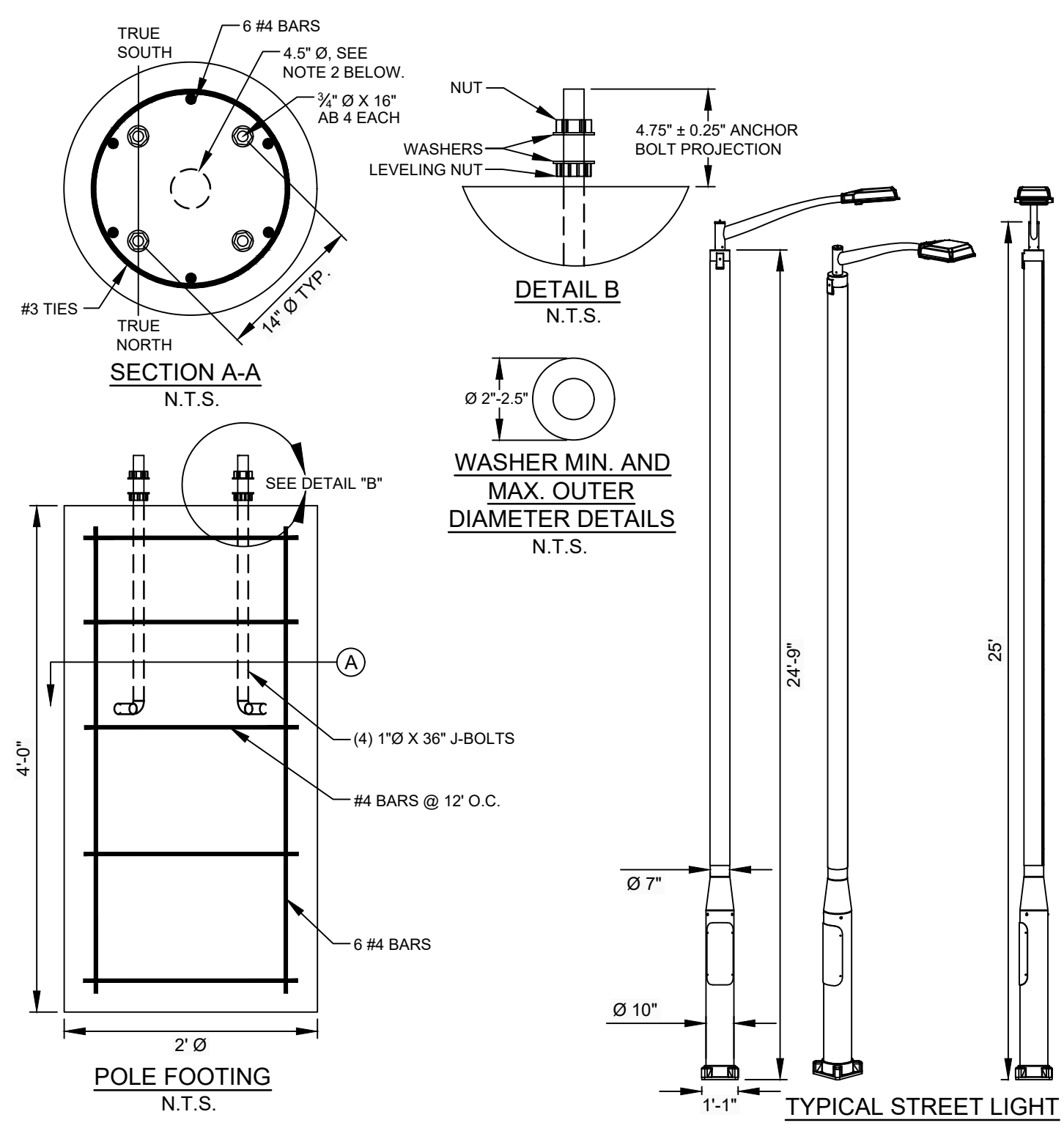
- NOTES:**
1. THE BED SHALL BE EXCAVATED A MINIMUM OF 24\"/>

**3**  
C0.2 **TYPICAL HANDRAIL AND STAIRS DETAIL**  
N.T.S.



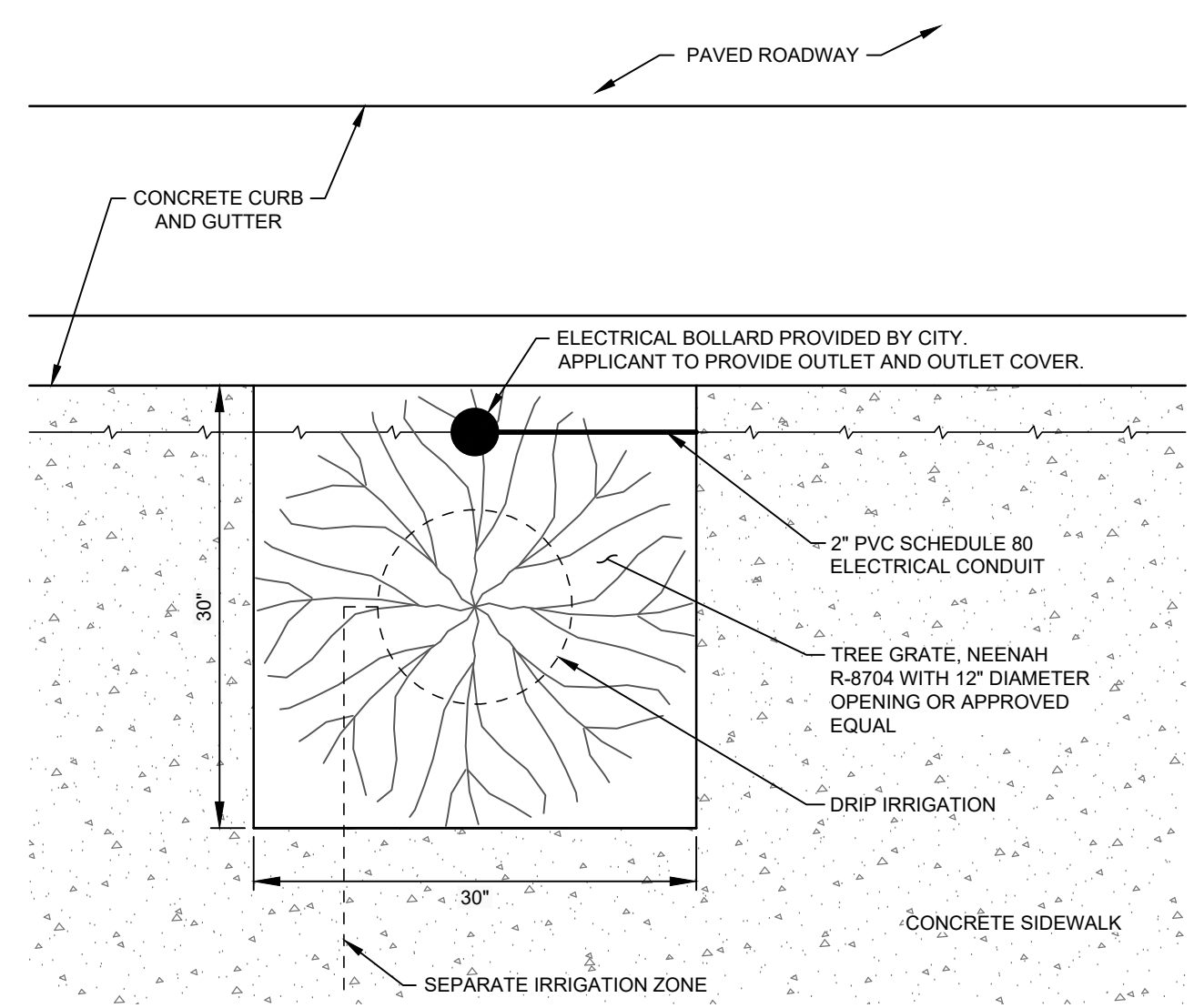
- NOTES:**
1. LINE DRAIN IS SUITABLE FOR APPLICATIONS FOR CONTROLLING SPREAD IN GUTTER FLOW CONDITIONS OR TO INTERCEPT SHEET FLOW. TYPICAL APPLICATION IS AT THE STREET CURB OR BARRIER.
  2. THE FRAME AND GRATE IS SUITABLE FOR PEDESTRIAN AND BICYCLE TRAFFIC AND RATED FOR H-25 AND HS-25 LOADS.
  3. CONCRETE THICKNESS, TYPE, AND AMOUNT OF REINFORCEMENT TO BE SAME AS ADJACENT PAVEMENT OR GREATER. PERFORM STRUCTURAL ANALYSIS TO DETERMINE REQUIREMENTS FOR APPLICATION.
  4. TOP OF GRATE TO BE INSTALLED FLUSH TO 1/8 IN BELOW FINISHED GRADE. BEVEL CONCRETE TO TOP OF GRATE IF BELOW FLUSH.

**4**  
C0.2 **TRENCH DRAIN DETAIL**  
(ABT INTERCEPTOR LINE DRAIN OR APPROVED EQUAL)  
N.T.S.



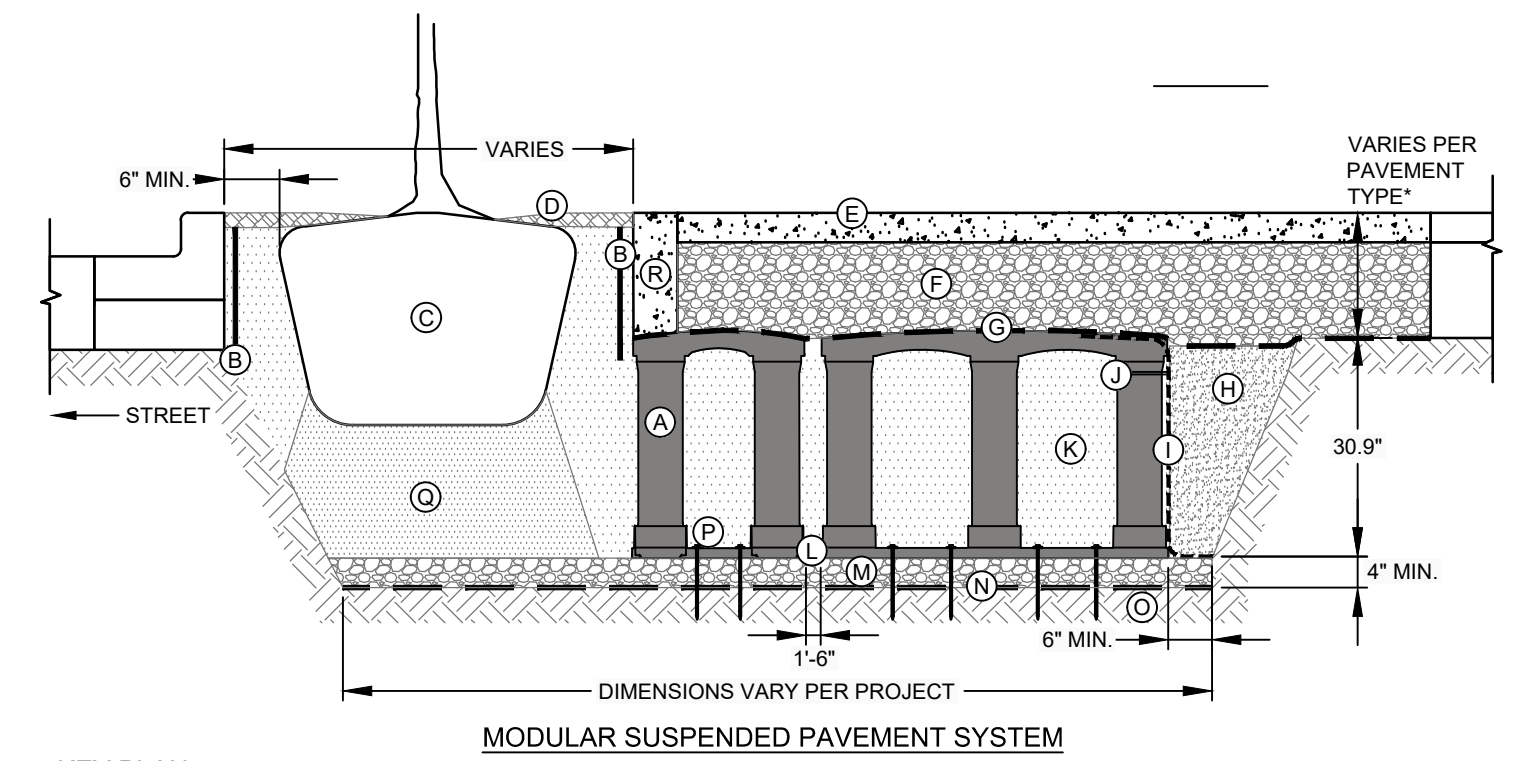
- NOTES:**
1. STREET LIGHT IS SOLARONE RFS DESIGN 158 LFP OR APPROVED EQUAL.
  2. ANY CONDUITS AND/OR GROUNDING WIRES MUST BE HARDWIRED AND CONTAINED WITHIN A 4.5\"/>

**5**  
C0.2 **TYPICAL STREET LIGHT**  
N.T.S.



- NOTES:**
1. TREE TO BE 3\"/>

**PLAN VIEW**



- KEY PLAN:**
- SILVA CELL SYSTEM (DECK, BASE, AND POSTS) OR APPROVED EQUAL.
  - DEEPROOF ROOT BARRIER, 12\"/>

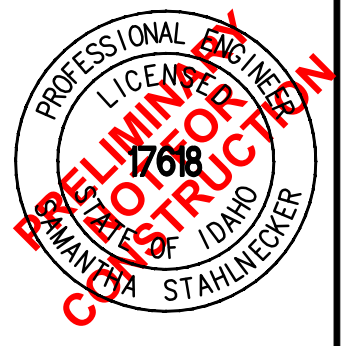
- NOTES:**
1. EXCAVATION SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE HEALTH AND SAFETY REGULATIONS.
  2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
  3. A PROJECT SPECIFIC DETAIL WILL NEED TO BE PROVIDED TO CITY FOR REVIEW AND APPROVAL.

**SECTION VIEW**

**6**  
C0.2 **TREE WELL DETAILS**  
N.T.S.

REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extension of this project except by agreement in writing with Galena Engineering, Inc.

**DETAIL SHEET**  
**4TH AND WALNUT**  
 LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO  
 PREPARED FOR WALNUT & FOURTH LLC  
 PROJECT INFORMATION  
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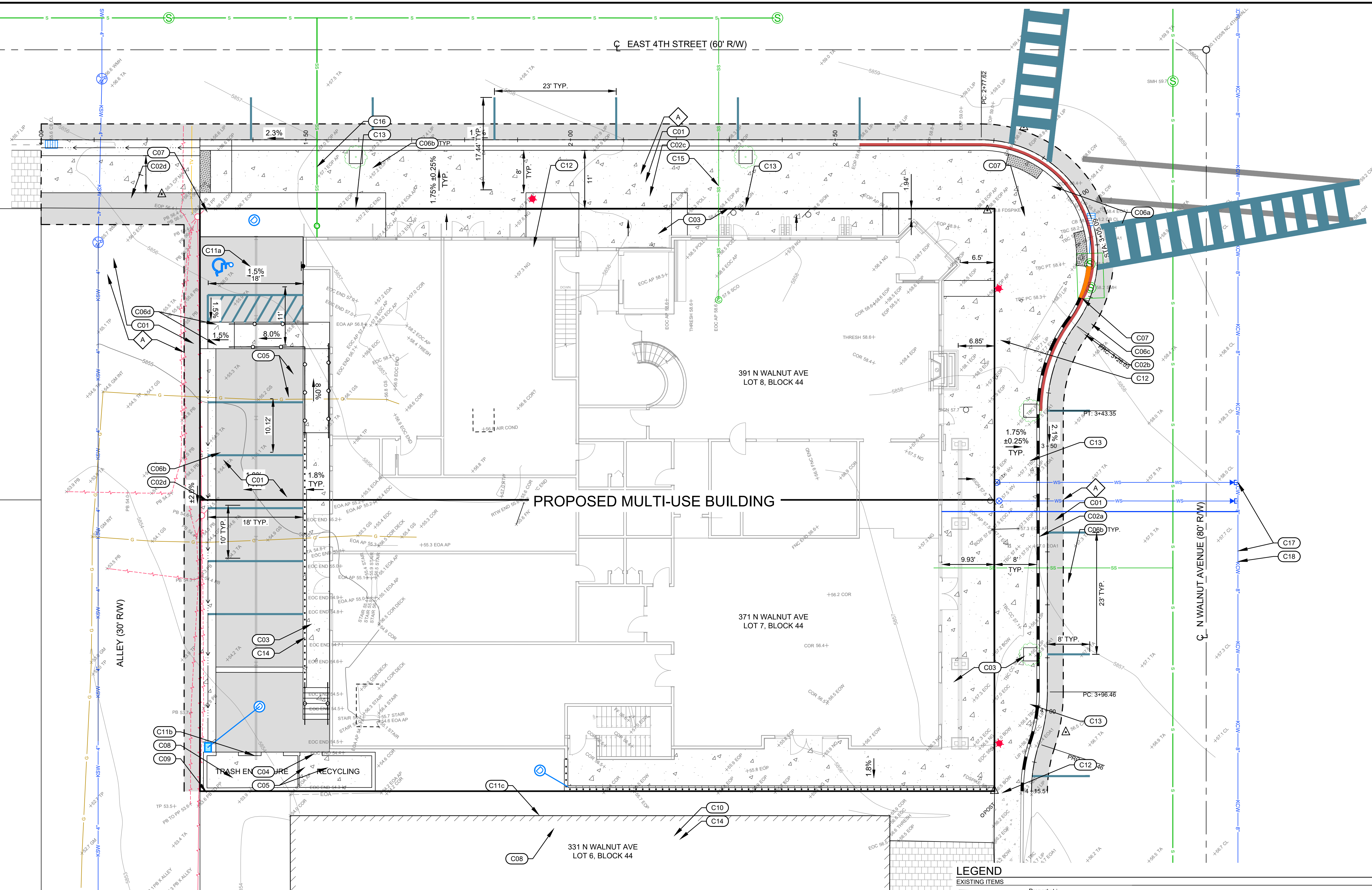
SKS DESIGNED BY  
 SKS DRAWN BY  
 SMF CHECKED BY

**GALENA**  
**ENGINEERING, INC.**  
 Civil Engineers & Land Surveyors  
 317 N. River Street  
 Halley, Idaho 83333  
 (208) 768-1705  
 email: galena@galena-engineering.com

PURPOSE: ISSUE FOR DESIGN REVIEW (06/09/2020)

NO.	DATE	BY	REVISIONS

REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extension of this Project except by agreement in writing with Galena Engineering, Inc.

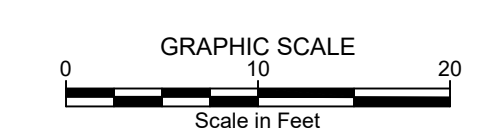


CONSTRUCTION KEY NOTES

- C01 CONSTRUCT ASPHALT ROADWAY / ASPHALT REPAIR. SEE DETAIL 1 / CO.1.
C02 CONSTRUCT CONCRETE CURB AND GUTTER.
C03 CONSTRUCT CONCRETE SIDEWALK.
C04 CONSTRUCT CONCRETE STAIRS.
C05 INSTALL HANDRAIL.
C06 INSTALL ROAD STRIPING / PAINT.
C07 INSTALL CITY OF KETCHUM APPROVED CAST IRON TRUNCATED DOME DETECTABLE WARNING INSERT.
C08 INSTALL 12" ADS N-12 STORM DRAIN PIPE.
C09 INSTALL CATCH BASIN.
C10 INSTALL TRENCH DRAIN.
C11 DRYWELL.
C12 INSTALL CITY OF KETCHUM STANDARD STREET LIGHT.
C13 INSTALL TREE WELL BOLLARDS.
C14 INSTALL RETAINING WALL.
C15 CUT AND CAP EXISTING SEWER SERVICE.
C16 INSTALL 6" PVC SEWER SERVICE.
C17 CUT, CAP, AND ABANDON EXISTING WATER SERVICE.
C18 INSTALL 6" PVC WATER SERVICE.
C19 RELOCATE UTILITIES.

LEGEND

LEGEND table with columns for EXISTING ITEMS and PROPOSED ITEMS. Includes symbols for Property Line, Curb & Gutter, Sewer Main, and various materials like Asphalt and Concrete.



NOTES AND DETAIL SHEET
4TH AND WALNUT

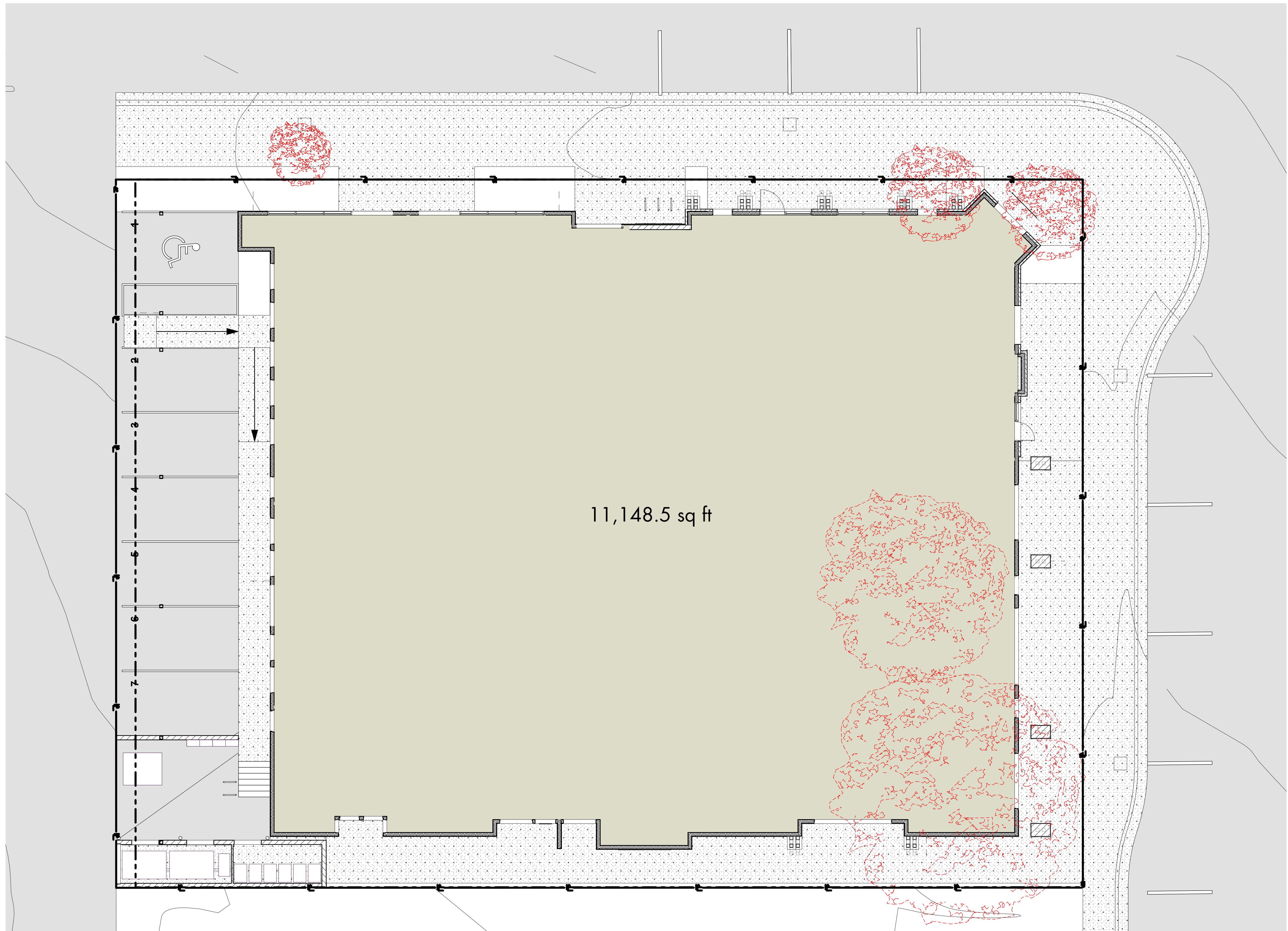
LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PREPARED FOR WALNUT & FOURTH LLC



DESIGNED BY
DRAWN BY
SMF
CHECKED BY

GALENA ENGINEERING, INC.
Civil Engineers & Land Surveyors
317 N. River Street
Halley, Idaho 83333
(208) 768-1705
email: galena@galena-engineering.com

PURPOSE: ISSUE FOR DESIGN REVIEW (06/09/2020)
NO. DATE BY REVISIONS



11,148.5 sq ft



305 1st STREET,  
Idaho Falls, ID 83401  
PH: 208.757.5700  
www.resinarchitecture.com

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Original documents signed by:  
J. GRAHAM WHIPPLE  
Date original documents signed:  
8/4/20

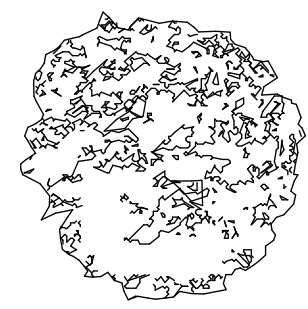
DEMOLITION LANDSCAPING PLAN

8/4/20

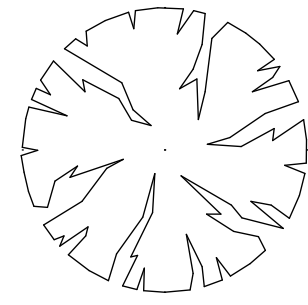
4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020

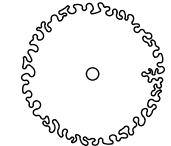
L-1



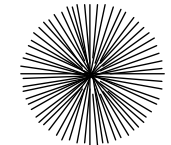
ARMSTRONG MAPLE, ACER x FREEMANII "ARMSTRONG"  
15-20 x 40-50 MATURE



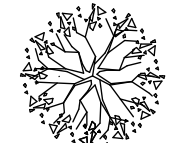
TANNENBAUM PINE, PINUS MUGHO "TANNENBAUM"  
8-10 x 12-15 MATURE



PERENNIALS AND GRASSES  
1 GAL @ 12"-18" O.C.



