



CITY OF KETCHUM, IDAHO REGULAR CITY COUNCIL MEETING
Tuesday, September 08, 2020, 4:00 PM
480 East Avenue, North, Ketchum, Idaho

AMENDED

Agenda

Due to safety and COVID-19 physical distancing requirements, there will be limited public attendance at Ketchum City Council meetings. Members of the public may observe the meeting live on the City's website at <https://www.ketchumidaho.org/meetings> or observe the meeting live outside of the building.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to participate@ketchumidaho.org by noon the day of the meeting. Comments will be provided to the City Council.

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 Council when called upon but must leave the room after speaking and observe the meeting outside City Hall.

Dial-in: +1 346 248 7799

Meeting ID: 918 1566 2849

- CALL TO ORDER: By Mayor Neil Bradshaw
- ROLL CALL
- COMMUNICATIONS FROM MAYOR AND COUNCILORS
 1. Proclamation for National Suicide Prevention Month
 2. Proclamation to take 10 Minutes to take the 2020 Census
- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
 3. Approval of Minutes: Regular Meeting August 17, 2020
 4. Authorization and approval of the payroll register
 5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of a \$1,239,093.95 as presented by the Treasurer
 6. Approval of Change Order #1 to Contract 20454 - Director of Finance & Internal Services Grant Gager
 7. Approval of PO 20508 for purchases of Fire Regulators - Director of Finance & Internal Services Grant Gager
 8. Recommendation to approve Resolution 20-020 authorizing destruction of semi-permanent records - City Clerk Robin Crotty
 9. Approval of Purchase Order 20511 with Columbia Electric for Variable Frequency Drives for Influent Pumping Station - Waste Water Superintendent Mick Mummert
 10. Recommendation to adopt Resolution 20-021 appointing Brenda Moczygemba to the Planning and Zoning Commission - Mayor Neil Bradshaw
 11. Recommendation to approve Exceedance Agreement 20509 for Second Street and Second Avenue - Director of Planning & Building Suzanne Frick

- [12.](#) Recommendation to approve Encroachment Agreement 20498 with Century Link at 260 Second Street - Director of Planning & Building Suzanne Frick
- [13.](#) Recommendation to approve Encroachment Agreement 20483 with Century Link for 571 Washington Avenue
- [14.](#) Recommendation to approve Findings of Fact for the City Council's decision on the appeal of the Planning and Zoning Commission decision on Zoning Administrator's Decision on 201 Garnet Street - Director of Planning & Building Suzanne Frick
- [15.](#) Recommendation to approve final plat map and lot line shift with a waiver for 425 Bigwood Drive - Director of Planning & Building Suzanne Frick
- [16.](#) Recommendation to approve PO 20512 with Roberts Electric for Wiring Services - Waste Water Superintendent Mick Mummert
- [17.](#) Recommendation to approve Contract 20513 with Blaine County for Mutual Aid Assistance - Fire Chief Bill McLaughlin
- [18.](#) Recommendation to approve Agreement 20514 between the City of Ketchum and Blaine County School District for use of facilities and fields for Ketchum recreation programs---Director of Recreation John Kearney
- NEW BUSINESS (no public comment required)
 - [19.](#) ACTION ITEM: Consideration and approval of park reservations and special events - Public Affairs and Administrative Services Manager Lisa Enourato
 - [20.](#) ACTION ITEM: Recommendation to approve covenants related to conditional use permits for live work uses in the LI Zoning District - Director of Planning & Building Suzanne Frick
 - [21.](#) ACTION ITEM: Recommendation to provide direction on funding and potential approval of Encroachment Agreement 20494 with Idaho Power at 760 Washington Avenue--Planning and Building Director Suzanne Frick
 - [22.](#) ACTION ITEM: Recommendation to approve Purchase Order 20515 for a new Boiler - Public Affairs and Administrative Services Manager Lisa Enourato
- PUBLIC HEARING
 - [23.](#) ACTION ITEM: Third Reading of Ordinance 1208, Annual Appropriations Ordinance - Director of Finance & Internal Services Grant Gager
 - [24.](#) ACTION ITEM: Recommendation to approve Lot Line Shift for the Hedgehog Subdivision located at 591 9th Street - Director of Planning & Building Suzanne Frick
- EXECUTIVE SESSION
 - 25. Discussion Pursuant to 74-206 (1) (a) to consider the hiring of a public officer
- ADJOURNMENT



City of Ketchum

PROCLAMATION

- Whereas,** suicide is a major public health issue that requires vigilant attention and preventative action, as death by suicide as increased 25% nationally. Idaho remains sixth in the nation for highest rate of suicide; and
- Whereas,** each death by suicide directly impacts numerous family members, friends, loved ones and by extension, the entire community; and
- Whereas,** the 5B Suicide Prevention Alliance is committed to raising awareness, providing education and training on suicide prevention, and reducing stigma; and
- Whereas,** Blaine County is committed to ensuring that those in need have access to services by healthcare providers trained in best practices to reduce suicide risk, and to reducing the stigma associated with using behavioral health treatment or losing a loved one to suicide; and
- Whereas,** 5B Suicide Prevention Alliance conducts annual and ongoing training through “Know the 5 Signs” presentations for community members, with over 1,000 individuals educated last year in Blaine County; and
- Whereas,** we recognize recovery is possible, with the help of numerous partnerships with our community; and
- Whereas,** September 2020 is recognized across the United States as National Suicide Prevention and Recovery month providing the opportunity to educate oneself about warning signs and how best to help those most in need.

NOW THEREFORE, I, Neil Bradshaw, Mayor of the City of Ketchum, do hereby proclaim September as National Suicide Prevention and Recovery Month in the City of Ketchum, and