AUTUMN MOOR GRASS



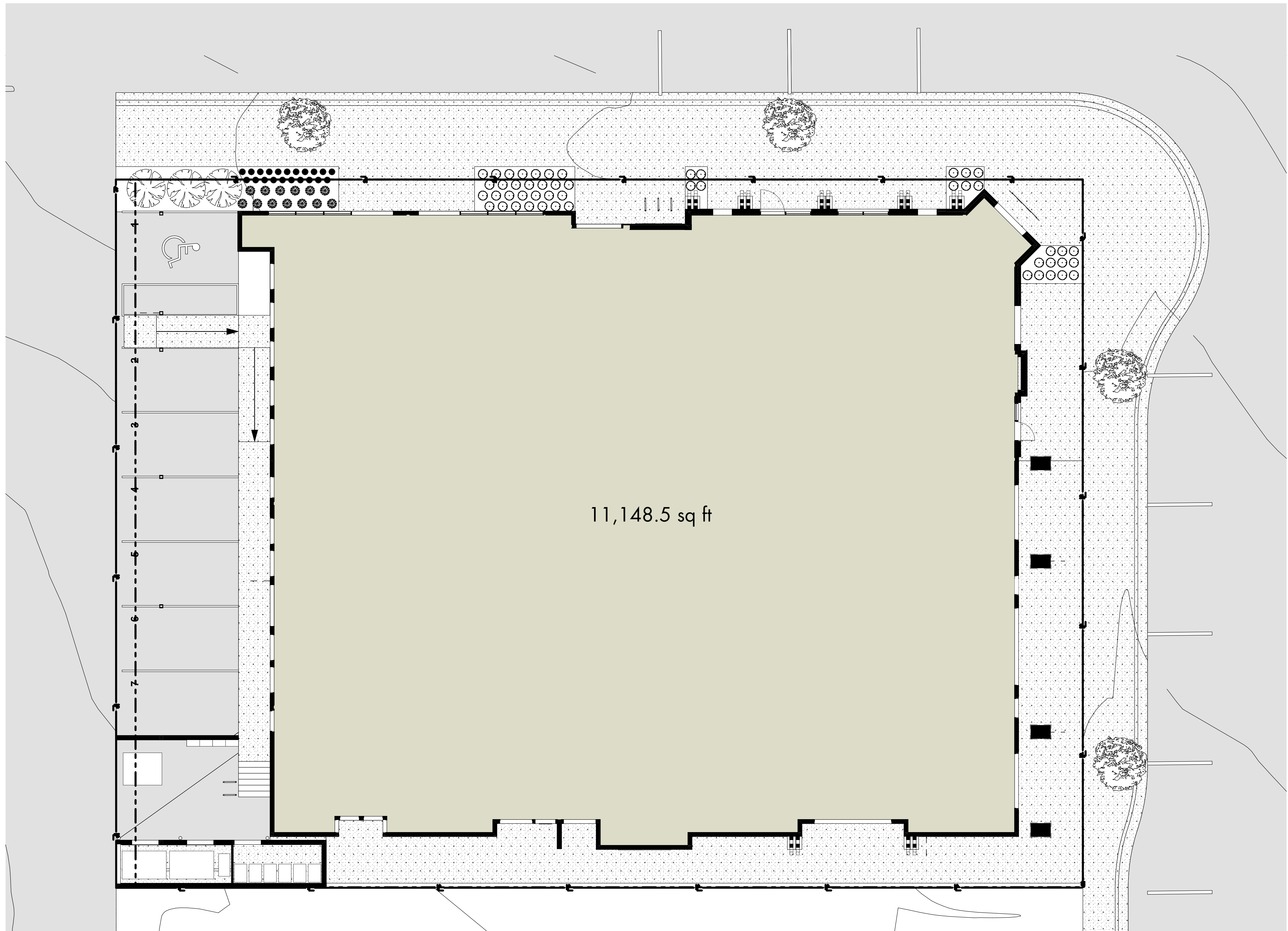
TOR BIRCHLEAF SPIREA, SPIRAEA BETULIFOLIA "TOR"



2 Mugho Tannenbaum  
SCALE: 1:1.39



1 Armstrong Maple  
SCALE: 1:1.19



11,148.5 sq ft



**RESIN**  
ARCHITECTURE

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8/4/20

# LANDSCAPING PLAN

8/4/20

## 4th & Walnut Ave. Commercial Development

Design Review August 11th 2020

**Perennials (1 gal. @ 12"-18")**

- *Alchillea millefolium* – Yarrow ‘Terracotta’
- *Geum* – Avens ‘Mai Tai’
- *Nepeta musinii* – Catmint ‘Blue Wonder’
- *Penstemon digitalis* – Penstemon ‘Dark Towers’
- *Salvia nemerosa* - ‘Ave Maria’
- *Salvia nemerosa* - ‘Caradonna’
- *Sedum telephium* - ‘Knight Rider’
- *Sedum telephium* - ‘Matrona’
- *Veronica longifolia* - ‘First Lady’



12 Veronica Longifolia First Lady  
NOT TO SCALE



11 Yarrow Terracotta  
NOT TO SCALE



10 Avens Mai Tai  
NOT TO SCALE

**Ornamental Grasses (1 gal.) - 40**

- *Calamagrostis acutiflora* – Feather Reed Grass ‘Avalanche’
- *Sesleria autumnalis* - Autumn Moor Grass w



9 Penstemon Dark Towers  
NOT TO SCALE



8 Sedum Telephium Knight Rider  
NOT TO SCALE



7 Salvia Nemerosa Caradonna  
NOT TO SCALE



6 Tor Birchleaf Spirea  
SCALE: 1:1.63



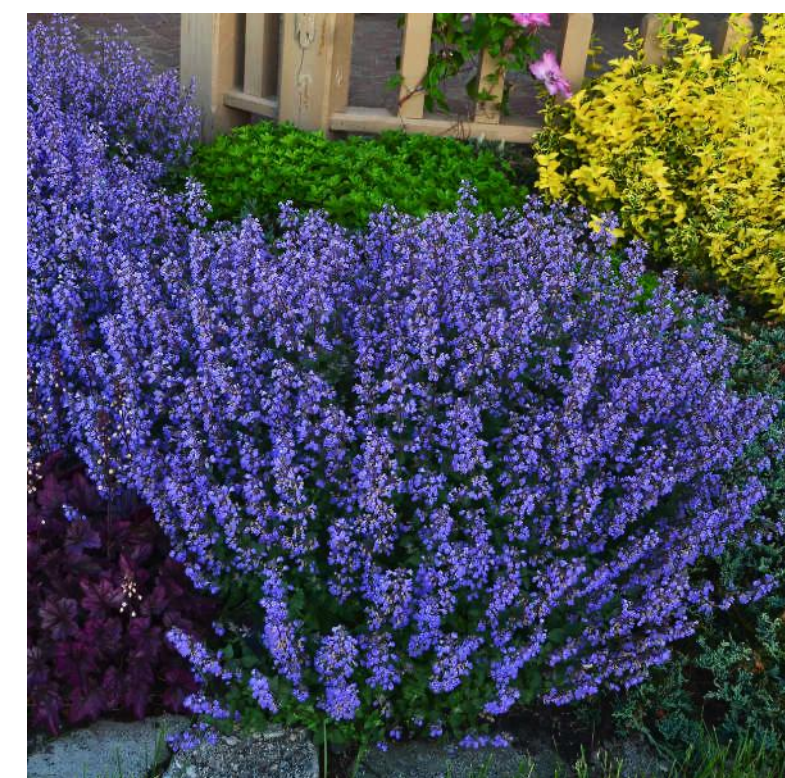
5 Autumn Moor Grass  
NOT TO SCALE



4 Feather Reed grass Avalanche  
NOT TO SCALE



3 Sedum Telephium Matrona  
NOT TO SCALE



2 Catmint Blue Wonder  
NOT TO SCALE



1 Salvia Nemerosa Ave Maria  
NOT TO SCALE



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**LANDSCAPING PLANTS**

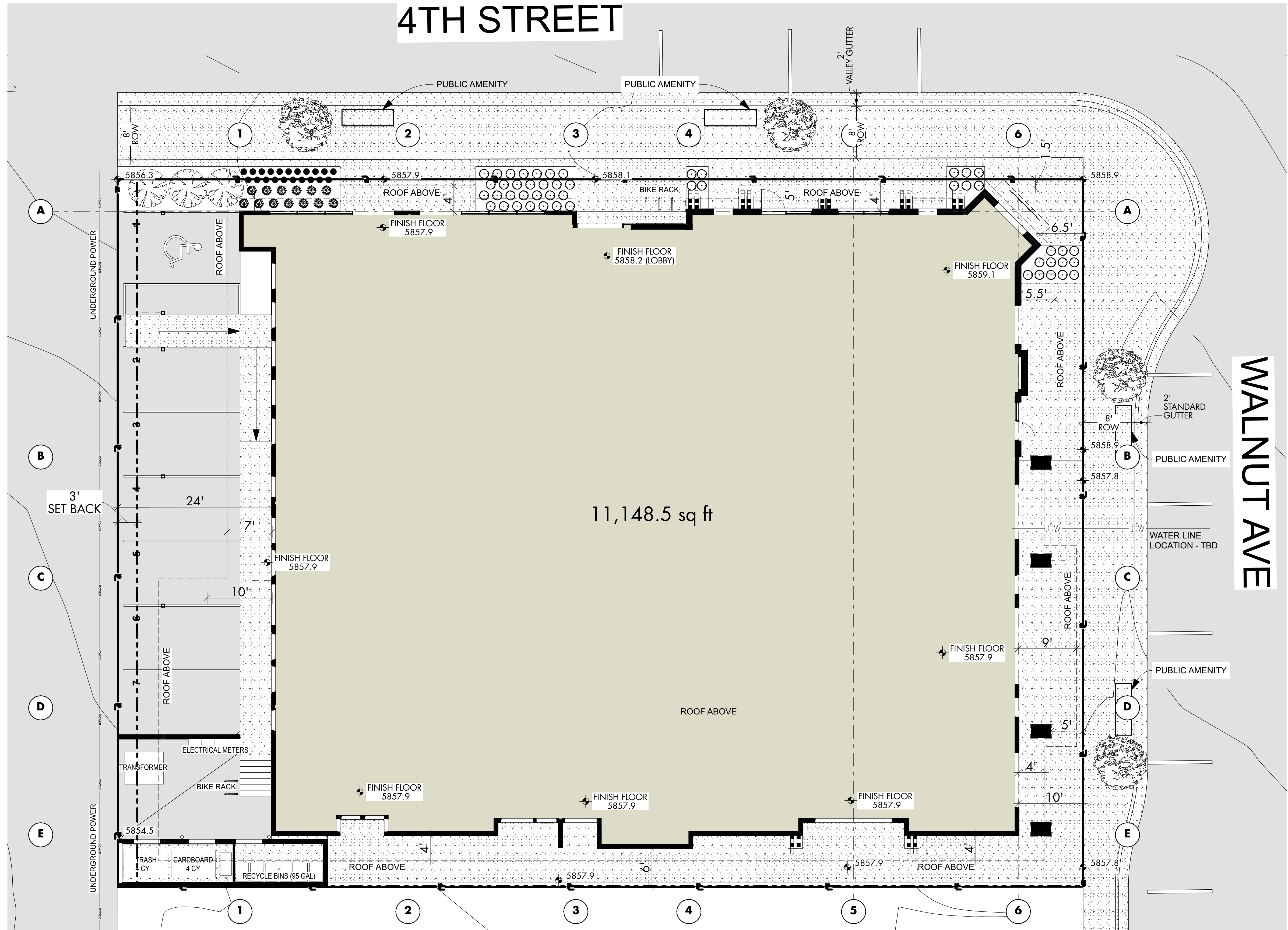
8/4/20

**4th & Walnut Ave.**  
Commercial Development

Design Review August 11th 2020

**ARCH SITE GENERAL NOTES**

- A. ALL SIDE WALKS AND RIGHT OF WAY SHALL COMPLY WITH KMC 17.96.060.H.4 "4. In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed."
- B. PUBLIC AMENITIES COMPLYING WITH KMC 17.96.060.J "1. Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches, 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." PUBLIC AMENITIES IN THE FORM OF BENCHES, TRASH RECEPTACLES AND/OR ART ARE ANTICIPATED AS PART OF THIS PROJECT. FINAL LOCATION AND DESIGN WILL BE COORDINATED WITH PUBLIC WORKS AND PLANNING DEPARTMENTS PRIOR TO PERMITTING.



**4TH STREET**

**WALNUT AVE**



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8/4/20

**ARCHITECTURAL SITE PLAN**

8/4/20

**4th & Walnut Ave.**  
Commercial Development

Design Review August 11th 2020 AS-101





1 ARCHITECTURAL SITE VICINITY  
SCALE: 1:288



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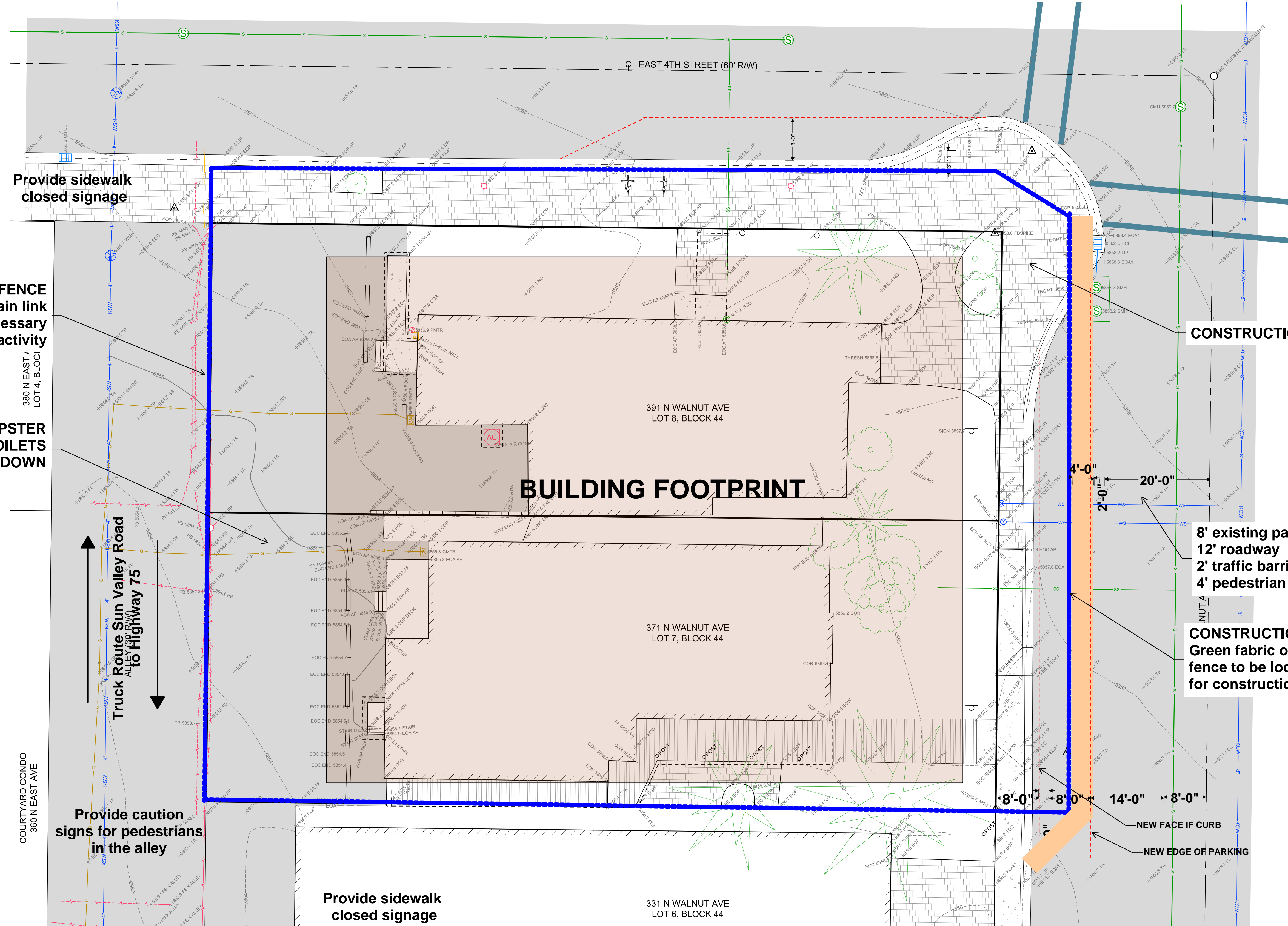
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ARCHITECTURAL VICINITY MAP

8/4/20

4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020 AS-102



**CONSTRUCTION FENCE**  
Green fabric over 6' chain link fence to be located as necessary for construction activity

**DUMPSTER**  
**CHEMICAL TOILETS**  
**MATERIAL LAYDOWN**

380 N EAST /  
LOT 4, BLOCK 1

Provide caution signs for pedestrians in the alley

Provide sidewalk closed signage

**BUILDING FOOTPRINT**

391 N WALNUT AVE  
LOT 8, BLOCK 44

371 N WALNUT AVE  
LOT 7, BLOCK 44

331 N WALNUT AVE  
LOT 6, BLOCK 44

**CONSTRUCTION OFFICE**

8' existing parking  
12' roadway  
2' traffic barrier  
4' pedestrian walkway

**CONSTRUCTION FENCE**  
Green fabric over 6' chain link fence to be located as necessary for construction activity

- Contractor Parking will be provided
1. Onsite
  2. Public parking lot at the east end of 4th Street
  3. Public parking lot on Washington Street with shuttle

**CONSTRUCTION MANAGEMENT PLAN**

8/4/20

**4th & Walnut Ave.**

**Commercial Development**

Design Review August 11th 2020

AS-103



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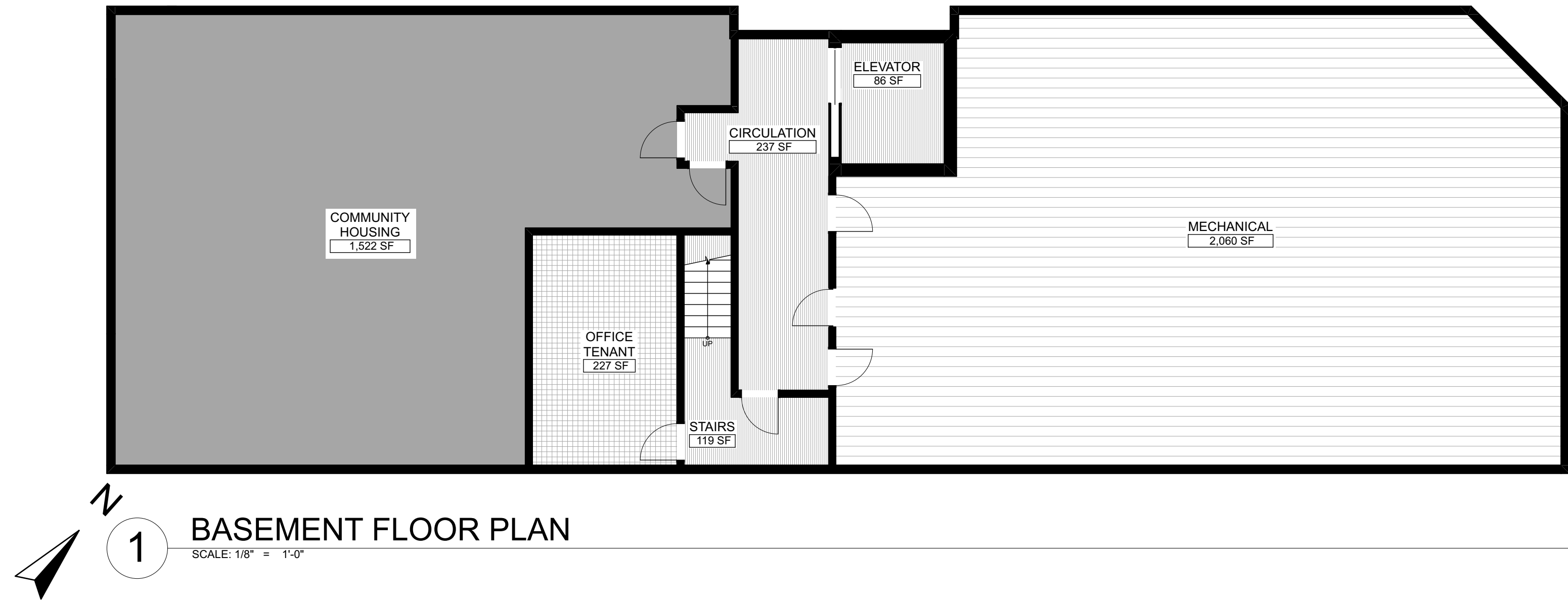
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8/4/20

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Design Review - Gross Square Footage			
Category	Level	Zone	Gross Square Footage
<b>Assembly</b>			
	SECOND FLOOR	BALCONY	807.02
			<b>807.02 sq ft</b>
<b>Circulation</b>			
	BASEMENT	CIRCULATION	276.06
	BASEMENT	ELEVATOR	120.00
	BASEMENT	STAIRS	150.45
	FIRST FLOOR	CIRCULATION	542.31
	FIRST FLOOR	ELEVATOR	120.12
	FIRST FLOOR	STAIRS	195.82
	SECOND FLOOR	CIRCULATION	1,060.44
	SECOND FLOOR	ELEVATOR	124.57
	SECOND FLOOR	STAIRS	214.79
			<b>2,804.56 sq ft</b>
<b>Community Housing</b>			
	BASEMENT	COMMUNITY HOUSING	1,625.14
			<b>1,625.14 sq ft</b>
<b>Food Service</b>			
	FIRST FLOOR	FOOD SERVICE	2,914.49
			<b>2,914.49 sq ft</b>
<b>Office</b>			
	BASEMENT	OFFICE TENANT	243.61
	SECOND FLOOR	OFFICE TENANT	3,974.19
			<b>4,217.80 sq ft</b>
<b>Residential</b>			
	FIRST FLOOR	RESIDENTIAL	1,085.12
	SECOND FLOOR	RESIDENTIAL A	1,845.38
	SECOND FLOOR	RESIDENTIAL B	1,994.78
			<b>4,925.28 sq ft</b>
<b>Retail</b>			
	FIRST FLOOR	RETAIL	6,338.40
			<b>6,338.40 sq ft</b>
<b>Storage &amp; Mechanical</b>			
	BASEMENT	MECHANICAL	2,157.06
			<b>2,157.06 sq ft</b>
			<b>25,789.75 sq ft</b>

Design Review - Net Square Footage			
Category	Level	Zone	Net Square Footage
<b>Assembly</b>			
	SECOND FLOOR	BALCONY	745.30
			<b>745.30 sq ft</b>
<b>Circulation</b>			
	BASEMENT	CIRCULATION	236.79
	BASEMENT	ELEVATOR	86.33
	BASEMENT	STAIRS	119.13
	FIRST FLOOR	CIRCULATION	485.54
	FIRST FLOOR	ELEVATOR	92.53
	FIRST FLOOR	STAIRS	160.51
	SECOND FLOOR	CIRCULATION	943.60
	SECOND FLOOR	ELEVATOR	92.53
	SECOND FLOOR	STAIRS	186.24
			<b>2,403.20 sq ft</b>
<b>Community Housing</b>			
	BASEMENT	COMMUNITY HOUSING	1,521.78
			<b>1,521.78 sq ft</b>
<b>Food Service</b>			
	FIRST FLOOR	FOOD SERVICE	2,783.72
			<b>2,783.72 sq ft</b>
<b>Office</b>			
	BASEMENT	OFFICE TENANT	226.69
	SECOND FLOOR	OFFICE TENANT	3,867.44
			<b>4,094.13 sq ft</b>
<b>Residential</b>			
	FIRST FLOOR	RESIDENTIAL	1,020.42
	SECOND FLOOR	RESIDENTIAL A	1,772.70
	SECOND FLOOR	RESIDENTIAL B	1,927.91
			<b>4,721.03 sq ft</b>
<b>Retail</b>			
	FIRST FLOOR	RETAIL	6,145.23
			<b>6,145.23 sq ft</b>
<b>Storage &amp; Mechanical</b>			
	BASEMENT	MECHANICAL	2,060.06
			<b>2,060.06 sq ft</b>
			<b>24,474.45 sq ft</b>



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## BASEMENT FLOOR PLAN

8/4/20

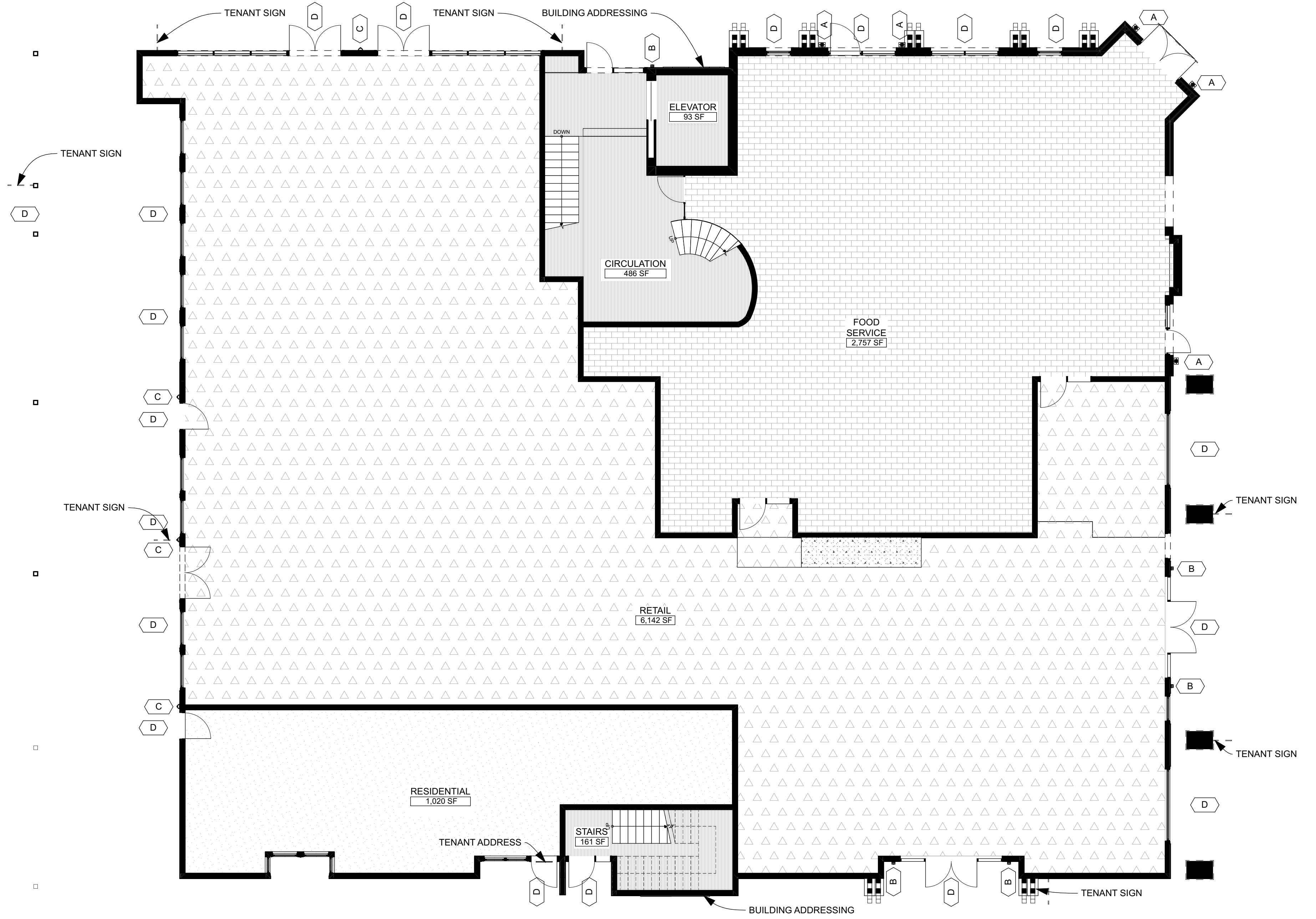
4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020

A-100

Design Review - Gross Square Footage			
Category	Level	Zone	Gross Square Footage
<b>Assembly</b>			
	SECOND FLOOR	BALCONY	807.02
			<b>807.02 sq ft</b>
<b>Circulation</b>			
BASEMENT	CIRCULATION		276.06
BASEMENT	ELEVATOR		120.00
BASEMENT	STAIRS		150.45
FIRST FLOOR	CIRCULATION		542.31
FIRST FLOOR	ELEVATOR		120.12
FIRST FLOOR	STAIRS		195.82
SECOND FLOOR	CIRCULATION		1,060.44
SECOND FLOOR	ELEVATOR		124.57
SECOND FLOOR	STAIRS		214.79
			<b>2,804.56 sq ft</b>
<b>Community Housing</b>			
BASEMENT	COMMUNITY HOUSING		1,625.14
			<b>1,625.14 sq ft</b>
<b>Food Service</b>			
FIRST FLOOR	FOOD SERVICE		2,914.49
			<b>2,914.49 sq ft</b>
<b>Office</b>			
BASEMENT	OFFICE TENANT		243.61
SECOND FLOOR	OFFICE TENANT		3,974.19
			<b>4,217.80 sq ft</b>
<b>Residential</b>			
FIRST FLOOR	RESIDENTIAL		1,085.12
SECOND FLOOR	RESIDENTIAL A		1,845.38
SECOND FLOOR	RESIDENTIAL B		1,994.78
			<b>4,925.28 sq ft</b>
<b>Retail</b>			
FIRST FLOOR	RETAIL		6,338.40
			<b>6,338.40 sq ft</b>
<b>Storage &amp; Mechanical</b>			
BASEMENT	MECHANICAL		2,157.06
			<b>2,157.06 sq ft</b>
			<b>25,789.75 sq ft</b>

Design Review - Net Square Footage			
Category	Level	Zone	Net Square Footage
<b>Assembly</b>			
	SECOND FLOOR	BALCONY	745.30
			<b>745.30 sq ft</b>
<b>Circulation</b>			
BASEMENT	CIRCULATION		236.79
BASEMENT	ELEVATOR		86.33
BASEMENT	STAIRS		119.13
FIRST FLOOR	CIRCULATION		485.54
FIRST FLOOR	ELEVATOR		92.53
FIRST FLOOR	STAIRS		160.51
SECOND FLOOR	CIRCULATION		943.60
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SECOND FLOOR	STAIRS		186.24
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<b>Office</b>			
BASEMENT	OFFICE TENANT		226.69
SECOND FLOOR	OFFICE TENANT		3,867.44
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<b>Residential</b>			
FIRST FLOOR	RESIDENTIAL		1,020.42
SECOND FLOOR	RESIDENTIAL A		1,772.70
SECOND FLOOR	RESIDENTIAL B		1,927.91
			<b>4,721.03 sq ft</b>
<b>Retail</b>			
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<b>Storage &amp; Mechanical</b>			
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			<b>24,474.45 sq ft</b>



**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

LEGEND:

- STORAGE
- CIRCULATION
- ASSEMBLY
- FOOD SERVICE
- OFFICE
- COMMUNITY HOUSING
- RETAIL
- RESIDENTIAL



**TYPE A**  
WALL SCONCE  
8'-4" HEIGHT  
DARK SKY COMPLIANT  
(5 FIXTURES)



**TYPE C**  
WALL SCONCE  
6'-6" MOUNTING HEIGHT  
DARK SKY COMPLIANT  
(8 FIXTURES)



**TYPE B**  
WALL SCONCE  
7'-0" MOUNTING HEIGHT  
DARK SKY COMPLIANT  
(5 FIXTURES)



**TYPE D**  
RECESSED CAN  
SOFFIT MOUNTED  
DARK SKY COMPLIANT  
(30 FIXTURES)



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**FIRST FLOOR PLAN**  
8/4/20  
**4th & Walnut Ave.**  
Commercial Development  
Design Review August 11th 2020  
A-101

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(5 FIXTURES)



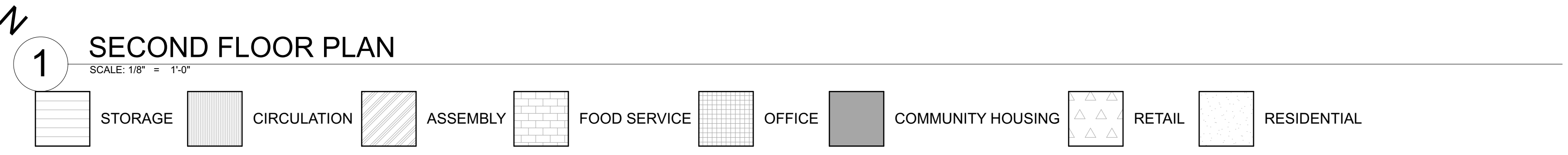
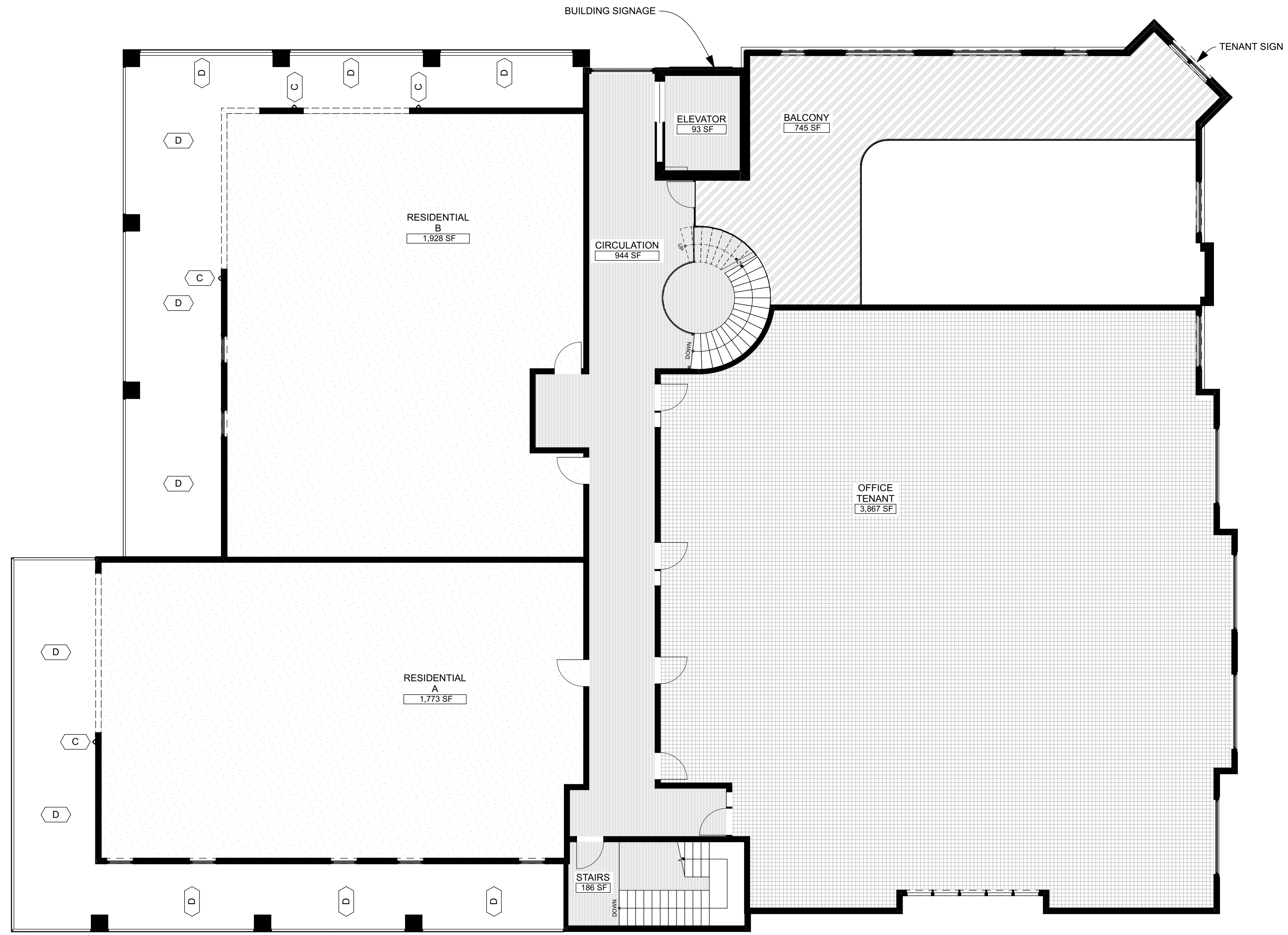
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DARK SKY COMPLIANT  
(8 FIXTURES)



**TYPE B**  
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7'-0" MOUNTING HEIGHT  
DARK SKY COMPLIANT  
(5 FIXTURES)



**TYPE D**  
RECESSED CAN  
SOFFIT MOUNTED  
DARK SKY COMPLIANT  
(30 FIXTURES)



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J. GRAHAM WHIPPLE  
Date original documents signed:  
8/4/20

**SECOND FLOOR PLAN**

8/4/20

**4th & Walnut Ave.**  
Commercial Development

Design Review August 11th 2020

A-102

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**TYPE A**  
WALL SCONCE  
8'-4" HEIGHT  
DARK SKY COMPLIANT  
(5 FIXTURES)



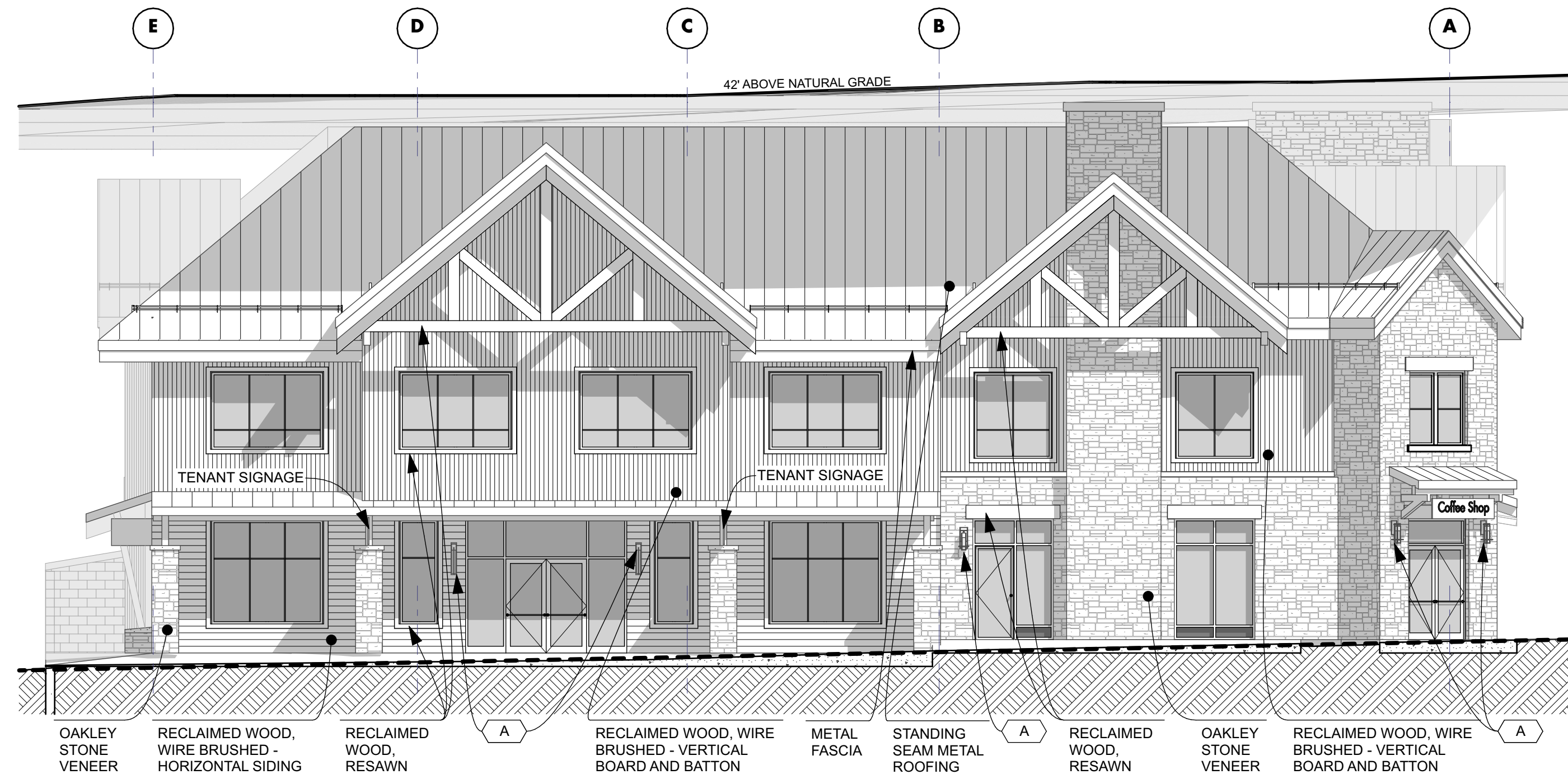
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(8 FIXTURES)



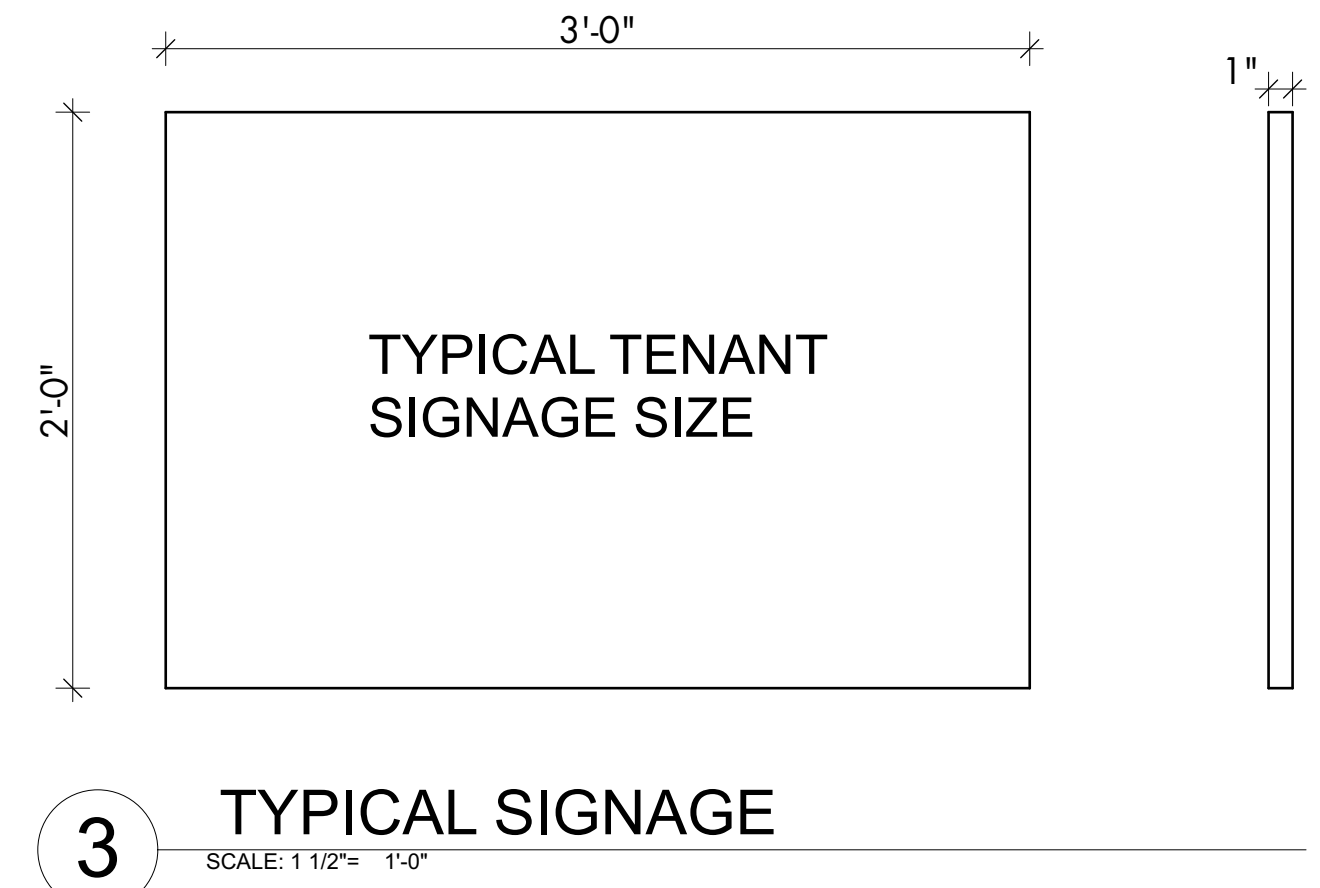
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(5 FIXTURES)



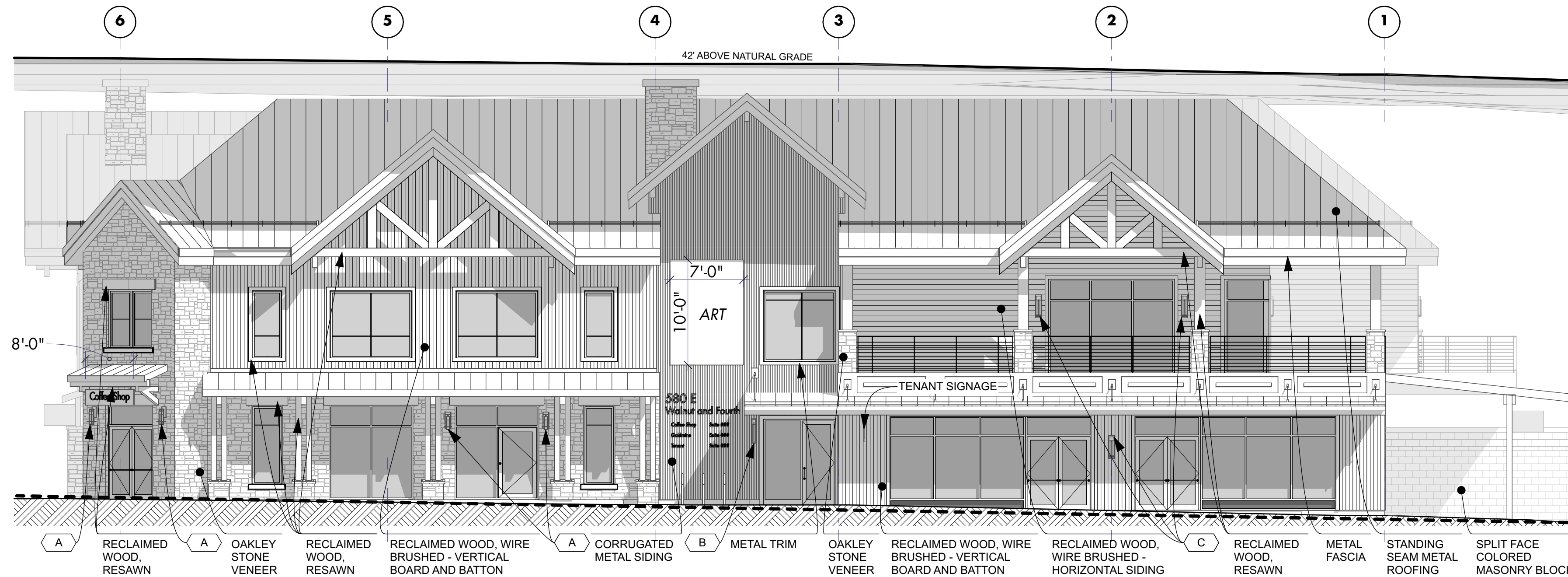
**TYPE D**  
RECESSED CAN  
SOFFIT MOUNTED  
DARK SKY COMPLIANT  
(30 FIXTURES)



**2** NE Elevation (Walnut)  
SCALE: 1/8" = 1'-0"



**3** TYPICAL SIGNAGE  
SCALE: 1 1/2" = 1'-0"



**1** NW Elevation (4th)  
SCALE: 1/8" = 1'-0"



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ELEVATIONS

8/4/20

4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020

A-201



**TYPE A**  
WALL SCONCE  
8'-4" HEIGHT  
DARK SKY COMPLIANT  
(5 FIXTURES)



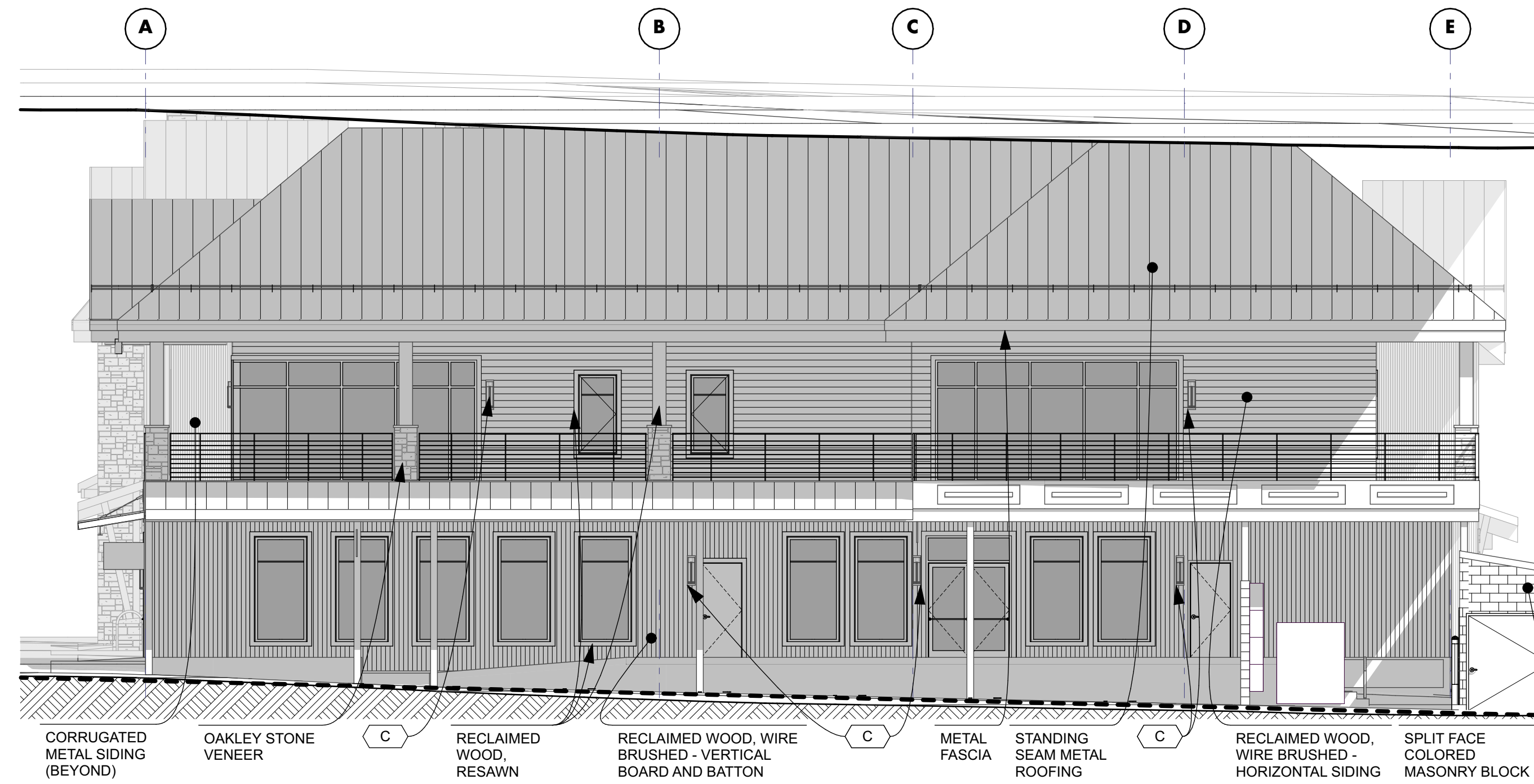
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6'-6" MOUNTING HEIGHT  
DARK SKY COMPLIANT  
(8 FIXTURES)



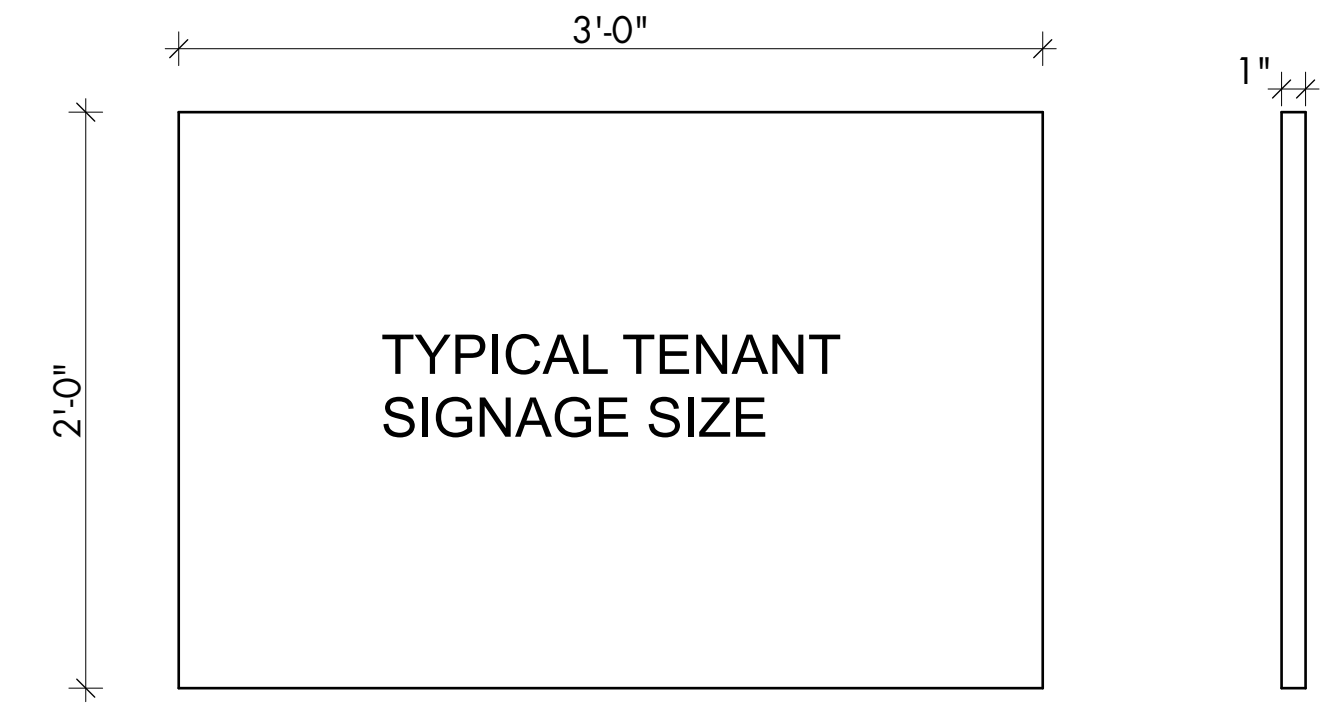
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(5 FIXTURES)



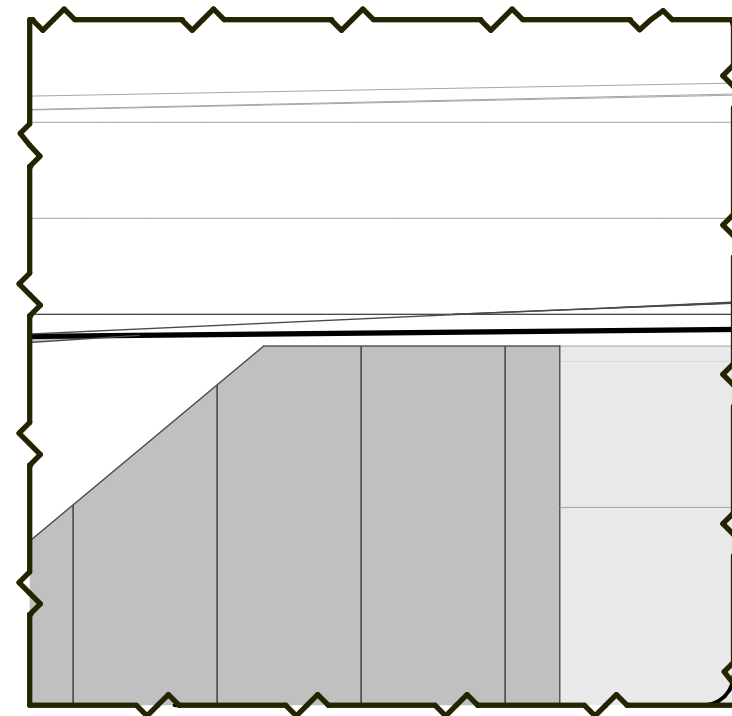
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SOFFIT MOUNTED  
DARK SKY COMPLIANT  
(30 FIXTURES)



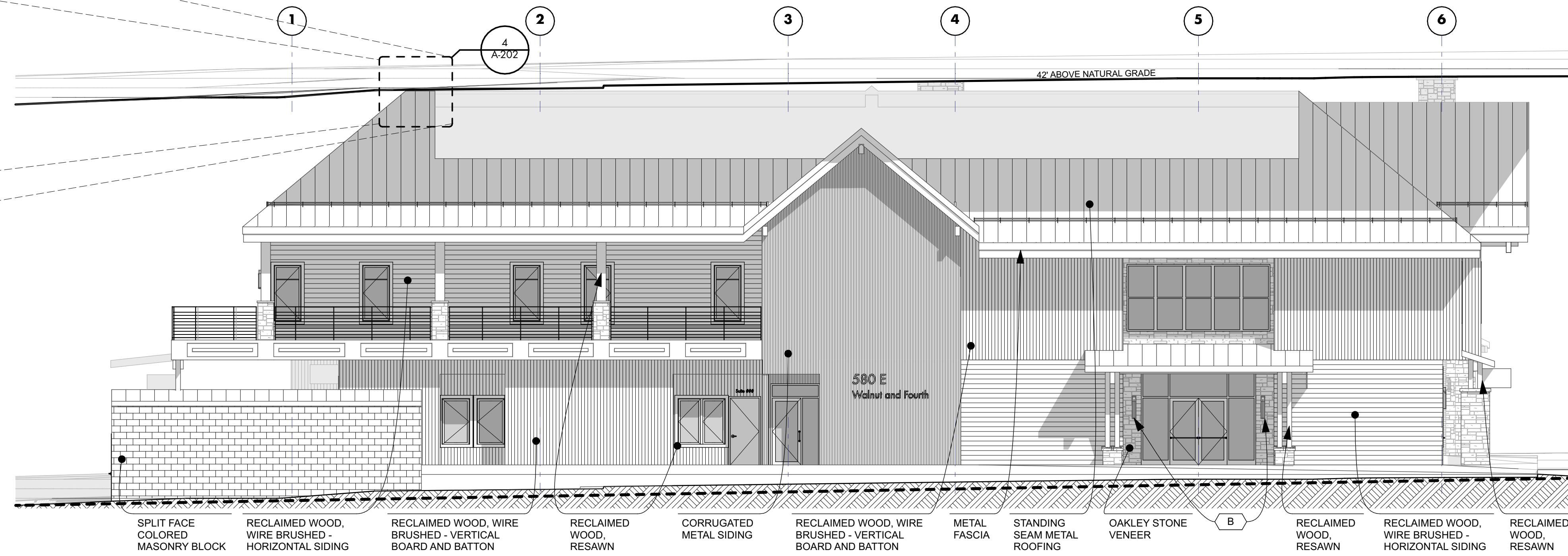
**2** SW Elevation (Alley)  
SCALE: 1/8" = 1'-0"



**3** TYPICAL SIGNAGE  
SCALE: 1 1/2" = 1'-0"



**4** SE Elevation  
SCALE: 1/2" = 1'-0"



**1** SE Elevation  
SCALE: 1/8" = 1'-0"

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ELEVATIONS

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4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020

A-202



1 WALNUT & 4TH  
NOT TO SCALE



2 WALNUT & 4TH  
NOT TO SCALE



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RENDERINGS

8/4/20

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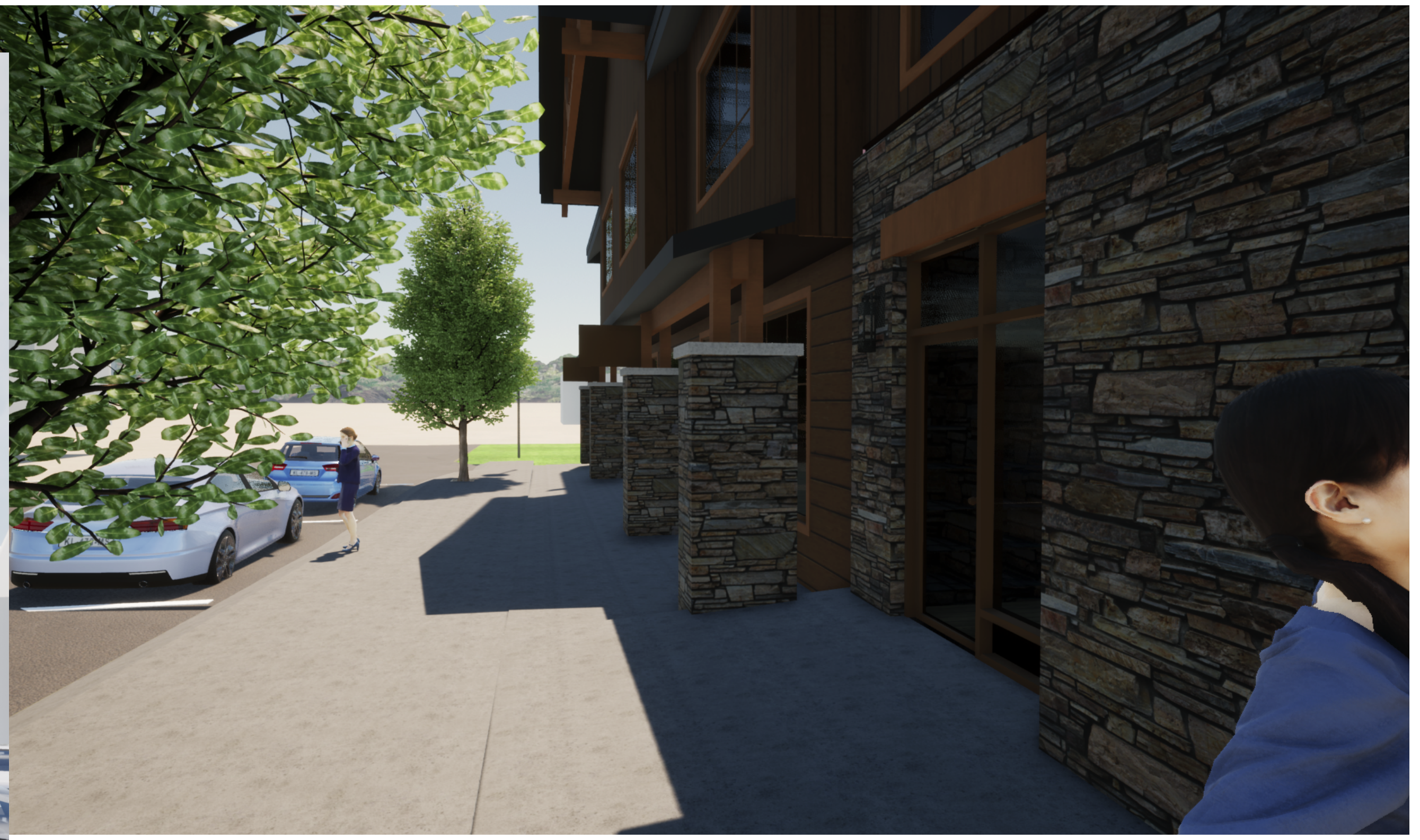
Design Review August 11th 2020

A-301





2 4TH  
NOT TO SCALE



3 WALNUT  
NOT TO SCALE



1 4TH  
NOT TO SCALE



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RENDERINGS

8/4/20

4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020

A-302



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EXTERIOR MATERIALS

8/4/20

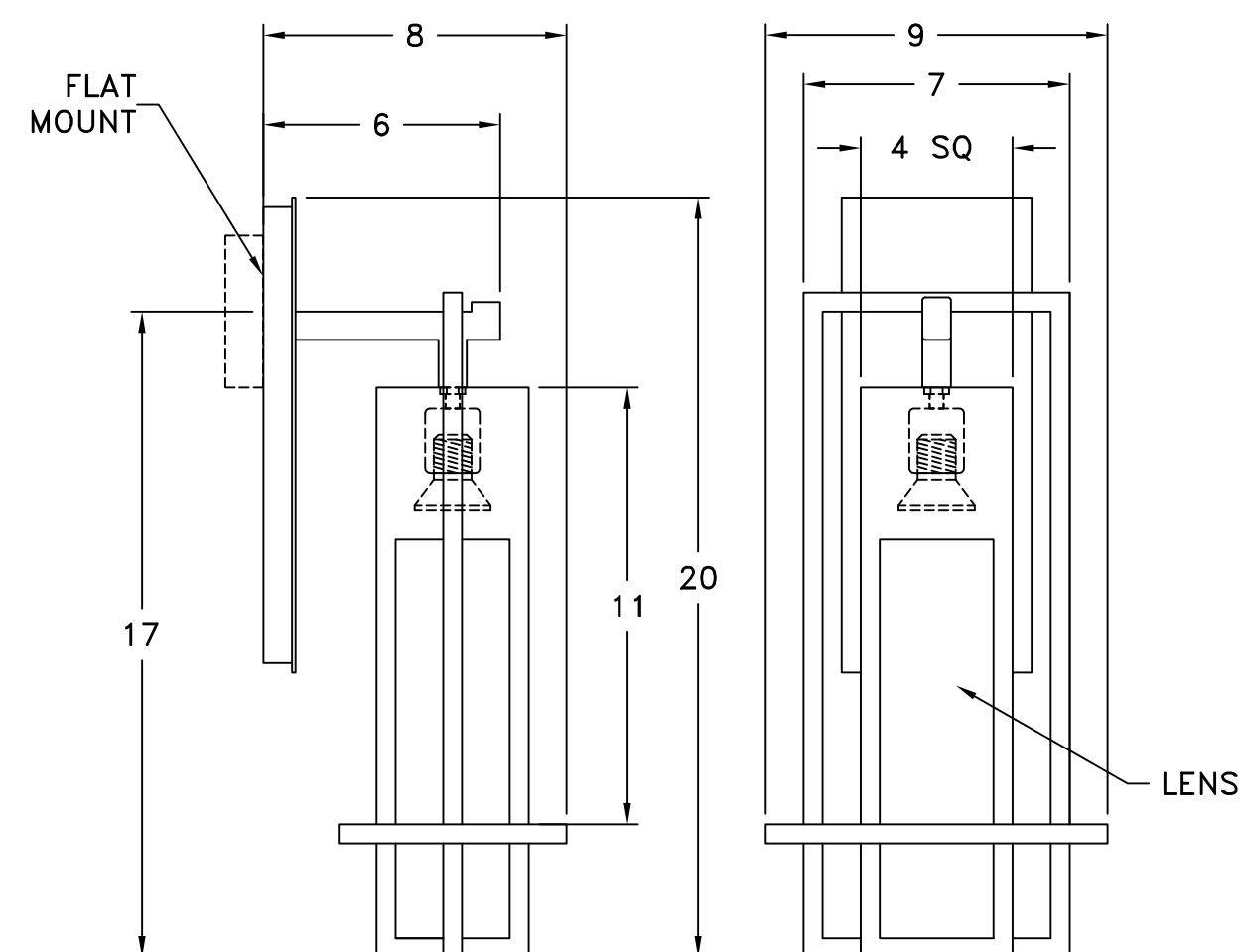
4th & Walnut Ave.  
 Commercial Development

Design Review August 11th 2020 AF-101

# HAMMERTON

CONCEPT

Location: Product #: CU-OD2186-20C-A  
Date: 6/25/2020  
Concept drawing only. A final specification drawing will be provided after purchase order.



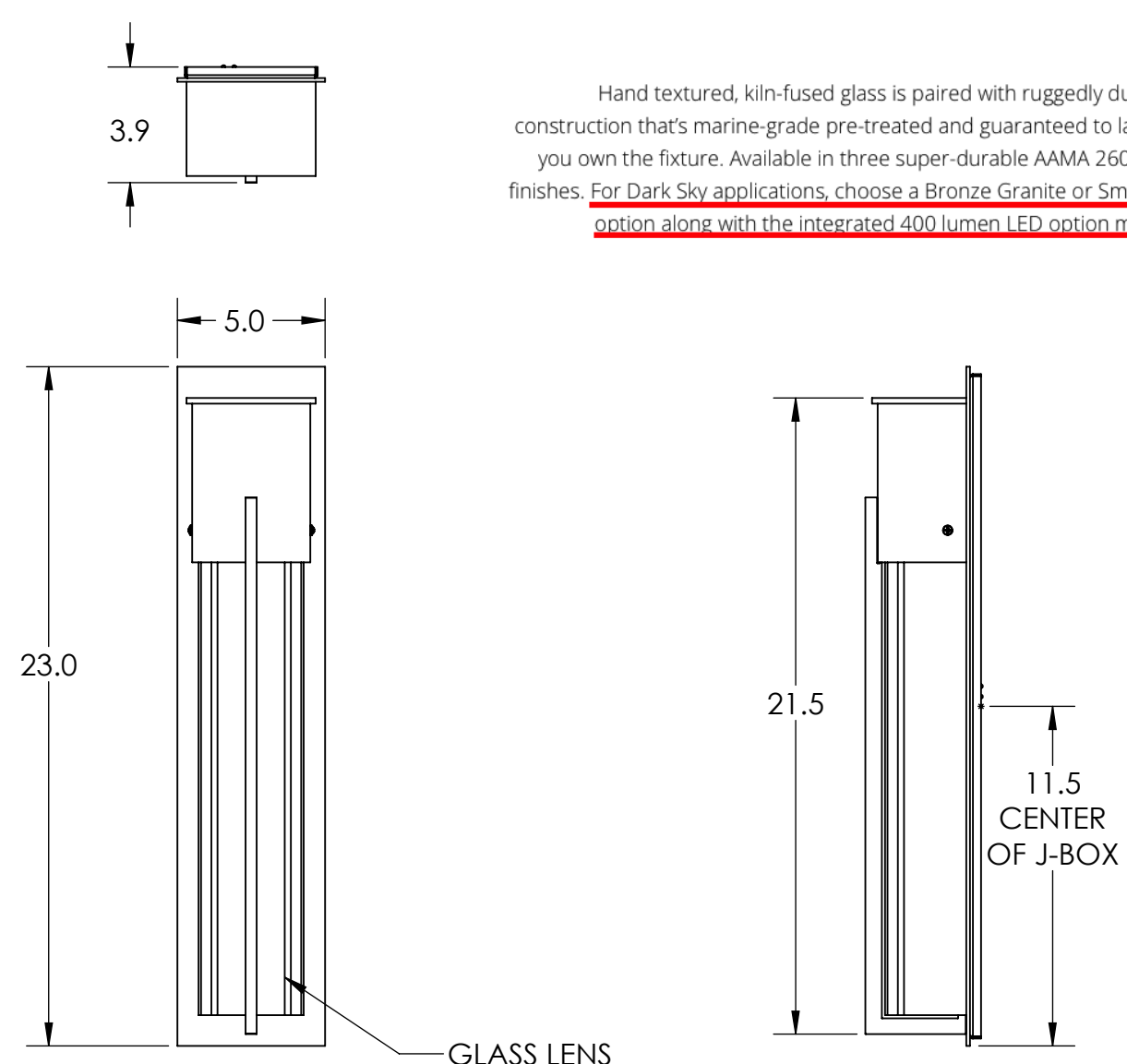
NOTE: FIXTURE IS IDA (DARK SKY) COMPLIANT

Finish: TBD	UL Location: DAMP	Mounting Style
Top Diffuser: CLOSED	Electrical Type: MR-16	<p>CAUTION HARDWARE PACKET "D" MOUNTS DIRECTLY TO J-BOX.</p>
Bottom Diffuser: OPEN	Bulb Qty: 1 Wattage: 35 Voltage: 120	

1 TYPE A  
SCALE: 1" = 1'-0"

# HAMMERTONSTUDIO™ SPECIFICATION DRAWING

Collection: OUTDOOR Product #: ODB0055-23



Hand textured, kiln-fused glass is paired with ruggedly durable aluminum construction that's marine-grade pre-treated and guaranteed to last for as long as you own the fixture. Available in three super-durable AAMA 2604 rated outdoor finishes. For Dark Sky applications, choose a Bronze Granite or Smoke Granite lens option along with the integrated 400 lumen LED option must be selected.

Bulbs Not Included Visit [hammertonstudio.com](http://hammertonstudio.com) for product options and specifications. 12/7/2017 (A)

Mounting Packet: U	Electrical Type: HALOGEN/LED RETRO	Mounting Detail
Approximate lbs.: 15	Bulb Qty: 1 Bulb Type: MR16	<p>MOUNTS DIRECTLY TO J-BOX</p>
Finish: SEE WEB SITE FOR OPTIONS	Wattage: 35 Voltage: 120	
Top Diffuser: CLOSED METAL	Socket Type: GU10	
Bottom Diffuser: OPEN	UL Location: WET	

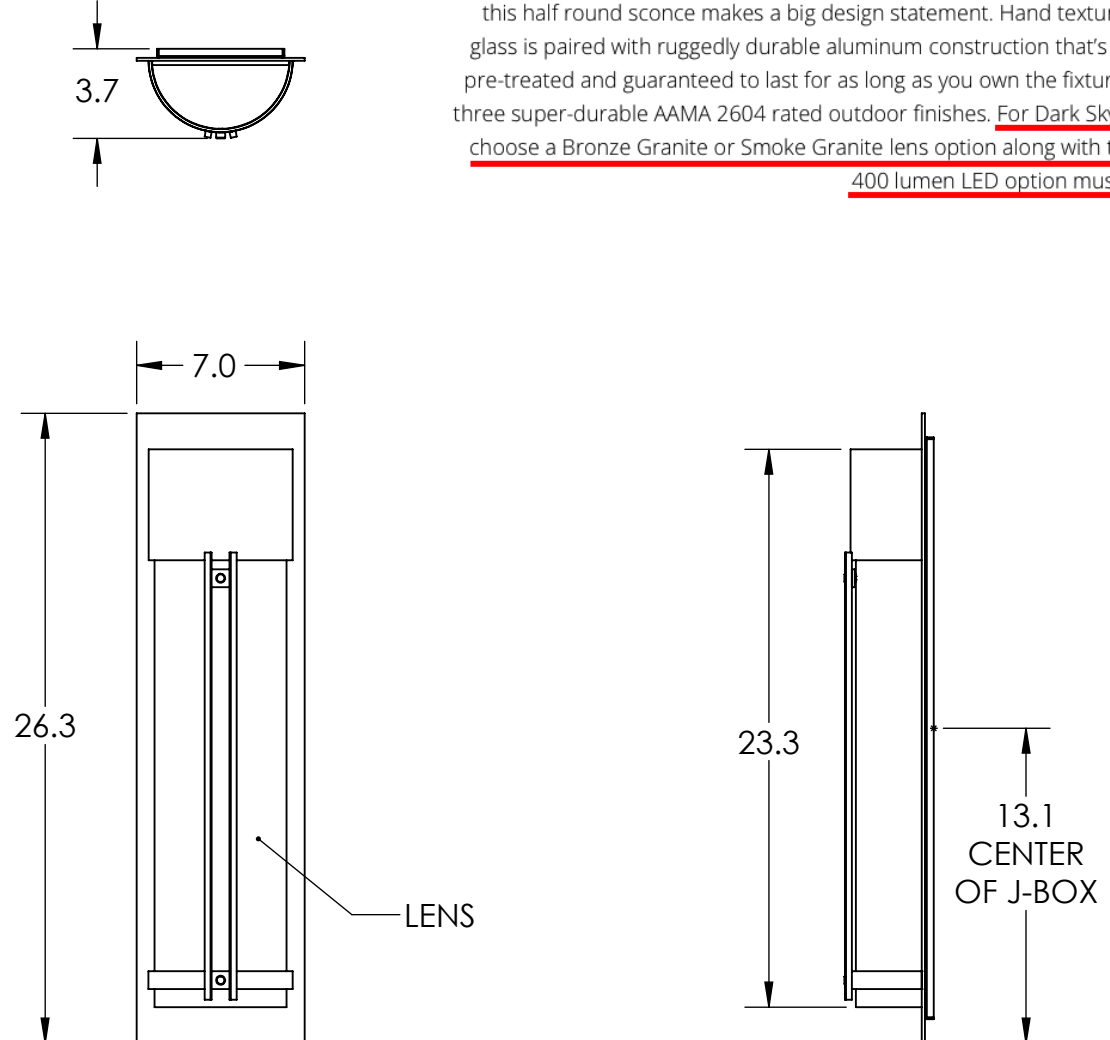
All fixtures created by Hammerton are handcrafted by artisans. Dimensions may vary up to 7/8".  
© Copyright 2017. All rights in design, detail or invention of this drawing are reserved as the property of Hammerton. Any imitation or adaptation without written consent is strictly prohibited.  
Hammerton Inc. 217 Wright Brothers Dr. Salt Lake City, UT 84116 (801)973-8095

3 TYPE B  
SCALE: 1" = 1'-0"

# HAMMERTONSTUDIO™ SPECIFICATION DRAWING

Collection: OUTDOOR Product #: ODB0054-26

\*\*FOR BEST RESULTS USE A 10°-20° DIRECTIONAL BULB\*\*



Two inches wider than our outdoor square cover sconce and with similar options, this half round sconce makes a big design statement. Hand textured, kiln-fused glass is paired with ruggedly durable aluminum construction that's marine-grade pre-treated and guaranteed to last for as long as you own the fixture. Available in three super-durable AAMA 2604 rated outdoor finishes. For Dark Sky applications, choose a Bronze Granite or Smoke Granite lens option along with the integrated 400 lumen LED option must be selected.

Bulbs Not Included Visit [hammertonstudio.com](http://hammertonstudio.com) for product options and specifications. 12/7/2017 (A)

Mounting Packet: U	Electrical Type: HALOGEN/LED RETRO	Mounting Detail
Approximate lbs.: 10	Bulb Qty: 1 Bulb Type: MR16	<p>MOUNTS DIRECTLY TO J-BOX</p>
Finish: SEE WEB SITE FOR OPTIONS	Wattage: 35 Voltage: 120	
Top Diffuser: CLOSED METAL	Socket Type: GU10	
Bottom Diffuser: OPEN	UL Location: WET	

All fixtures created by Hammerton are handcrafted by artisans. Dimensions may vary up to 7/8".  
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2 TYPE C  
SCALE: 1" = 1'-0"



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J. GRAHAM WHIPPLE  
Date original documents signed:  
8/4/20

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## EXTERIOR LIGHTING

8/4/20

4th & Walnut Ave.  
Commercial Development

Design Review August 11th 2020 AF-102

Exhibit B:  
Video Link

[https://youtu.be/\\_Jvj\\_lacGs](https://youtu.be/_Jvj_lacGs)

# Exhibit C: Staff Analysis

1. Zoning and Dimensional Standards Analysis
2. Design Review Standards Analysis
3. Community Core Design Review Standards Analysis
4. City Department Comments



4<sup>th</sup> & Walnut Ave Commercial Development Design Review  
EXHIBIT C1: ZONING & DIMENSIONAL STANDARDS ANALYSIS

Zoning and Dimensional Standards Analysis				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Ketchum Municipal Code Section	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Minimum Lot Area</b>
			Staff Comments	<p><b>Required:</b> 5,500 square feet minimum <b>Existing:</b> Lots 7 and 8 have a combined area of 16,378 square feet.</p> <p>The applicant must submit a Lot Line Shift application to remove the common boundary line between lots 7 and 8. The amended plat shall be recorded prior to issuance of a building permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.040	<b>Floor Area Ratios and Community Housing</b>
			Staff Comments	<p>Permitted Gross FAR in Community Core Subdistrict 1(CC-1) : 1.0 Permitted Gross FAR with Inclusionary Housing Incentive: 2.25</p> <p><b>Proposed Gross Floor Area:</b> 20,876 gross square feet <b>Lot Area:</b> 16,378 square feet <b>FAR Proposed:</b> 1.28 (20,876 gross sq ft/16,378 sq ft lot area) <b>Increase Above Permitted FAR:</b> 4,498 square feet <b>20% of Increase:</b> 899.60 square feet <b>Net Livable (15% Reduction):</b> 765 square feet</p> <p>The applicant has included a 1,625-square-foot community housing unit within the basement to satisfy the community housing contribution (Exhibit A: Basement Floor Plan Sheet A-101).</p> <p>Prior to issuance of a building permit for the project, an Exceedance Agreement approved by Ketchum City Council addressing the square footage above the permitted 1.0 Floor Area Ratio and memorializing the associated community housing contribution is required (KMC §17.124.040.B).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Minimum Building Setbacks</b>
			Staff Comments	<p><b>Required</b> <b>Front &amp; Street Side:</b> 0' <b>Rear Side Adjacent to an Alleyway:</b> 3' <b>Interior Side:</b> 0' <b>Cantilevered decks and overhangs:</b> 0'</p>

				<p><b>Non-habitable Structures/Fixed Amenities/Solar and Mechanical Equipment Affixed to the Roof from all Building Facades: 10'</b></p> <p><b><u>Proposed Building Setbacks</u></b>  The applicant has indicated the proposed setbacks on the Architectural Site Plan (Sheet AS-101) of the Design Review submittal attached as Exhibit A.  <b>Front (Walnut Avenue): 6.5'</b>  <b>Street Side: (4<sup>th</sup> Street): 1.5'</b>  <b>Rear Side (adjacent to alleyway): 3'</b>  <b>Interior Side: 6'</b>  <b>Cantilevered decks and overhangs: 0'</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.12.040</b></p> <p><b>Staff Comments</b></p>	<p><b>Maximum Building Heights</b></p> <p><b><u>Permitted</u></b>  <b>Building Height: 42'</b>  <b>Non-Habitable Structures Located on Building Rooftops: 10'</b></p> <p><b><u>Proposed</u></b>  The proposed mixed-use building is 42-feet in height. Sheets A201 and A202 indicate the 42-foot building height limit from the average elevation of front and rear property lines. The building elevations follows the site's natural, sloping grade. The entirety of the building including the chimneys is contained within the required 42-square-foot maximum limit.</p> <p>The proposed roof is a false mansard. As illustrated on the southeast elevation indicated on Sheet A-202, the top of the mansard roof falls into a 10-foot deep recessed area that is fully screened from public view. All roof-mounted mechanical, plumbing, and electrical equipment is contained within this fully screened, false mansard recession. The applicant has also proposed a roof-mounted solar system contained within this recession.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>17.125.030H</b></p> <p><b>Staff Comments</b></p>	<p><b>Curb Cut</b></p> <p><b><u>Required</u></b>  A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking. Corner lots that front two or more streets may select either or both streets as access but shall not devote more than 35% of the total linear footage of street frontage to access off street parking.</p> <p><b><u>Proposed</u></b>  The parking area is located off the alley. No curb cuts along 4<sup>th</sup> Street or Walnut Avenue are proposed.</p>
			<b>17.125.040</b>	<b>Parking Spaces</b>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Staff Comments</b>	<p><b><u>Required (KMC §17.125.040)</u></b></p> <p>Multi-Family Dwelling Units in CC Zone  Units 750 square feet or less: 0 parking spaces  Units 751 square feet to 2,000 square feet: 1 parking space  Units 2,001 square feet and above: 2 parking spaces</p> <p>Non-residential: 1 parking space per 1,000 gross square feet (refer to definition of gross floor area with additional exclusion of common and public areas)</p> <p><b><u>Exemptions in CC Zone</u></b></p> <ul style="list-style-type: none"> <li>• Community housing</li> <li>• Food service</li> <li>• The first 5,500 gross square feet of retail trade</li> <li>• The first 5,500 gross square feet of assembly uses</li> </ul> <p><b><u>Project Parking Demand</u></b></p> <p><i>Basement</i>  Community Housing Unit (1,522 sq ft): Exempt  Office (227 sq ft) : basement not included in gross floor area calculation</p> <p><i>Ground Floor</i>  Coffee Shop (2,914 gross sq ft): food service exempt  Retail (6,338 gross sq ft): first 5,500 sq ft retail trade exempt, 838 sq ft = 1 parking space  Residential (1,020 sq ft): 1 parking space</p> <p><i>Second Floor</i>  Balcony (807 gross sq ft): first 5,500 sq ft of assembly exempt  Office (3,974 gross sq ft): 4 parking spaces required  Residential Unit A (1,773 square feet): 1 parking space required  Residential Unit B (1,928 square feet): 1 parking space required</p> <p>Total Parking Demand: 8 Parking Spaces (3 residential &amp; 5 non-residential)</p> <p><b><u>Community Core On Street Parking Credit (KMC §17.125.050.C)</u></b></p> <ul style="list-style-type: none"> <li>• 4 parking spaces per 5,500 sq ft of lot area may be credited after 4 spaces minimum is satisfied  <i>8 parking spaces may be credited based on 16,378 sq ft lot area</i></li> <li>• Only spaces directly adjacent to property lines  <i>Six parking spaces are located within the ROW directly adjacent to the property lines</i></li> </ul>
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				<ul style="list-style-type: none"> <li>• Credit spaces shall only be credited for non-residential parking demand <i>The project's non-residential parking demand is 5 spaces.</i></li> </ul> <p><b><u>Proposed</u></b> 7 parking spaces are provided on-site satisfying the 4 on-site parking spaces as well as the residential parking demand of 3 spaces. 1 credit space of the 6 eligible credit spaces has been utilized for the non-residential parking demand.</p>
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4th & Walnut Ave Commercial Development Design Review  
EXHIBIT C2: DESIGN REVIEW STANDARDS ANALYSIS

Design Review Improvements and Standards (KMC §17.96.060)				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.A1 Streets	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.  <i>Staff Comments</i> The subject property has existing street frontage along 4 <sup>th</sup> Street and Walnut Avenue.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.A2 Streets	All street designs shall be approved by the City Engineer.  <i>Staff Comments</i> No changes to the lanes of travel or the street designs are proposed with this project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B1 Sidewalks	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.  <i>Staff Comments</i> The applicant has proposed to improve the sidewalks to City ROW standards (Exhibit A: Sheets C1.1, C0.1, and C0.2).  Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.  See Table 1 for comments and conditions from the City Engineer & Streets Department.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B2 Sidewalks	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.  <i>Staff Comments</i> The applicant will improve the sidewalks to City ROW standards along both Walnut Avenue and 4 <sup>th</sup> Street. Sheet C1.1 indicates an 8-foot wide sidewalk, which is the required width for 60’ (4 <sup>th</sup> Street) and 80’ (Walnut Avenue) ROWs.  Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer & Streets Department.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B3 Sidewalks	Sidewalks may be waived if one of the following criteria is met:

				<p>a. The project comprises an addition of less than 250 square feet of conditioned space.</p> <p>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.</p>
			<i>Staff Comments</i>	<i>N/A as sidewalks are required for this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.B4 Sidewalks</b>	<b>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.</b>
			<i>Staff Comments</i>	<p><i>The proposed sidewalk improvements are equal to the length of property's frontage along Walnut Avenue and 4<sup>th</sup> Street.</i></p> <p><i>Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.B5 Sidewalks</b>	<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>	<p><i>The proposed sidewalk design connects with existing sidewalks along Walnut Avenue and 4<sup>th</sup> Street.</i></p> <p><i>The applicant will improve the sidewalks to City ROW standards along both Walnut Avenue and 4th Street. Sheet C1.1 indicates an 8-foot wide sidewalk, which is the required width for 60' (4th Street) and 80' (Walnut Avenue) ROWs.</i></p> <p><i>Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B6 Sidewalks</b>	<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. Staff does not recommend a voluntary cash contribution in-lieu of improvements for this project.</i>

☒	☐	☐	<b>17.96.060.C1 Drainage</b>	<b>All storm water shall be retained on site.</b>
			<i>Staff Comments</i>	<p><i>All storm water shall be retained on site, including storm water from roof drains. Sheets C1.1, C0.1, and C0.2 of the project plans attached as Exhibit A indicate the proposed drainage improvements.</i></p> <p><i>Roof drain locations and specifications must be indicated the project plans submitted with the building permit application for review and approval by the City Engineer and Streets Department.</i></p> <p><i>Prior to issuance of a building permit for the project, the applicant shall submit a final drainage plan indicating grading, catch basins, piping, and drywells (KMC §17.96.040.C.2b &amp; KMC §17.96.060.C.1-4) prepared by a civil engineer licensed in the state for review and approval by the City Engineer and Streets Department. See Table 1 for City Department comments including City Engineer and Streets Department conditions.</i></p>
☒	☐	☐	<b>17.96.060.C2 Drainage</b>	<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>	<p><i>Drainage improvements shall be equal to the length of the property lines along Walnut Avenue and 4<sup>th</sup> Street. See above analysis for Ketchum Municipal Code §17.96.060.C1. All drainage improvements are required to be constructed City standards.</i></p> <p><i>Final civil drawings for all drainage improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i></p> <p><i>See Table 1 for review comments and conditions from the City Engineer &amp; Streets Department.</i></p>
☒	☐	☐	<b>17.96.060.C3 Drainage</b>	<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>The City Engineer will determine if the drainage improvements are sufficient after reviewing the final civil drawings submitted with the building permit application. The City Engineer may require additional drainage improvements if necessary.</i>
☒	☐	☐	<b>17.96.060.C.4 Drainage</b>	<b>Drainage facilities shall be constructed per City standards.</b>
			<i>Staff Comments</i>	<i>All drainage facilities within the project site and the public right-of-way shall meet City standards. Final drainage specifications must be included with the civil drawings submitted with the Building Permit</i>

				<i>application to be reviewed and approved by the City Engineer &amp; Streets Department.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.D1 Utilities</b>	<b>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</b>
			<i>Staff Comments</i>	<p><i>All utilities necessary for the project shall be improved and installed at the sole expense of the applicant.</i></p> <p><i>Prior to issuance of a building permit, the applicant must secure a will-serve letter from Idaho Power and Intermountain Gas if upgrades are required.</i></p> <p><i>Final plans will be reviewed and approved by the City Engineer and Utilities Department prior to issuance of a building permit for the project. See Table 1 for City Department comments and conditions.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.D2 Utilities</b>	<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>	<p><i>All utilities within the development site shall be underground and concealed from public view. The Architectural Site Plan (Sheet AS-101), First Floor Plan (A-102), and Alley Elevation (Sheet A-202) of the project plans indicate the electrical utility enclosure. The Architectural Site Plan (Sheet AS-101) indicates that the transformer serving the development will be located at the back of the building adjacent to the Block 44 alleyway and fully concealed from public view.</i></p> <p><i>An existing overhead power line runs along the Block 44 alleyway adjacent to the subject property. The project plans indicate that this power line will be buried underground.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.D3 Utilities</b>	<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 subject property is served by high-speed internet. If an extension is needed, then the applicant will work with the City Engineer to identify the location of a fiber line to serve the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.E1 Compatibility of Design</b>	<b>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</b>
			<i>Staff Comments</i>	<p><i>The proposed exterior materials include:</i></p> <ul style="list-style-type: none"> <li><i>• Honey heritage ledge stone &amp; juniper blend</i></li> <li><i>• Re-sawn reclaimed lumber</i></li> <li><i>• Wire-brushed reclaimed lumber</i></li> </ul>

				<p><i>The design incorporates exterior materials and ornamentation characteristic of alpine architecture. The placement of stone and wood siding pattern the building’s exterior providing visual texture to each façade. Timber trusses and decorative gable ends imitate hardy structural elements capable of shedding and withstanding snow loads in the mountains.</i></p> <p><i>The project plans include perspective renderings showing the building within the context of this surrounding neighborhood. The proposed materials are compatible with neighboring buildings and the surrounding downtown area.</i></p> <p><i>Blade signs and monument signs are proposed for tenants by the building entrances along 4<sup>th</sup> Street, Walnut Avenue, the alley, and the interior side adjacent to the Gold Mine building. These 6-square-foot blade signs are mounted perpendicular to pedestrian traffic inviting the public into the building.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.E2 Compatibility of Design</b>	<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. No significant landmarks of historical or cultural importance have been identified on the property.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.E3 Compatibility of Design</b>	<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. This standard does not apply because the existing buildings located on lots 7 and 8 will be demolished and the proposed mixed-use building is new construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F1 Architectural</b>	<b>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</b>
			<i>Staff Comments</i>	<p><i>The coffee shop’s entryway is located at the corner of 4<sup>th</sup> Street and Walnut Avenue. The retail space on the ground floor may be accessed from 5 separate entryways—one along Walnut Avenue, two along 4<sup>th</sup> Street, one along the interior side, and one from the Block 44 alleyway. The circulation area containing the building’s elevator and stairwell is accessed from 4<sup>th</sup> Street. An additional stairwell may be accessed from an entrance at the interior side.</i></p> <p><i>Activating the streetscape along 4th Street and Walnut Avenue, the project will enhance downtown’s vibrancy by serving as an inclusive third-place that facilitates social connection and builds community.</i></p>

				<p><i>The storefront entrances are distinguished with ornamentation, including canopies, timber trusses, and decorative gable ends. Planters with colorful perennials and ornamental grasses beautify the streetscape. Floor-to-ceiling glass doors and storefront windows enhance curb appeal inviting the public inside the building. The pedestrian-friendly streetscape and building design will not only attract customers to shop and dine, but will also cultivate a lively, social atmosphere.</i></p> <p><i>Unobstructed pedestrian access is provided from the multiple entryways to an internal circulation system of concrete paths that will connect to the new sidewalks along 4<sup>th</sup> Street and Walnut Avenue.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F2 Architectural</b>	<p><b>The building character shall be clearly defined by use of architectural features.</b></p> <p><i>Staff Comments</i>  <i>The design incorporates exterior materials and ornamentation characteristic of alpine architecture. The placement of stone and wood siding pattern the building’s exterior providing visual texture to each façade. Timber trusses and decorative gable ends imitate hardy structural elements capable of shedding and withstanding snow loads in the mountains. The development is anchored by a coffee shop at the intersection of 4th Street and Walnut Avenue. Orienting towards this vibrant street corner, this frontispiece is distinguished by a canopy overhanging the entrance, floor-to-ceiling glass doors and storefront windows, and a pronounced gable end.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F3 Architectural</b>	<p><b>There shall be continuity of materials, colors and signing within the project.</b></p> <p><i>Staff Comments</i>  <i>The same materials, colors, and tenant signs are proposed to be used on all four facades of the building.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F4 Architectural</b>	<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>  <i>The project plans do not indicate the installation of a fence or wall. The only accessory structure proposed is the CMU trash and recycling bin enclosure located at the rear of the building adjacent to the Block 44 alleyway.</i></p> <p><i>Landscape features soften the mass of building and provide visual relief to the vertical wall planes. Planters with colorful perennials and ornamental grasses beautify the streetscape. The applicant has proposed four street trees within the ROW along Walnut Avenue and 4<sup>th</sup> Street. Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the building permit application for final review and approval by the City Engineer and</i></p>

				<i>Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW, such as the snowmelt system, require an Encroachment Permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F5 Architectural</b>	<b>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</b>
			<i>Staff Comments</i>	<i>The building design creates one- and two-story distinct elements through the pattern of exterior material placement that provide visual interest and reduce the appearance of bulk and flatness. The facades fronting Walnut Avenue and 4<sup>th</sup> Street incorporate material patterns that visually separate the building into two unique masses—one half of the façade is defined by stone that extends vertically up and down the two floor levels. The other half of the façade is characterized by one-story elements defined by the horizontal and vertical placement of siding.</i>  <i>The design incorporates exterior materials and ornamentation characteristic of alpine architecture. The placement of stone and wood siding pattern the building’s exterior providing visual texture to each façade. Timber trusses and decorative gable ends imitate hardy structural elements capable of shedding and withstanding snow loads in the mountains. The development is anchored by a coffee shop at the intersection of 4th Street and Walnut Avenue. Orienting towards this vibrant street corner, this frontispiece is distinguished by a canopy overhanging the entrance, floor-to-ceiling glass doors and storefront windows, and a pronounced gable end.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F6 Architectural</b>	<b>Building(s) shall orient towards their primary street frontage.</b>
			<i>Staff Comments</i>	<i>The building orients toward its two primary street frontages—Walnut Avenue and 4<sup>th</sup> Street. The storefront entrances are distinguished with ornamentation, including canopies, timber trusses, and decorative gable ends. Planters with colorful perennials and ornamental grasses beautify the streetscape. Floor-to-ceiling glass doors and storefront windows enhance curb appeal inviting the public inside the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F7 Architectural</b>	<b>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</b>
			<i>Staff Comments</i>	<i>The garbage and recycling area is proposed to be located at the rear of the building and will be accessed from the alley. Prior to issuance of a building permit for the project, the applicant shall submit a will-serve letter from Clear Creek Disposal.</i>



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F8 Architectural</b>	<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>The elevations on Sheets A-201 and A-202 indicate the installation of snow guards that will provide weather protection preventing water from dripping or snow from sliding onto circulation areas. Canopy and overhang elements will serve as weather protection for pedestrians entering the mixed-use building and will shield the bicycle racks installed on site along 4<sup>th</sup> Street and at the rear of the building adjacent to the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G1 Circulation Design</b>	<b>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</b>
			<i>Staff Comments</i>	<i>This standard has been met by the proposed sidewalk improvements. The new sidewalks will connect to existing sidewalks along 4<sup>th</sup> Street and Walnut Avenue, which extend to the downtown pedestrian network.  The applicant will improve the sidewalks to City ROW standards along both Walnut Avenue and 4th Street. Sheet C1.1 indicates an 8-foot wide sidewalk, which is the required width for 60' (4th Street) and 80' (Walnut Avenue) ROWs.  Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.G2</b>	<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>
			<b>Circulation Design</b>	<i>N/A. No awnings extending over public sidewalks are proposed with the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G3 Circulation Design</b>	<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>Vehicle access to the carport is provided from the Block 44 alleyway. This circulation configuration complies with the Ketchum Traffic Authority's recommendation that no curb cuts be permitted if there is alley access available to serve the development. No curb cuts are proposed along 4<sup>th</sup> Street or Walnut Avenue, which enhances safety as driveways intersecting sidewalks may increase congestion and create safety hazards for pedestrians and bicyclists.</i>

				<p><i>Pedestrian and bicycle access to the building is provided from an internal circulation system of concrete pathways that will connect to the public sidewalks along 4<sup>th</sup> Street and Walnut Avenue.</i></p> <p><i>Prior to issuance of a building permit for the project, the City Engineer and Streets Department shall review the civil drawings to ensure adequate sight distances and proper signage for the proposed development.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>17.96.060.G4 Circulation Design</b></p> <p><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></p>	
			<p><i>Staff Comments</i></p> <p><i>N/A as no curb cuts or driveway entrances are proposed along 4<sup>th</sup> Street or Walnut Avenue.</i></p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.96.060.G5 Circulation Design</b></p> <p><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></p>	
			<p><i>Staff Comments</i></p> <p><i>Unobstructed access for emergency vehicles, snowplows, and garbage trucks is provided from the Block 44 alley, 4<sup>th</sup> Street, and Walnut Avenue. The applicant shall submit a will-serve letter from Clear Creek Disposal prior to issuance of a building permit for the project.</i></p>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>17.96.060.H1 Snow Storage</b></p> <p><b>Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.</b></p>	
			<p><i>Staff Comments</i></p> <p><i>The Architectural Site Plan on Sheet AS-101 of the project plans note that snowmelt and hauling snow off-site is proposed in lieu of providing snow storage areas on-site.</i></p> <p><i>Most of the on-site circulation areas are covered by roof overhangs and canopies. Snow removal from the sidewalk along 4<sup>th</sup> Street and Walnut Avenue will be the responsibility of the property owner.</i></p> <p><i>The applicant proposes to snowmelt or haul snow off-site, which is permitted as an alternative to providing a snow storage area by KMC §17.96.060.H4.</i></p>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>17.96.060.H2 Snow Storage</b></p> <p><b>Snow storage areas shall be provided on-site.</b></p>	
			<p><i>Staff Comments</i></p> <p><i>The applicant proposes to snowmelt or haul snow off-site, which is permitted as an alternative to providing a snow storage area by KMC §17.96.060.H4.</i></p>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>17.96.060.H3 Snow Storage</b></p> <p><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></p>	

			<i>Staff Comments</i>	<i>N/A as no snow storage areas have been provided on-site. The applicant has proposed snowmelt and snow hauling in lieu of providing any snow storage areas on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.H4 Snow Storage</b>	<b>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</b>
			<i>Staff Comments</i>	<i>The Architectural Site Plans on Sheet AS-101 notes that snow management will be accomplished by snowmelt and hauling snow off-site. Most of the on-site circulation areas are protected by roof overhangs and canopies. Snow removal from the sidewalk along 4<sup>th</sup> Street and Walnut Avenue will be the responsibility of the property owner.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I1 Landscaping</b>	<b>Landscaping is required for all projects.</b>
			<i>Staff Comments</i>	<i>The landscape plan is indicated on sheets L-2 and L-3 of the Design Review submittal attached as Exhibit A.</i>  <i>The landscape plan incorporates at-grade planters along 4<sup>th</sup> Street and Walnut Avenue. The planters will include colorful perennials and ornamental grasses that beautify the streetscape. 3 tannebaum pines are proposed on-site at the corner of 4<sup>th</sup> Street and the alley.</i>  <i>The applicant has proposed four street trees within the ROW along Walnut Avenue and 4<sup>th</sup> Street. Street trees may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the building permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I2 Landscaping</b>	<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 proposed landscaping will complement the new mixed-use building and surrounding neighborhood. The vegetation will beautify the pedestrian-friendly streetscape. The landscape plan shall meet requirements for microclimate, soil conditions, orientation and aspect.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I3 Landscaping</b>	<b>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</b>
			<i>Staff Comments</i>	<i>All trees, shrubs, grasses, and perennials shall be drought tolerant. Native plants are recommended.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I4 Landscaping</b>	<b>Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The</b>

				development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.
			<i>Staff Comments</i>	<i>The subject property is surrounded by compatible uses within the Community Core Zone. The landscape features soften the mass of building and provide visual relief to the vertical wall planes.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.J1 Public Amenities</b>	<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>	<p><i>5 bike racks are provided on-site. The applicant has provided 3 bike racks along 4<sup>th</sup> Street and 2 bike racks at the back of the building by the alley.</i></p> <p><i>Street trees and streetlights are proposed within the sidewalk along 4<sup>th</sup> Street and Walnut Avenue. 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights.</i></p> <p><i>The applicant has indicated that a bench and trash receptacle will be installed as a public amenity for the new development.</i></p> <p><i>All amenities proposed within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</i></p> <p><i>Final civil drawings for all associated ROW and street improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer &amp; Streets Department.</i></p>



4th & Walnut Ave Commercial Development Design Review  
EXHIBIT C3: COMMUNITY CORE DESIGN REVIEW STANDARDS ANALYSIS

IMPROVEMENTS AND STANDARDS: 17.96.070 - Community Core (CC) Projects				
Yes	No	N/A	Ketchum Municipal Code Section	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070A(1)	<p>Street trees, street lights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</p> <p><i>Staff Comments</i></p> <p>5 bike racks are provided on-site. The applicant has provided 3 bike racks along 4<sup>th</sup> Street and 2 bike racks at the back of the building by the alley. Street trees and streetlights are proposed within the sidewalk along 4<sup>th</sup> Street and Walnut Avenue. The applicant has indicated that a bench and trash receptacle will be installed as a public amenity for the new development.</p> <p>6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights. All amenities within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</p> <p>Final civil drawings for all associated ROW and street improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer &amp; Streets Department.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(2) Streets	<p>Street trees with a minimum caliper size of three (3") inches, shall be placed in tree grates.</p> <p><i>Staff Comments</i></p> <p>Sheet C0.2 specifies that proposed street trees shall be 3-inches minimum caliper with Autumn Blaze Maple or an approved equal tree.</p> <p>Street trees may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans with the building permit application for final review and approval by the City Engineer and Streets Department. All encroachments within the ROW require an Encroachment Permit issued by the City.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(3)	<p>Due to site constraints, the requirements if this subsection 17.96.070(A) may be modified by the Public Works Department.</p>

			<b>Staff Comments</b>	<i>Preliminary plans submitted with Design Review are reviewed by the City Engineer and Streets Department in concept only. Modification to the requirements of KMC §17. 96.070(A) may be recommended by the City Engineer and Streets Department following review of the civil drawings submitted with the building permit application. The final civil drawings including the streetscape, sidewalk, utilities, and drainage plans shall be reviewed and approved by the City Engineer, Streets Department prior to issuance of a building permit for the project. Final details and approval will occur during building permit review.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(B)(1)</b>	<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>
			<b>Staff Comments</b>	<i>The mixed-use building is setback 6 feet from the interior side and must meet this standard. The alley, 4<sup>th</sup> Street, and interior side facades utilize the same materials, colors, and architectural elements as the front façade along Walnut Avenue. The building design creates one- and two-story distinct elements through the pattern of exterior material placement that provide visual interest and reduce the appearance of bulk and flatness. The façade design incorporates material patterns that visually distinguish the building walls into unique masses. Window openings are incorporated into the design of each façade and provide visual relief to the solid walls.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(B)(2)</b>	<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>
			<b>Staff Comments</b>	<i>The storefront entrances are distinguished with ornamentation, including canopies, timber trusses, and decorative gable ends. Planters with colorful perennials and ornamental grasses beautify the streetscape. Floor-to-ceiling glass doors and storefront windows enhance curb appeal inviting the public inside the building. The pedestrian-friendly streetscape and building design will not only attract customers to shop and dine, but will also cultivate a lively, social atmosphere.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(B)(3)</b>	<b>For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.</b>
			<b>Staff Comments</b>	<i>Floor-to-ceiling glass doors and storefront windows enhance curb appeal inviting the public inside the building. The pedestrian-friendly</i>

				<i>streetscape and building design will not only attract customers to shop and dine, but will also cultivate a lively, social atmosphere.</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>
			Staff Comments	<i>The design incorporates a mansard roofing form and gable ends characteristic of alpine architecture. The roof material will be dark gray standing seam metal. The color is specified on the exterior materials. Reflective roofing materials are prohibited.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>
			Staff Comments	<i>The elevations indicate that the roof will include snow clips for weather protection.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>
			Staff Comments	<i>N/A as no overhangs are proposed to encroach over the property line into the adjacent ROW.</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>
			Staff Comments	<i>N/A as no front porches or stoops are proposed on the ground level. The building entrances lead to at-grade paver pathways that connect to the sidewalks along 4<sup>th</sup> Street and Walnut Avenue. These entrances are open and unenclosed. The entryways include roof overhangs canopy elements to provide weather protection.</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>
			Staff Comments	<i>The trash disposal area is located at the rear of the building and accessed from the alley. The trash and recycling area will be screened from public view within a CMU enclosure.</i>  <i>The applicant shall submit a will serve letter from Clear Creek Disposal prior to issuance of a building permit for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>
			Staff Comments	<i>The proposed roof is a false mansard. As illustrated on the southeast elevation indicated on Sheet A-202, the top of the mansard roof falls into a 10-foot deep recessed area that is fully screened from public view. All roof-mounted mechanical, plumbing, and electrical</i>

				<p>equipment is contained within this fully screened, false mansard recession. The applicant has also proposed a roof-mounted solar system contained within this recession.</p> <p>All utilities within the development site shall be underground and concealed from public view. The Architectural Site Plan (Sheet AS-101), First Floor Plan (A-102), and Alley Elevation (Sheet A-202) of the project plans indicate the electrical utility enclosure. The Architectural Site Plan (Sheet AS-101) indicates that the transformer serving the development will be located at the back of the building adjacent to the Block 44 alleyway and fully concealed from public view.</p> <p>An existing overhead power line runs along the Block 44 alleyway adjacent to the subject property. The project plans indicate that this power line will be buried underground.</p> <p>All roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. The final screening, location, and height of all ground and roof mounted mechanical equipment shall be reviewed prior to the issuance of a building permit and shall be approved upon final inspection prior to Certificate of Occupancy for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(D)(1)</b>	<p><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></p>
			<b>Staff Comments</b>	<p>The Demolition Landscaping Plan on Sheet L-1 indicates that 5 mature trees will be removed from the project site to accommodate the new development.</p> <p>The applicant has proposed four street trees within the ROW along Walnut Avenue and 4<sup>th</sup> Street. Street trees may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the building permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</p> <p>The applicant shall coordinate with the City Arborist regarding the placement of off-site replacement trees. The siting of the 5 replacement trees shall be finalized on the project plans submitted with the building permit application for review and approval by the City Arborist, the City Engineer, and the Streets Department. The installation of the 5 replacement trees shall be verified upon final</p>



				<i>inspection prior to issuance of a Certificate of Occupancy for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(D)(2)</b>	<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>
			<b>Staff Comments</b>	<i>The tree well details are indicated on Sheet C0.2 of the project plans. The 4 street trees are proposed to be installed in tree wells and covered by grates.</i>  <i>The applicant has proposed four street trees within the ROW along Walnut Avenue and 4<sup>th</sup> Street. Street trees may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the building permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.070(D)(3)</b>	<b>The city arborist shall approve all parking lot and replacement trees.</b>
			<b>Staff Comments</b>	<i>No parking lot is proposed to serve the new development. 5 replacement trees are required for the project.</i>  <i>The applicant shall coordinate with the City Arborist regarding the placement of off-site replacement trees. The siting of the 5 replacement trees shall be finalized on the project plans submitted with the building permit application for review and approval by the City Arborist, the City Engineer, and the Streets Department. The installation of the 5 replacement trees shall be verified upon final inspection prior to issuance of a Certificate of Occupancy for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.070(E)(1)</b>	<b>Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.</b>
			<b>Staff Comments</b>	<i>N/A. No surface parking lot is proposed with the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.070(E)(2)</b>	<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>
			<b>Staff Comments</b>	<i>N/A. The project does not include a surface parking lot. On-site parking is accommodated the carport at the back of the building adjacent to the alley.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(E)(3)	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.
			Staff Comments	<p><i>Planters with colorful perennials and ornamental grasses beautify the streetscape. The 4 street trees are proposed to be installed in tree wells and covered by grates.</i></p> <p><i>6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights. All amenities within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</i></p> <p><i>The applicant has proposed four street trees within the ROW along Walnut Avenue and 4<sup>th</sup> Street. Street trees may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the building permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(1)	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.
			Staff Comments	<i>The development generates a parking demand of 8 spaces. 2 bike racks accommodating 4 bikes is required for the project. 5 bike racks are provided on-site. The applicant has provided 3 bike racks along 4<sup>th</sup> Street and 2 bike racks at the back of the building by the alley.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(F)(2)	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.
			Staff Comments	<i>Two bicycle racks are required. The fraction of the calculation is not equal to or greater than one-half.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(3)	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>Staff Comments</b>	<p><i>5 bike racks are provided on-site. The applicant has provided 3 bike racks along 4<sup>th</sup> Street and 2 bike racks at the back of the building by the alley.</i></p> <p><i>The bicycle racks along 4<sup>th</sup> Street are located on-site by the entrance and are covered by the canopy overhang. The bike racks installed at the back of the building by the alley are located by the rear retail entry and the entrance to the ground level residential unit. The bike racks are located to achieve unobstructed access from the public right-of-way.</i></p>
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4th & Walnut Ave Commercial Development Design Review  
EXHIBIT C4: CITY DEPARTMENT COMMENTS

**City Department Comments**

*Note: City Department comments are preliminary. All City Departments shall review and approve the project through the Building Permit application process. All comments pertaining to the Design Review drawings are subject to change. All right-of-way improvements shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. All City Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.*

**Fire Department:**

- It is the General Contractor’s responsibility to understand and adhere to all Fire Protection Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties.
- The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances.
- Approved address and unit 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.  
Note: The entire building shall be protected by a NFPA 13, Fire Sprinkler System.
- 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.

- Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.
- 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).
- Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

**City Engineer & Streets Department:**

- Pursuant to KMC §17.96.060.C1, all storm water drainage shall be retained on site, including water from any roof drains. All roof drain locations will need to be shown on the project plans submitted with the building permit application.
- Drainage improvements shall be equal to the length of the subject property lines adjacent to any public street or private street (KMC §17.96.060.C).
- The sidewalks along 4<sup>th</sup> Street and Walnut Avenue shall be improved to the City’s ROW standards. The City is finalizing specifications and standards for the 4<sup>th</sup> Street Heritage Corridor right-of-way, which will apply to this project.
- Sidewalk snow removal is the responsibility of the property owner. If a snowmelt system is proposed, an Encroachment Permit from the City will be required. Applicant will be required to maintain and repair all associated encroachments.
- All lighting within the ROW will need to meet city ROW standards. (see Right-of-Way Standards, Commercial Category) on both Washington St. and 1st St. Per City ROW standards a lighting study will need to be provided to ensure project meets city illumination standards for sidewalks. Additional lights may be necessary. Consistent with the standards of the Dark Sky Society, the footcandles illuminating the sidewalk shall be an average of 0.2 fc and shall not exceed 5 fc. If lights are hardwired a separate lighting pedestal may be necessary to provide power to lights and provided at applicant’s expense.
- 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights.
- Pursuant to ADA standards, sidewalks cross slopes are 1.75 +/- 0.25 percent
- Sign locations and bases will need to be shown on the plans submitted with the Building Permit application. The Streets Department will provide the sign bases.
- Parallel parking stalls are 8’ wide x 20’ long.
- Roof overhangs shall not extend more than 3 feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the City Engineer and Streets Department (KMC §17.96.070 B.6) through an Encroachment Permit.
- If the project results in increased loading, Will Serve letters for gas and electrical must be submitted prior to issuance of a Building Permit for the project.
- Utilities (electrical, gas) are not permitted in public ROW. If utility upgrades are necessary, the applicant will need to coordinate upgrades with Idaho Power and Intermountain Gas.

- All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities including excavation, material storage and deliveries, screening, and site clean-up (KMC §15.06.030) to be reviewed and approved by the Building Department prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor’s contact information to all neighbors with properties adjacent to the project site.
- The design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code (KMC §12.04.030.L).
- The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”).
- City Engineer & Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a building permit for the project.

**Utilities:**

- Existing sewer stubs serving the properties shall be capped and abandoned at the property line.
- The Ketchum Spring Water (KSW) lines serving the properties must be cut and capped at the main within the Walnut Avenue ROW.
- A new fire line shall be installed for the fire sprinkler system and all metering must be taken off the new fire line. The distance between the fire line and the abandoned services will dictate design options. Only a certain number of penetrations are allowed per the manufacturer’s specifications per piece of pipe.
- The plans indicate the installation of a 6-inch pvc sewer service. This sewer service should be tied into the sewer main with a manhole.
- The water meters should be separate for the commercial and residential uses—one water meter should be provided for the residential use and one water meter should be provided for the commercial use.
- Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a building permit for the project.

**Building:**

- The building must meet the 2012 International Building Code and Title 15 Buildings and Construction of Ketchum Municipal Code.
- Building Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

**Planning and Zoning:**

Comments are denoted throughout the Staff Report and Exhibits C1, C2, and C3.

Exhibit D:  
July 13<sup>th</sup> Staff Report  
[Click Here](#)



City of Ketchum

**STAFF REPORT  
KETCHUM PLANNING AND ZONING COMMISSION  
REGULAR MEETING AUGUST 11, 2020**

- PROJECT:** City-initiated Text Amendments to Title 17, Zoning, to amend regulations for retail square footage and subdistricts in the Community Core
- REPRESENTATIVE:** City of Ketchum Planning and Building Department
- DESCRIPTION:** Amendments to Title 17, Chapter 17.88, Floodplain Management and Chapter 17.08, Definitions
- NOTICE:** Notice appeared in the Idaho Mountain Express on June 17, 2020 and was mailed to outside agencies on June 26, 2020. The hearing was continued from July 13, 2020
- PLANNER:** Brittany Skelton, Senior Planner
- ATTACHMENTS:** **A.** Title 17, Chapter 17.88, Floodplain Management draft amendments  
**B.** Title 17, Chapter 17.08, Definitions, draft amendments



## **INTRODUCTION**

The floodplain amendments, which include both amendments to the floodplain ordinance and the definitions chapter of the zoning code, were introduced at the July 13, 2020 meeting. The public hearing was continued to the August 11, 2020 meeting to allow time for the Commission to review the proposed amendments.

Staff provided a high-level overview of the proposed amendments during the July 13<sup>th</sup>, 2020 meeting. During the August 11<sup>th</sup>, 2020 meeting staff recommends a robust discussion among the Commission and a question and answer session with staff.

At the Commission's discretion, the Commission may opt to continue the public hearing to the next regular meeting or may recommend approval of the code amendments to City Council. As with all zoning code amendments, the Planning and Zoning Commission considers the amendments during a public hearing or hearings and forwards their recommendation to Council for Council's consideration; Council holds a series of hearings (typically three) prior to adoption of ordinance amendments.

The proposed amendments to both chapters of the zoning code are attached. Text proposed to be omitted (or replaced with updated content) is ~~stricken~~ and text proposed to be added to each chapter is underlined and highlighted in red.

*The information below regarding the proposed amendments was included in the July 13<sup>th</sup>, 2020 staff report and is included again for reference:*

The City of Ketchum participates in the National Flood Insurance Program's Community Rating System (CRS) program and has participated in this program since 1992. All cities and counties in the United States that desire to make federally-backed National Flood Insurance Program insurance policies available to property owners within their jurisdiction are responsible for administering the minimum floodplain regulations dictated in Title 44 of the Federal Code of Regulations. As a CRS community, the City of Ketchum adopts and enforces higher regulatory standards. In exchange for adopting higher regulatory standards related to mitigating flood risk to life and property most holders of federally-backed National Flood Insurance Program (NFIP) policies receive a discount on their insurance premiums.

As a CRS community the State of Idaho's NFIP Coordinator requires the City of Ketchum adopt standard definitions, regulatory criteria and procedures, and so forth related to floodplain management best practices. The City of Ketchum last overhauled its floodplain ordinance to align with these standards in 2015.

The proposed amendments to Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District and Title 17, Zoning, Chapter 17.08, Definitions, reflect updates contained in the State of Idaho's model floodplain ordinance.

Of note, Ketchum's streambank alteration permitting (SAP) process and riparian regulations are among the most robust and comprehensive in the State of Idaho. Ketchum's SAP and riparian regulations far exceed references to stream alteration and riparian regulations contained in the model ordinance. No substantive changes to SAPs and riparian regulations are proposed at this time. However, there is room to improve upon regulation of and community stewardship of our rivers and riparian resources. As part of a comprehensive policy discussion, and with robust community outreach, it is on staff's radar to engage in broader amendments to the Floodplain Ordinance at a later date.

The proposed amendments accomplish the following:

- Amend existing and adopts new standard definitions
- Augment the standard list of plans and documents that must be submitted with applications for development within the floodplain

- Clarify that a variance to floodplain regulations must be reviewed and granted by the Planning and Zoning Commission
- Distinguish standards for floodplain development in the following flood risk zones:
  - Floodplains without Established Base Flood Elevations
  - Riverine Floodplains with Base Flood Elevations but without Established Floodway
  - Floodways
  - Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)
- Introduce higher regulatory standards for the construction of critical facilities, as follows:
  - Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet (3') above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.
  - Note: As a best practice, FEMA recommends protection that exceeds code minimums. For example, FEMA 543, Design Guide for Improving Critical Facility Safety from Flooding and High Winds (2007) recommends protecting critical facilities to withstand at least a 0.2-percent-annual-chance flood event (often called the “500-year flood event”). Flood elevations for the 0.2-percent-annual-chance flood may be greater than the elevation specified by ASCE 24. If federal funding or other Federal action is involved, the requirements of Executive Order 11988 – Floodplain Management may necessitate protection of critical actions to the 500-year flood elevation (critical actions may include the construction and repair of critical facilities). (STATE RECOMMENDED BUT OPTIONAL)
  - In existing facilities that have not been substantially damaged, it may not be possible to floodproof or elevate to provide protection from the 0.2-percent-annual-chance flood event. In those instances, floodproofing or elevating as high as practical is recommended.
  - Three (3) feet is State-recommendation, greater than three (3) feet is optional.

**PUBLIC INPUT**

No written public comment has been received prior to publication of this staff report. Any written public comment received prior to the public hearing will be distributed to the Commission and included in the public record.

**OPTIONAL MOTIONS:**

“I MOVE TO CONTINUE THE PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE FLOODPLAIN AND DEFINITIONS CHAPTERS OF THE ZONING ORDINANCE TO THE SEPTEMBER 15<sup>TH</sup>, 2020 REGULAR MEETING”

OR

“I RECOMMEND APPROVAL OF THE PROPOSED FLOODPLAIN ORDINANCE AMENDMENTS AND AMENDMENTS TO THE DEFINITIONS CHAPTER OF THE ZONING CODE TO CITY COUNCIL.”

**ATTACHMENTS:**

**A.** Title 17, Chapter 17.88, Floodplain Management draft amendments

**B.** Title 17, Chapter 17.08, Definitions, draft amendments

**Attachment A.**

Title 17, Chapter 17.88, Floodplain Management draft amendments

## Article I. Flood Damage Prevention

17.88.010: Statutory Authorization and Findings Of Fact

17.88.020: Statement Of Purpose

17.88.030: Methods Of Reducing Flood Losses

17.88.040: General Provisions

17.88.050: Administration

17.88.060: Provisions For Flood Hazard Reduction

17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A

17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodway

17.88.090: Standards for Floodways

17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)

17.88.110~~70~~: Enforcement And Penalties

**17.88.010: STATUTORY AUTHORIZATION AND FINDINGS OF FACT:**

A.- Statutory Authority: The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Ketchum Idaho does hereby ordain as follows:

B. The flood hazard areas of Ketchum, Idaho, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

CB. These flood losses are caused by the cumulative effects of obstruction in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

DE. The Big Wood River and its tributaries and floodplains in Ketchum are important to the well-beingwell-being of its citizens as a source of recreation, fish and wildlife habitat, aesthetic beauty, a source of irrigation water as well as other economic and lifestyle values.

ED. The studies listed below are hereby adopted as the primary sources of flood hazard analysis:

1. "Flood Insurance Study (FIS) for Blaine County, Idaho and Incorporated Areas", Flood Insurance Study 16013CV001A and 16013CV002A, dated November 26, 2010, and any amendments thereto;
2. Digital flood insurance rate maps (DFIRMs) for Blaine County, Idaho, and incorporated areas: Map Number 16013CIND0A; Map Number 16013C0433E, Community Panel Number 0433E; Map Number 16013C0434E, Community Panel Number 0434E; Map Number 16013C0441E, Community Panel Number 0441E; Map Number 16013C0442E, Community Panel Number 0442E; Map Number 16013C0453E,

Community Panel Number 0453E; Map Number 16013C0461E, Community Panel Number 0461E, and any amendments thereto; and

3. Other flood hazard studies, as may be adopted by the City, will be utilized in determining flood hazard.

~~F.~~ Regulations pertaining to development on property affected by the one percent (1%) annual chance flood (100-year flood), as defined herein, are necessary in addition to those of the underlying zoning district in order to promote the health, safety and welfare of the citizens of and visitors to the City of Ketchum, Idaho. ~~(Ord. 1135, 2015)~~

G. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

**17.88.020: STATEMENT OF PURPOSE:**

It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life, health, safety and welfare;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard;
- H. To ensure that those who occupy the areas of special flood hazard assume the responsibility for their actions.
- I. To allow the river and creeks and their adjacent lands to convey floodwaters to minimize property damage;
- J. To regulate uses in the floodplain for the purpose of preserving, protecting, and enhancing the abundance and diversity of fish, wildlife and riparian resources;
- K. To protect, preserve and enhance the waterways and floodplains as a recreation resource;
- L. To provide a formal procedure for stream alteration permit applications;
- M. To restrict or prohibit uses which are injurious to health, safety, or property in times of flood, which result in environmental damage, or that cause increased flood heights or velocities; and

N. To guide development and city review of development in the floodplain and adjacent to waterways in order to establish the most appropriate building envelopes for lots existing and in new subdivisions. (Ord. 1135, 2015)

#### **17.88.030: METHODS OF REDUCING FLOOD LOSSES:**

In order to accomplish its purposes, this section includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, at time of substantial damage or substantial improvement and throughout their intended life span;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling, filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which may unnaturally divert floodwaters, or which may increase flood hazards in other areas. (Ord. 1135, 2015)

#### **17.88.040: GENERAL PROVISIONS:**

- A. Establishment ~~Of~~ The Floodplain Management Overlay Zoning District: The floodplain management overlay zoning district is hereby established. The regulations of this district apply to all lands within the jurisdiction of the city that lie within the one percent (1%) annual chance floodplain boundaries as determined by the graphic representation shown on the flood insurance rate map (FIRM) and by the elevations of the base flood contained in the flood insurance study referred to hereinbelow in addition to the regulations contained in the underlying zoning district.
  - 1. Establishment ~~Of~~ The Floodway Subdistrict ~~And~~ The Floodplain Subdistrict: The floodplain areas are divided into two (2) subdistricts: the ~~F~~floodway ~~S~~subdistrict and the ~~F~~floodplain ~~S~~subdistrict.
  - 2. Rules ~~F~~for Interpretation ~~of~~ The Floodplain Management Overlay Zoning District Boundaries ~~and~~ The Floodway Subdistrict ~~and~~ The Floodplain Subdistrict Boundaries: The floodplain management overlay zoning district boundaries are represented on the official zoning map of the city. ~~However, the precise intermediate regional flood (IRF) location shall be determined by a site survey and elevations as interpreted from the adopted flood insurance rate map and the flood insurance study.~~
    - a. All land within the external boundary of the one percent (1%) annual chance floodplain and all parcels with any portion thereof affected by said one percent (1%) annual chance floodplain shall be considered to be within the ~~f~~floodplain ~~M~~management ~~O~~overlay ~~Z~~zoning district governed thereby in addition to the underlying zoning district. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.

3. Basis For Establishing The Areas Of Special Flood Hazard: The areas of special flood hazard identified by the federal insurance administration in a scientific and engineering report entitled "The Flood Insurance Study (FIS) For Blaine County, Idaho And Incorporated Areas" with accompanying digital flood insurance rate maps (DFIRMs) bearing an effective date of November 26, 2010, to establish the areas of special flood hazard for land which has been or will be annexed into the city limits of the city of Ketchum, Idaho, since the adoption of said study for the incorporated area of the city are hereby adopted by reference and declared to be a part of this article. The flood insurance studies are on file at the office of the city clerk, city hall, 480 East Avenue North, Ketchum, Idaho.

a. At the Administrator's discretion, the precise one percent (1%) annual chance floodplain (Special Flood Hazard Area), floodway, and 0.2% annual chance floodplain intermediate regional flood (IRF) locations shall be determined by a site survey and elevations as interpreted from the adopted flood insurance rate map and the flood insurance study.

B. Establishment ~~of~~ Waterways Design Review Subdistrict: The city hereby makes the following findings of fact with regard to establishing a waterways design review subdistrict:

1. Flooding is aggravated by the collection of debris upstream of the many channel obstructions located in the floodplain areas. Such obstructions include bridges, fences, houses, trees, etc. The accumulation of debris has resulted in significantly higher water surface elevations upstream from the obstructions than would otherwise be expected. Obstructions can and tend to cause flooding to extend beyond anticipated FEMA one percent (1%) annual chance flood boundaries at points of debris accumulation which cannot be predicted.
2. All structures located roughly within the limits of the 0.2 percent annual chance floodplain are subject to inundation, if not direct impact by the channel itself, during floods of return frequencies of ten (10) to twenty (20) years. This is due to the tendency of the channel to change abruptly, often cutting a totally new channel in a few hours, during high water periods because the Big Wood River is wide, flat and has relatively shallow channel in many areas.
3. The levees built by the U.S. army corps of engineers are not considered by the corps to be adequately designed to be classified as permanent structures capable of withstanding a one percent (1%) annual chance.
4. Encroachments (i.e., houses, fill, etc.) on floodplains reduce the flood carrying capacity and increase flood heights, thus increasing flood hazards beyond the encroachment. With every new structure or other development since the FEMA one percent (1%) annual chance boundary was determined, the ability of the floodplain to function as originally assumed changes.
5. Historically, development adjacent to waterways has had a direct effect on methods chosen by owners to protect their property and often to the detriment of the natural stream by destroying or greatly altering fish and wildlife habitat and by unnaturally armoring the banks of the waterways to prevent erosion and, thus, future damage to manmade structures.

a. The purposes for which said subdistrict is established are as follows:

- (1) To guide development adjacent to waterways toward the most appropriate building envelope for its particular site;

- (2) To minimize the impact of development adjacent to waterways on adjacent properties upstream, downstream and across waterways;
- (3) To review development plans for property adjacent to waterways to minimize the obstruction of the conveyance of floodwaters;
- (4) To provide for the maintenance and/or enhancement of the riparian environment including wildlife habitat along waterways;
- (5) To carry out the provisions of the comprehensive plan as well as health, safety and welfare with regard to properties adjacent to waterways;
- (6) To warn that City review and approval is not going to prevent flooding and that flooding may occur;
- (7) To advise of flood hazards and studies and options available;
- (8) To review drainage/obstructions to flood carrying capacity and to advise on methods that may be used to moderate impact of the development; and
- (9) To review landscaping and access for flood carrying capacity and preservation or enhancement of riparian vegetation.

b. The Waterways Design Review Subdistrict is hereby established and shall be defined as including all those parcels of property within the City limits lying adjacent to or within twenty five feet (25') of the mean high water mark of the Big Wood River, Trail Creek and Warm Springs Creek and any and all channels, having year round or intermittent flow, thereof.

c. "Development", as defined in section [17.08.020](#) of this title, and construction or placement of buildings or structures, including additions to any such structures or buildings existing- (insert date of ordinance adoption) at the effective date hereof, and landscaping changes within the Riparian Zone for parcels under development with new structures and parcels developed with structures after (insert date riparian standard were adopted – 1988), upon real property within the Waterways Design Review Subdistrict shall ~~be subject to design review and shall~~ require said approval under section [17.88.050](#) of this article, prior to issuance of a building permit, excavation/grading permit or commencement of any work associated with any such activity.

d. Applications for floodplain development permits and waterways design review shall be made according to this chapter.

C. Uses Permitted and Prohibited: Due to the potential hazard to individuals as well as public health, safety and welfare, uses allowed in the Floodplain Management Overlay Zoning District are those which are permitted, conditional, and accessory as contained in the underlying zoning district; due to the sensitive ecology of the river system and riparian area and the detrimental impacts that uncontrolled use of pesticides and herbicides can create to both the river system and human health and, due to the extremely hazardous nature of the floodway due to velocity of floodwaters carrying debris, potential projectiles and erosion potential, the following provisions apply, in addition to all others:



1. Encroachments in the floodway: Encroachments in the floodway, including fill, new construction, substantial improvements and other development are prohibited unless certification, with supporting calculations and a No-Rise Certification, by a registered professional hydraulic engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. ~~and~~

a. Uses Permitted: Uses permitted within the floodway shall be restricted to those which are required by public necessity (for example, bridges, water pumps), recreational use (for example, paths), wildlife habitat improvements (for example, vegetation, nesting structures, pool/riffle improvements), streambank stabilization materials, and gravel extraction; provided, that the use/encroachment meets the approval of the Federal Emergency Management Agency and national flood insurance program and does not jeopardize the City's participation in the national flood insurance program.

b. Uses Prohibited: New residential structures and residential substantial improvements are prohibited in the floodway.

2. If ~~subsection D1~~section 17.88.040.D.1 of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 17.88.060, "Provisions For Flood Hazard Reduction", of this article.

3. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean ~~high water~~high-water mark on any property within the City limits at any time.

4. No use of pesticides, herbicides, or fertilizers will be allowed within ~~twenty five~~twenty-five feet (25') of the mean high water mark on any property within the City limits unless approved by the City Arborist.

5. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.

6. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the City Arborist.

7. The application of dormant oil sprays and insecticidal soap within the Riparian Zone may be used throughout the growing season as needed.

8. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

D. General Notice Requirements: In order to provide reasonable notice to the public of the flood hazard potential within all areas of the Floodplain Management Overlay Zoning District, the following notice regulations and requirements are hereby adopted for all real property and structures located within said district:

1. Subdivision Plats:

a. All subdivision plats shall identify and designate the one percent (1%) annual chance floodplain boundary, ~~the 0.2% annual chance floodplain boundary, and~~ the floodway boundary

b. All subdivision plats shall contain a plat note including a certification by a registered surveyor that the boundaries were established consistent with the FIRM map for the City or Blaine County, whichever applies.

c. All subdivision plats shall contain a note or notes that warn prospective buyers of property that sheet flooding can and will occur and that flooding may extend beyond the floodway and floodplain boundary lines identified.

d. ~~2-~~All subdivision plats shall contain ~~a note~~~~note(s)~~ that refers to the required twenty five foot (25') setback from all waterways called the Riparian Zone in which no development is permitted, and require that riparian vegetation shall be maintained in its natural state for the protection and stabilization of the riverbank, and that removal of trees or other vegetation will be considered as part of the function of design review as set forth in section [17.88.050](#) of this article.

e. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.

f. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent bench benchmark shall be identified and shown on the plat;

### 23. Building Permits:

a. Preconstruction Elevation Certificate Required: Prior to issuance of any building permit for a structure located partially or wholly within the one percent (1%) annual chance floodplain, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector. ~~The elevation certificate form shall be made available from the City.~~

b. Building Under Construction Elevation Certificate - Foundation and Lowest Floor: An~~The Elevation Certificate certificate~~ shall again be completed by the owner and/or his/her agents and submitted to the City upon completion of the foundation and construction of the lowest floor. See Section 17.88.050.H.1.a for detail.

c. Finished Construction Elevation Certificate Required:~~An Elevation Certificate shall and~~ again be completed and submitted to the City prior to issuance of a certificate of occupancy or a final inspection by the building inspector to evidence the as built elevation of the lowest floor ~~including basement.~~ See Section 17.88.050.H.1.b. for detail.

4. Real Estate Sales and Leasing: Each and every real estate agent, sales person and broker, and each and every private party who offers for sale a parcel of real property and/or structure within said district shall

provide the prospective purchaser with notice that said real property and/or structure is located within said district.

5. Floodplain Acknowledgement Authorization Required: Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.

E. Compliance: No structure or land shall hereinafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Should the regulations specified in any other ordinance of Ketchum be less restrictive, the regulations of this section shall apply.

F. Abrogation ~~and~~ And Greater Restrictions: This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance or section herein, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent or greater restrictions shall prevail.

G. Interpretation: In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the Governing Body; and
3. Deemed neither to limit nor repeal any other powers granted under State Statutes.

H. Warning ~~and~~ And Disclaimer ~~of~~ Of Liability: The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This section shall not be deemed or construed to create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder. (Ord. 1190, 2018; Ord. 1135, 2015)

#### **17.88.050: ADMINISTRATION:**

A. Establishment Of Floodplain Development Permit: A floodplain development permit shall be obtained through an application provided by the City prior to issuance of a building or excavation/grading permit for any and all "development", including subdivision preliminary plat approval, -as defined in section 17.08.020 of this title, and construction, including "stream alteration", as defined herein in Chapter 17.08 of the zoning code, within the Floodplain Management Overlay District established in subsection 17.88.040A of this article.

B. Establishment Of Waterways Design Review Permit: Approval of waterways design review, as either a stand-alone permit or in conjunction with a Floodplain Development Permit, shall be obtained prior to issuance of a building or excavation/grading permit and prior to commencement of construction for any

and all "development" defined in section [17.08.020](#) of this title within the Waterways Design Review Subdistrict as defined in subsection [17.88.040B](#) of this article.

C. Applications and Submittals: Applications shall be made on forms furnished by the City and may be made simultaneous with application for Design Review as required by Chapter 17.96 of the zoning code, where applicable, and prior to application for a building permit. The application shall contain the following information and any additional information which may be reasonably required by the Administrator or commission:

1. Engineer, owner of property, applicant if different than owner, address, phone, e-mail address, etc.
2. Fees as set by resolution of Council.
3. Vicinity map.
4. Site plan(s), drawn to scale, prepared by a registered land surveyor, Professional Engineer, architect or landscape architect showing:
  - a. Nature, location, dimensions and elevations of lot, including ~~one-foot~~one-foot (1') contours.
  - b. Location of existing and proposed structures, fill, storage of materials, drainage facilities and infrastructure.
  - c. Location of existing channels and ditches and other significant natural features, boundaries of floodway and regulatory floodplain as delineated on the FIRM or other flood map determined by this title, including intermediate regional flood (IRF), flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined by this title, Base Flood Elevation, and other site specific information from the studies referred to in subsection [17.88.040A3](#) of this article.
  - d. Location and elevations of adjacent streets, water supply and sewer lines, including private wells and/or septic systems.
  - e. Elevation of the lowest floor (including basement) of all structures existing and proposed partially or wholly located in the one percent (1%) annual chance floodplain, including elevation to which any structure has been or will be floodproofed.
  - f. Existing vegetation and proposed landscape plan, including identification of sizes and types of trees and other plants to be saved or, removed, ~~and/or planted~~.
  - g. Identification of the Riparian Zone and the "mean high water mark", as defined in section [17.08.020](#) of this title.
  - h. Location of previous stream alterations upstream, downstream and along both banks from subject lot.
  - i. Former, existing, and new location of any watercourse that will be altered or relocated as a result of proposed development;

~~j.~~ Location of drainageways intermittent and ~~year-round~~year-round including potential overflow channels or channel movement.

~~kj.~~ Proposed excavation or landfill including resulting slope grades for the building pad(s), driveways, and any other element of the proposed development where excavation or fill will take place.

~~lk.~~ Drainage plan including ~~off-site~~onsite improvements such as borrow ditches and culverts and including a plan for on and off site improvements to provide for unobstructed conveyance of floodwaters.

~~5.l.~~ For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a nonconversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the City the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's Recorder's Office.

6. Proposed landscape plan, including identification of sizes and types of trees and other plants to be saved, removed, and/or planted.

7. Grading and drainage plan indicating existing and proposed contours with quantities of cut and fill specified.

~~85.~~ Written ~~D~~description of proposed development.

~~96.~~ Specifications for building construction and materials, floodproofing, proposed flood vents if applicable.  
~~filling, grading, dredging, channel improvement/changes and utilities.~~

~~107.~~ Pre-Construction Elevation ~~C~~eertificate, prepared by a licensed surveyor or engineer for any proposed and/or floodproofing certification prepared by a professional engineer for any existing and proposed residential and/or nonresidential structures located partially or wholly within the one percent (1%) annual chance floodplain. Said floodproofing methods shall meet the criteria in subsection 17.88.060B of this article.

11. Elevation Certificate, prepared by a licensed surveyor or engineer, for any existing structure located partially or wholly within the one percent (1%) annual chance floodplain that is proposed to be altered.

12. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:

a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;

b. Elevation in relation to mean sea level to which any non-residential structure in Zone A, AE, AH, AO, or A1-30 will be floodproofed; and

c. Elevation in relation to mean sea level to which any proposed utility equipment and machinery will be elevated or floodproofed.

13. Floodproofing certification prepared by a professional engineer for any existing and proposed nonresidential structures located partially or wholly within the one percent (1%) annual chance floodplain that are proposed to be floodproofed, if applicable. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-33) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures will be required prior to Certificate of Occupancy/Completion. Said floodproofing methods shall meet the criteria in subsection 17.88.060B of this article.

14. Foundation Plan prepared by a licensed engineer. The Foundation Plat shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

a. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation, or on columns/posts/piers/piles/shear walls); and

b. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article V, Section A.8.b. when solid foundation perimeter walls are used in Zones A, AE, AH, AO, and A1-30.

158. Copy of letter of map amendment based on fill (LOMA-F) application for any proposed fill in the floodplain. LOMA-F approval shall be obtained from FEMA prior to issuance of a floodplain development permit.

16. Usage details of any enclosed areas below the lowest floor.

17. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.

18. Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of this ordinance are met.

199. Copies of applications sent to the U.S. Army Corps of Engineers (USACE) and Idaho Department of Water Resources (IDWR) and approvals from each agency; USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit (stream alteration only). ~~USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit.~~

~~20.10.~~ Cross section of proposed work (stream alteration only).

21. HEC-RAS model files (stream alteration only).

~~2211.~~ Length of stream to be worked, type of work to be done, type of equipment to be used and starting and completion dates of work (stream alteration only).

~~2312.~~ A valley cross section showing stream channel, floodway limits, elevations of adjacent land areas, ~~intermediate regional flood (IRF), 1% annual chance and 0.2% annual chance floodplain~~, proposed development, and mean high water information and a profile showing the slope of the bottom of the channel or flow line of the stream may be required upon review of all other material submitted (stream alteration only).

~~2413.~~ A no net rise certificate ("No Rise Certificate"), including supporting calculations, prepared by registered professional hydraulic engineer for any work proposed in the floodway and/or any in-stream or streambank alteration (stream alteration only).

25. All information required by Section 17.88.060, Provisions for Flood Hazard Reduction.

D. Duties ~~and~~ Responsibilities: The Administrator of Title 17, Ketchum Municipal Code is hereby appointed to administer and implement this article in accordance with its provisions.

1. Administrative Review and Noticing: The Administrator shall have the authority to consider and approve, approve with conditions, or deny applications for floodplain development permits and for waterways design review, as required herein.

a. For applications approved administratively the Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.

(1) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice.

2. Commission Review and Noticing: If the Administrator determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits as required herein, for waterways design review as required herein and for stream alterations. ~~at a duly noticed meeting.~~

a. For applications reviewed by the Planning and Zoning Commission the application shall be noticed for a public hearing in accordance with Idaho Code 67-6509.

~~The Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.~~

3. Specific duties and responsibilities of the Administrator shall include, but are not limited to:

a. Permit Review:

(1) Review of all applications for proposed construction within the City to determine whether such construction is proposed, in whole or in part, within the Floodplain Management Overlay District and/or the Waterways Design Review District herein.

~~(2) Review all building permit, floodplain development permit and design review applications to determine that the permit requirements of this section have been satisfied.~~

~~(23) Review all floodplain development permit applications to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.~~

~~(34) Review all floodplain development permit applications to determine that the proposed project shall be reasonably safe from flooding and if the proposed development adversely affects the velocity of flow and the flood carrying capacity of the area of special flood hazard. For the purposes of this section, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot (1') at any point.~~

~~(45) Review proposed development, whether by building permit, floodplain development permit, or waterways design review to assure that all necessary permits have been obtained from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act, as amended, or by wide area agencies, prior to issuing a development permit. Other agencies may include Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.~~

~~(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, submit copies of such notifications to FEMA and assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.~~

~~(5) Prevent encroachments into floodways unless the certification and flood hazard reduction provisions contained in this title are met.~~

~~(6) Review plans to verify public utilities are constructed in accordance with the provisions of this title.~~

b. Inspections:

~~(1) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.~~

~~(2) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.~~



c. Stop-Work for Violations in Progress and Permit Revocation:

- (1) Work with the Building Official to issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Building Official may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (2) Issue stop-work orders for unpermitted development in the floodplain that does not require a building permit. Examples include grading, filling, riparian alterations and stream bank stabilization and alteration.
- (3) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

d. Coordination and Communication with Federal Agencies:

- (1) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- (2) Notify, in riverine situations, adjacent communities and state and federal agencies in accordance with Section 17.88.050.D.3.g.
- (3) A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- (4) Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.
- (5) The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

eb. Use Of Other Base Flood Data:

(1) When base flood elevation data has not been provided in accordance with subsection 17.88.040.A.3, "Basis For Establishing The Areas Of Special Flood Hazard", of this chapter, the Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source in order to administer subsections 17.88.060.B.2, "Residential Construction", 17.88.060.B.3, "Nonresidential Construction", and 17.88.060.C, "Floodways", of this chapter.

(2) When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of this title, require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(3) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

fe. Records and Information To Be Obtained and ~~And~~ Maintained:

(1) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

(2) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of your community's mapping needs.

(3) Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures.

(4) Where base flood elevation data is provided through the Flood Insurance Study or required as in subsection 17.88.050.D.3.b of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(5) For all new or substantially improved floodproofed structures:

(A) Verify and record the actual elevation (in relation to mean sea level); and

(B) Maintain the floodproofing certifications ~~required in subsection C7 of this section~~ as required by this ordinance.

~~(3) Maintain in perpetuity for public inspection all records pertaining to the provisions of this section.~~

(64) Maintain in perpetuity records on all permits and appeals and report all variances to Federal Insurance Administration.

~~g~~. Alteration ~~of~~ Watercourses:

(1) Notify adjacent communities and all State agencies with jurisdiction over the special flood hazard areas identified in subsection [17.88.040A](#) of this chapter and/or with jurisdiction over the corresponding watercourse, river, stream or tributaries prior to any alteration or riprapping, or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA).

(3) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

~~h~~. Interpretation ~~of~~ FIRM Boundaries: Make interpretations where needed as to the exact location of the boundaries of the areas of special hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection ~~h~~ of this section.

E. Criteria ~~F~~for Evaluation ~~of~~ Applications: The criteria of floodplain development permit applications, waterways design review applications, and stream alteration permit applications shall be as follows:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. **Development does not alter river channel** unless approved through the streambank alteration process.

2. Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum ~~twenty five~~twenty-five foot (25') setback or riparian zone. No construction activities, encroachment or other disturbance into the ~~twenty five~~twenty-five foot (25') riparian zone, including encroachment of below grade structures, shall be allowed at any time without written City approval per the terms of this chapter.

3. No development, other than development by the City of Ketchum or development required for emergency access, shall occur within the ~~twenty five~~twenty-five foot (25') riparian zone with the exception of approved stream stabilization work and restoration work associated with permit issued under this title.-

a. The Administrator may approve access to property where no other primary access is available.

b. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the Administrator.

4. A landscape plan and time frame shall be provided to restore any vegetation within the ~~twenty~~ fivetwenty-five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.
5. New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.
6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. ~~Floodwater carrying capacity is not diminished by the proposal.~~ Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

7. Floodwater carrying capacity is not diminished by the proposal.

87. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.
98. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone.
109. The top of the lowest floor of a building located in, or partially within, the one percent (1%) annual chance floodplain shall be the Flood Protection Elevation (FPE), a minimum of twenty four inches (24") above the base flood elevation of the subject property. (See section 17.88.060, figures 1 and 2 of this chapter.)

a. In the one percent (1%) annual chance floodplain where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the base flood elevation for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.

b. In the one percent (1%) annual chance floodplain where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.

110. The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.

a. Compensatory storage shall be required for any fill placed within the floodplain.

b. ~~AA~~ LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.

121. All new buildings located partially or wholly within the 1% annual chance floodplain shall be constructed on foundations that are approved designed by a licensed professional engineer.

132. Driveways shall comply with effective street standards; access for emergency vehicles has been adequately provided for.
143. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
154. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.
165. (Stream alteration.) No increase to the one percent (1%) annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer, and a No Rise Certificate has been submitted-
176. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
187. Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.
198. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.
2019. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
210. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

F. Conditions: Conditions of approval may include, but not be limited to:

1. Riparian vegetation and other landscaping is maintained in perpetuity as shown on approved plans.
2. As built certification shall be required to be submitted prior to occupancy of structure or upon completion of the proposed work (stream alteration).
3. Other permits (i.e., Idaho Department of Water Resources and U.S. Army Corps of Engineers) shall be obtained by the applicant prior to commencement of construction.
4. Restoration of damaged riparian vegetation within riparian zone shall be required prior to completion of the proposed project. A bond to assure such restoration may be required prior to commencement of such work.

G. Terms Of Approval: The term of floodplain development permit, waterways design review or stream bank alteration approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or upon appeal, the date the approval is granted by the Planning

and Zoning Commission, subject to changes in zoning regulations. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth below, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void. The provisions of this section shall apply to those approvals obtained on or after September 24, 2014.

**1. Permit Extension:** The City may, upon written request by the holder, grant a maximum of two (2) 12-month extensions to an unexpired approval. The first twelve (12) month extension shall be reviewed by the Administrator. The second twelve (12) month extension shall be reviewed by the Planning and Zoning Commission. Whether or not an extension is warranted shall be based on the following considerations:

~~a. 1.~~ Whether there have been significant amendments to the City's Comprehensive Plan, special studies, draft or interim floodplain maps, ~~Downtown Master Plan~~ or ordinances which will apply to the subject approval;

~~2. b.~~ Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project;

~~3. c.~~ Whether hazardous situations have developed or have been discovered in the project area; or

~~4. d.~~ Whether community facilities and services required for the project are now inadequate.

**2. Basis for Denial of Permit Extension:**

a. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension may be granted with conditions of approval to remedy any unmet requirements, or the City may choose not to grant an extension. Otherwise the City shall approve such an extension.

b. Said decision shall be issued in writing.

c. No extensions shall be granted for an expired floodplain development permit or waterways design review approval.

**H. Inspection Procedures:**

1. For structures located wholly or partially in the regulatory floodplain:

~~a. Upon completion of the foundation and placement of the lowest floor, but prior to construction of exterior walls, or floodproofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor or floodproofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer who is authorized to certify such information in the State, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. A City Planner and the building inspector shall perform a site inspection to verify the conditions noted on the elevation and/or~~

floodproofing certificates. A Building Under Construction Elevation Certificate (FEMA Form 86-0-33) is required after the lowest floor is established.

(1) Within seven (7) calendar days of establishment of the lowest floor elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted.

(2) Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

b. The Floodplain Administrator shall review the lowest floor elevation and/or floodproofing certificates. Should these documents be found not in conformance with the requirements of this chapter, the permit holder shall immediately cease further work and shall correct any deficiencies. Failure of the permit holder to submit the surveyed elevation and/or floodproofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop work order for the project.

be. Prior to final building permit inspection and issuance of a certificate of occupancy, it shall be the duty of the permit holder to submit to the Floodplain Administrator a final construction, as built, complete FEMA elevation certification and/or as built floodproofed elevation certification per the procedures outlined in subsections H1a and H1b of this section. A planner and the building inspector shall perform a site inspection to verify the conditions noted on the elevation and/or floodproofing certificates. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.

(1) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(2) The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

2. For waterways design review projects:

a. Development associated with a Building Permit: Prior to final building permit inspection and issuance of a certificate of occupancy, planning staff shall conduct a site inspection to verify that the project was constructed per the approved waterways design review plans and that all conditions of approval have been satisfied.

b. Development not associated with a Building Permit: Planning staff shall conduct a site inspection to verify that the project was constructed per the approved waterways design review plans and that all conditions of approval have been satisfied. The site visit shall be documented with a written memo to the application file.

I. Floodplain Development Variance Procedure:

1. General:

a. The Planning and Zoning Commission as established by the City of Ketchum, hereinafter referred to as the "Commission", shall hear and decide requests for variances from the requirements of this ordinance using the public hearing procedures established in Chapter 17.148, Variances.

b. The special considerations and conditions for variances contained in this section shall apply in addition to the criteria contained in Chapter 17.148, Variances.

c. Generally, variances may be issued for:

(1) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;

(2) Functionally dependent facilities, if determined to meet the definition as stated in Article II of this ordinance, provided provisions of Article IV, Section E.8.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

(3) Any other type of development, provided it meets the requirements of this Section.

~~new construction and substantial improvements to be erected on a lot of one-half ( $\frac{1}{2}$ ) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided subsection 12 of this section has been fully considered. As the lot size increases beyond the one-half ( $\frac{1}{2}$ ) acre, the technical justification required for issuing the variance increases.~~

~~d.~~ Upon consideration of the factors of subsection 17.88.050.l.2 of this section and the purposes of this article, the ~~Commission~~Administrator may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ~~article~~chapter.

2. Considerations: In passing upon such applications, the ~~Administrator~~Commission shall consider all technical evaluations, and all relevant factors and standards specified in other sections herein and:

a. The danger that materials may be swept onto other lands to the injury of others;



- b. Whether the structure is designed, constructed and placed upon the lot to minimize flood damage exposure and minimize the effect upon the danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity to the facility of a waterfront location as a functionally dependent facility, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities such as sewer, gas, electrical, and water systems, and streets and bridges; ~~and~~
- l. Variances shall only be issued in accordance with the guidelines found at section 60.6, code of federal regulations (title 44 CFR), as set forth therein on the effective date hereof; ~~and-~~
- m. Variances as interpreted in the national flood insurance program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

3. Conditions ~~for~~~~For~~ Variance:

- a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
- b. Variances shall only be issued prior to development permit approval.

~~Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the national register of historic places or the Idaho historic sites inventory, without regard to the procedures set forth in the remainder of this article.~~

~~cb.~~ Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

~~de.~~ Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

~~ed.~~ A variance shall only be issued upon:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public as identified in subsection 17.88.050.1.2 of this section, or conflict with existing local laws or ordinances.

~~fe.~~ Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

~~f.~~ ~~Variances as interpreted in the national flood insurance program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.g. The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.~~

~~g.~~ ~~Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria, except subsection 13a of this section, and otherwise complies with subsections 17.88.060A1 and A2 of this chapter.~~

4. Appeals: Any person aggrieved by the decision of the Commission may appeal such decision as described in Chapter 17.144, Appeals.

~~a.~~ ~~Appeals From Planning And Zoning Administrator: An appeal from any order, requirement, decision or determination of the planning and zoning administrator made in the administration or enforcement of this article may be taken by any affected person as that term is defined by Idaho Code section 67-6521, as it may be amended from time to time, or any officer or department of the city, to the planning and zoning commission by filing a notice of appeal in writing with the office of the planning and zoning administrator of the city in the manner prescribed herein:~~

~~(1) Action Required By The Planning And Zoning Administrator: The planning and zoning administrator shall certify that all procedural requirements have been satisfied and fees paid and transmit to the~~

~~commission the original of all papers constituting the record in the case, together with the order, requirement, decision or determination of the planning and zoning administrator. The planning and zoning administrator shall maintain in perpetuity the records of all appeals and report any variances to the federal insurance administration upon request.~~

~~(2) Hearing And Notice: The commission shall, following receipt of the planning and zoning administrator's certificate and the record of the case, set the matter for hearing and give notice of the date, time, place and purpose thereof and of the right to request a copy of the decision thereon, to the appellant, the planning and zoning administrator, and to any other affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, all in accordance with Idaho Code section 67-6501 et seq., as may be amended from time to time.~~

~~(3) Authority Of Commission: Upon hearing the appeal, the commission shall consider the record, the order, requirement, decision or determination of the planning and zoning administrator and the notice of appeal, together with oral presentation by the appellant and the planning and zoning administrator. The commission may affirm, reverse, or modify, in whole or in part, the order, requirement, decision or determination of the planning and zoning administrator.~~

~~(4) Decision By Commission: The commission shall enter a decision within thirty (30) days after the hearing on appeal, which shall include its written findings of fact and conclusions of law separately stated. The commission shall transmit a copy of the decision to the appellant and any affected person who has requested a copy in writing, as defined in Idaho Code section 67-6521, as that section may be amended from time to time.~~

~~b. Appeals From Planning And Zoning Commission: An appeal from any order, requirement, decision or determination of the commission made in the administration or enforcement of this article may be taken by any affected person, as that term is defined by Idaho Code section 67-6521, as it may be amended from time to time, or any officer or department of the city, to the city council by filing a notice of appeal in writing with the office of the planning and zoning administrator of the city in the manner prescribed herein:~~

~~(1) Action Required By The Planning And Zoning Administrator: The planning and zoning administrator shall certify that all procedural requirements have been satisfied and fees paid and transmit to the council the original of all papers constituting the record in the case, together with the order, requirement, decision or determination of the commission. Upon written request of the appellant or any affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, and the advance payment of the cost thereof, a verbatim transcript of the commission proceedings shall be prepared and transmitted to the council. The planning and zoning administrator shall maintain the records of all appeals and report any variances to the federal insurance administration upon request.~~

~~(2) Hearing And Notice: The council shall, following receipt of the planning and zoning administrator's certificate and the record of the case, set the matter for hearing and give notice of the date, time, place and purpose thereof and of the right to request a copy of the decision thereon, to the appellant, the commission, and to any other affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, all in accordance with Idaho Code section 67-6501 et seq., as may be amended from time to time.~~

~~(3) Authority Of Council: Upon hearing the appeal, the council shall consider only matters which were previously considered by the commission as evidenced by the record, the order, requirement, decision, or determination of the commission and the notice of appeal, together with oral presentation by the appellant and the commission. The council may affirm, reverse, or modify, in whole or in part, the order, requirement, decision or determination of the commission. Furthermore, the council may remand the application to the commission for further consideration with regard to specific criteria stated by the council.~~

~~(4) Decision By Council: The council shall enter a decision within thirty (30) days after the hearing on appeal, which shall include its written findings of fact and conclusions of law separately stated. The council shall transmit a copy of the decision to the appellant and any affected person who has requested a copy in writing, as defined in Idaho Code section 67-6521, as that section may be amended from time to time.~~

~~e. Time For Filing Appeals: All appeals permitted or authorized by this article shall be taken and made in the manner and within the time limits as follows: The written notice of appeal shall be filed before five o'clock (5:00) P.M. of the fifteenth calendar day after the order, requirement, decision or determination of the planning and zoning administrator has been made or after findings of fact have been approved by the commission, whichever is applicable. The failure to physically file a notice of appeal with the planning and zoning administrator of the city within the time limits prescribed by this subsection 14c shall be jurisdictional and shall cause automatic dismissal of such appeal.~~

~~d. Fee For Appeals: A fee equal to the expense of giving notice as required by subsection 14a(2) or 14b(2) of this section, as applicable, shall be paid within two (2) days after receipt from the planning and zoning administrator of the amount thereof. In the event the fee is not paid as required, the appeal shall not be considered filed.~~

~~e. Notice Of Appeal; Form And Contents: The notice of appeal shall be in writing and in such form as shall be available from the Office of the Planning and Zoning Administrator, which shall require to be set with specificity all bases for appeal, including the particulars regarding any claimed error or abuse of discretion. (Ord. 1190, 2018: Ord. 1186, 2018: Ord. 1170, 2017: Ord. 1135, 2015)~~

## **17.88.060: PROVISIONS FOR FLOOD HAZARD REDUCTION:**

A. General Standards: In all ~~areas of~~ Special Flood Hazard Areas, the following standards are required:

### 1. Anchoring:

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

## 2. Construction Materials ~~and~~ Methods:

- a. ~~All structural and nonstructural building materials utilized at or below the base flood elevation must be flood resistant. Flood damage resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood damage resistant materials are not used for building elements, those elements must be elevated above the base flood elevation. This requirement applies regardless of the expected or historical flood duration. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.~~
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. ~~Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.~~

## 3. Utilities:

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

## 4. Subdivision Proposals:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c. All subdivision proposals shall have adequate drainage provided to ensure that the post-development stormwater (of a 25-year storm) discharge will not exceed the amount of runoff under predevelopment conditions. Drainage plans and pre- and post-development hydrology calculations shall be prepared by a civil engineer licensed in the State of Idaho;
- d. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data. Base flood elevation shall be

developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat;

~~d. Require that base flood elevation data be provided or generated for all subdivision and PUD proposals. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent bench mark shall be identified and shown on the plat; and~~

e. All requirements of the Code of Federal Regulations, 44 CFR 60.3 shall be met.

f. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

5. Review Of Building Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (subsection 17.88.050.D.3.eb of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2') above grade in these zones may result in higher insurance rates.

6. Solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards and chemical storage facilities: New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in this title, in the Special Flood Hazard Area. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of this title.

B. Specific Standards: In all areas of special flood hazard where base flood elevation data has been provided as set forth in subsection 17.88.040.A.3, "Basis For Establishing The Areas Of Special Flood Hazard", or 17.88.050.D.3.eb, "Use Of Other Base Flood Data", of this chapter, the following provisions are required:

1. AO Zones: All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures.

2. Residential Construction:

a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated ~~a minimum of twenty four inches (24") above the base flood elevation~~ no lower than the Flood Protection Elevation.

- b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").
- c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be constructed entirely of flood resistant materials at least to the Flood Protection Elevation and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section):
- (1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
  - (2) The bottom of each flood vent opening shall be no higher than one foot (1') above the ~~lowest adjacent exterior grade~~interior or exterior adjacent grade.
  - (3) Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.
  - (4) Portions of the building below the base flood elevation shall be constructed with material resistant to flood damage.
  - (5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) ~~below the base flood elevation~~ shall not be below the BFE and shall not be more than two feet (2') below the lowest adjacent exterior grade.
  - (6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
  - (7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
  - (8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

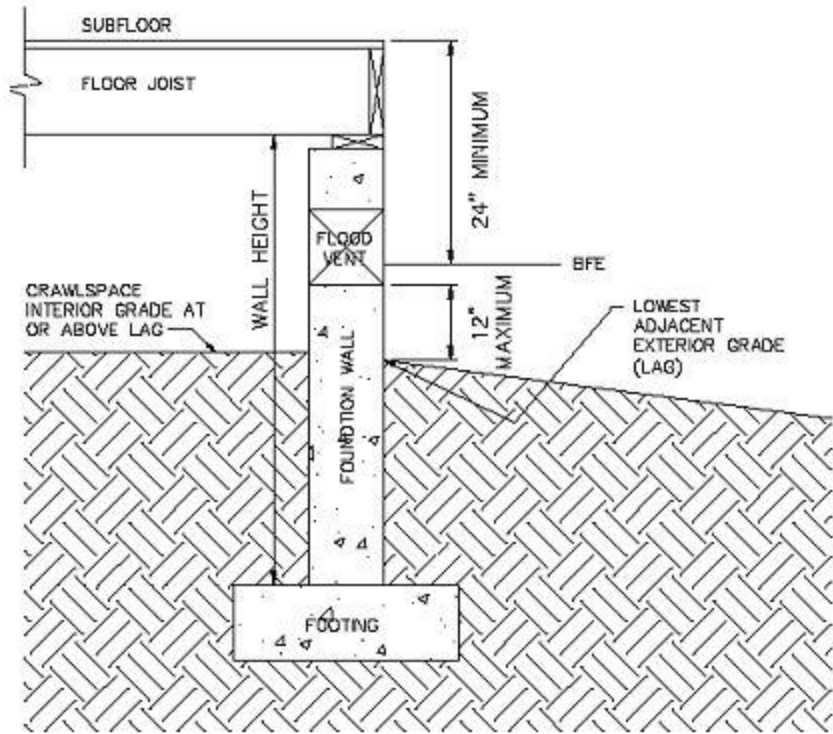


FIGURE 1  
PREFERRED CRAWL SPACE CONSTRUCTION

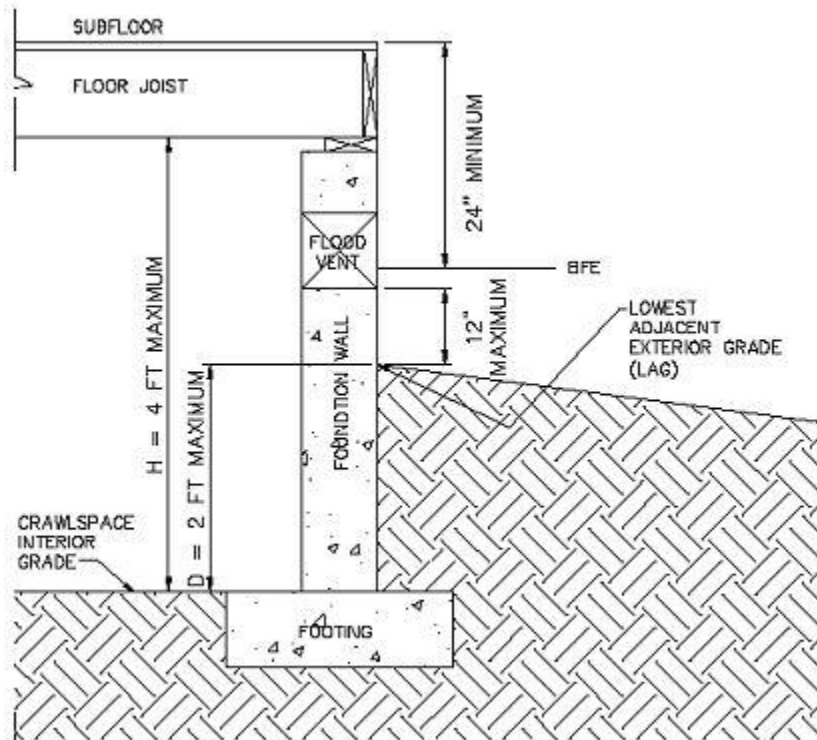


FIGURE 2  
BELOW GRADE CRAWL SPACE CONSTRUCTION

Note: A below grade crawl space shall be subject to higher flood insurance rates through the NFIP.



### 3. Nonresidential Construction:

a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated to twenty four inches (24") above the base flood elevation or, together with attendant utility and sanitary facilities, shall:

- (1) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this article based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in subsection [17.88.050D3c\(2\)](#) of this chapter;
- (4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B2c of this section; and
- (5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building constructed to the base flood level will be rated as 1 foot below that level).

b. All new construction and substantial improvement of nonresidential structures within AO zones shall:

- (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or
- (2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection B3a of this section.

4. **Manufactured Homes:** All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is twenty four inches (24") above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection A1b of this section.

5. **Recreational Vehicles:** All recreational vehicles to be placed on a site within zones A1-30, AH, and AE shall meet the requirements of subsection B4 of this section, or be placed on the site for less than one hundred eighty (180) consecutive days and be fully licensed and highway ready. [Aa recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions;](#).

6. **Critical Facilities:**

a. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).

b. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available.

c. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet (3') above BFE or to the height of the 500-year flood, whichever is higher.

d. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

e. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. Critical facilities shall be constructed on properly compacted soil and shall have the lowest floor (including basement) elevated at least twenty four inches (24") above the elevation of the 0.2 percent annual chance flood. A critical facility shall have at least one access road connected to land outside the 0.2 percent annual chance floodplain that meets fire code access requirements. The top of the road must be no lower than six inches (6") below the elevation of the 0.2 percent annual chance flood.

7. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;

b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;

c. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);

d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and

e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.

8. Accessory and Agricultural Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard

Area, elevation or floodproofing certifications are required for all accessory structures in accordance with this title, and the following criteria shall be met:

- a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);
- b. Accessory structures shall not be temperature-controlled;
- c. Accessory structures shall be designed to have low flood damage potential;
- d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- e. Accessory structures shall be firmly anchored in accordance with the provisions of Section 17.88.060.A.1;
- f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Section 17.88.060.A.3; and
- g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of this title.
- h. Accessory structures not used solely for parking, access, and storage must be elevated per this title.
- i. An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per this title.

9. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);
- b. Elevated above-ground tanks, in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
- c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- d. Tank inlets, fill openings, outlets and vents shall be:

i. At or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and

ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.

10. Compensatory Storage: New development shall not reduce the effective flood storage volume of the Regulatory Floodway and SFHA. A development proposal shall provide compensatory storage if grading or other activity eliminates any effective flood storage volume. Compensatory storage shall:

a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, “equivalent elevation” means having similar relationship to ordinary high water and the best available one hundred (100) year water surface profiles;

b. Be hydraulically connected to the source of flooding; and

c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

C. Floodways: Located within areas of special flood hazard established in subsection [17.88.040.A](#) of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, ~~new construction, substantial improvements, and other development~~ unless certification, with supporting calculations, by a registered professional hydraulic engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Uses within the floodway shall be restricted to those which are required by public necessity (for example, bridges, water pumps), recreational use (for example, paths), wildlife habitat improvements (for example, vegetation, nesting structures, pool/riffle improvements), and gravel extraction; provided, that the use/encroachment meets the approval of the federal emergency management ([FEMA](#)) and national flood insurance program ([NFIP](#)) and does not jeopardize the city's participation in the national flood insurance program.

3. New residential structures and residential substantial improvements are prohibited in the floodway.

~~2. If subsection C1 of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.~~

~~53. Be certified by a registered professional engineer, except in an existing mobile home park or existing mobile home subdivision. (Ord. 1135, 2015)~~

### **17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A**

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Section 17.88.060.A shall apply:

A. The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Sections 17.88.060.A and B.
2. When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Sections 17.88.060.B. and 17.88.090.
3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Section 17.88.040.A.3 and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued.
4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher. All other applicable provisions of Section 17.88.060.B shall also apply.

### **17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways.**

A. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

1. Standards of Sections 17.88.060.A and B; and
2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

### **17.88.090: Standards for Floodways.**

Areas designated as floodways located within the Special Flood Hazard Areas established in Article III, Section B. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Sections 17.88.060.A and B, shall apply to all development within such areas:

A. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless:

1. It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; this is a No-Rise Analysis & Certification); or

2. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

B. If 17.88.090.A is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.

C. Manufactured homes may be permitted provided the following provisions are met:

1. the anchoring and the elevation standards of this ordinance; and

2. the encroachment standards of 17.88.090.A.

D. Other Development in regulated floodways:

1. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of Article V, Section E of this ordinance.

2. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.

3. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Section 17.88.090 of this ordinance. The applicant/developer shall submit an application for a Letter of Map Revision (LOMR) upon completion of construction for the purpose of providing FEMA better available data.

4. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.

5. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance

**17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)**

A. Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.

2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in chapter so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Floodproofing Certification is required in accordance with this chapter.

3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)

a. Used solely for parking, and storage:

(1) -Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of {insert number} feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified; or

(2) Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of 17.88.060.B.2.c.

b. Not used solely for parking, and storage

(1) Shall be elevated per 17.88.060.B.2 and 17.88.060.B.3.

4. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

5. Hazardous Velocities: Where hazardous velocities are noted on the FIRM, proper construction techniques and methods shall be used to mitigate the effects of the velocities.

#### **17.88.~~070~~110: ENFORCEMENT AND PENALTIES FOR VIOLATION:**

A. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ~~article~~ chapter and other applicable regulations.

B. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$300 or imprisoned for not more than six (6) months. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ketchum from taking such other lawful actions as is necessary to prevent or remedy any violation.

C. The provisions of this article shall be enforced by one or more of the following methods:

1. Requirements of floodplain development permit, waterways design review and/or stream alteration permit;
2. Requirements of building permit;
3. Inspection and ordering removal of violations;
4. Criminal liability;
5. Injunction; and
6. Civil enforcement.

**DB.** Enforcement shall further be administered according to [chapter 17.156](#) of this title. (Ord. 1135, 2015)

**17.88.120080:** Title

**17.88.130090:** Guidelines

**17.88.140100:** Procedure

**17.88.150110:** Application For Emergency Stream Bank Stabilization

**17.88.160120:** Action Upon Submittal Of Stream Bank Stabilization Application

**17.88.170130:** Site Inspection

**17.88.180140:** Basis For Denial Of An Emergency Stream Bank Stabilization Permit

**17.88.190150:** Conditions Of Emergency Stream Bank Stabilization Approval

**17.88.200160:** Enforcement

**17.88.210170:** Title

**17.88.220180:** Guidelines

**17.88.230190:** Procedure

**17.88.240200:** Application For Emergency Riparian Alteration

**17.88.250210:** Action Upon Submittal Of Emergency Riparian Alteration Application

**17.88.260220:** Site Inspection

**17.88.270230:** Basis For Denial Of An Emergency Riparian Alteration Permit

**17.88.280240:** Conditions Of Emergency Riparian Alteration Approval

**17.88.290250:** Enforcement

**17.88.300260:** Title



17.88.~~310270~~: Guidelines

17.88.~~320280~~: Procedure

17.88.~~330290~~: Application

17.88.~~340300~~: Action Upon Submittal Of Emergency Application

17.88.~~350310~~: Conditions Of Emergency Application Approval

17.88.~~360320~~: Uses Permitted

17.88.~~370330~~: Use Restrictions

17.88.~~380340~~: Application For Temporary Flood Control Barriers

17.88.~~390350~~: Enforcement

**Attachment B.**

Title 17, Chapter 17.08, Definitions, draft amendments

~~AREA OF SHALLOW FLOODING: A designated AO or VO zone on the flood insurance rate map (FIRM). The base flood depths range from one foot to three feet (1'–3'); a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow, and AH indicates ponding. A designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~

~~AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Designation on maps always includes the letters "A" or "V". The term "special flood hazard area", for the purposes of these regulations, is synonymous with the phrase "area of special flood hazard". See Special Flood Hazard Area (SFHA).~~

~~BASE FLOOD: The flood having one percent (1%) chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood, the regulatory flood or the intermediate regional flood (IRF). Designation on maps always includes the letters "A" or "V".~~

~~BASE FLOOD ELEVATION (BFE): The water surface elevation of the one percent (1%) annual chance flood. A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.~~

~~DEVELOPMENT: Any subdivision, construction activity, or alteration of the landscape (except routine maintenance), its terrain contour or vegetation, including any construction of structures, establishment of a land use, or alteration of an existing structure or land use. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.~~

~~FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:~~

~~A. The overflow of inland or tidal water; and/or~~

~~B. The unusual and rapid accumulation or runoff of surface waters from any source.~~

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated

force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

**FLOOD INSURANCE RATE MAP (FIRM):** The official map on which the ~~f~~ederal ~~i~~nsurance ~~a~~Administration has delineated both the areas of special flood hazard and risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**FLOODPLAIN OR FLOOD-PRONE AREA:** Any land area susceptible to being inundated by water from any source (see definition of “flooding”).

**FLOODPLAIN ADMINISTRATOR:** the individual appointed to administer and enforce the floodplain management regulations.

**FLOODPLAIN DEVELOPMENT PERMIT:** any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

**FLOODPLAIN MANAGEMENT:** the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS:** zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Flood Protection Elevation (FPE):** the Base Flood Elevation plus the Freeboard.

a. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard; and

b. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.

**FLOOD PROTECTION SYSTEM:** those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height ~~one foot (1’)~~. This term is also referred to as the "regulatory floodway".

**FREEBOARD:** a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the freeboard establishes the Flood Protection Elevation (FPE). Freeboard shall be two (2) feet.

**HIGHEST ADJACENT GRADE (HAG):** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.

LETTER OF MAP CHANGE (LOMC): a general term used to refer to the several types of revisions and amendments to FIRMs that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F)

1. Letter of Map Amendment (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
2. Letter of Map Revision (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
3. Letter of Map Revision Based on Fill (LOMR-F): FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.
4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

LOWEST ADJACENT GRADE (LAG): The lowest point of the ground level immediately next to a building. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement contained in 44 CFR § 60.3 subsection 17.88.060B2c of this title.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. The term "Manufactured Home" does not include a "Recreational Vehicle."

MARKET VALUE: the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

POST-FIRM: construction or other development for which the “start of construction” occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).

PRE-FIRM: construction or other development for which the “start of construction” occurred before {insert effective date of community’s first FIRM}, the effective date of the initial Flood Insurance Rate Map (FIRM).

SPECIAL FLOOD HAZARD AREA (SFHA): the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE: Anything permanently constructed in or on the ground, or over the water, including gas or liquid storage tank that is principally above ground and manufactured homes; excluding fences less than six feet (6') in height, decks less than thirty inches (30") above grade, paved areas, and structural or nonstructural fill.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. See definition of “substantial improvement”.

SUBSTANTIAL IMPROVEMENT: Includes the following:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement over a three (3) year time frame. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. either:

~~1. Before the improvement or repair is started; or~~

~~2. If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~

B. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing State or local Health, Sanitary, or Safety Code specifications ~~which are solely~~ which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the National Register of Historic Places or the Idaho Historic Sites Inventory provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.-

~~VARIANCE, FLOODPLAIN: A grant of relief from the requirements of chapter 17.88, article 1 of this title which permits construction in a manner that would otherwise be prohibited by said article.~~

~~VIOLATION (FLOODPLAIN ORDINANCE): the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.~~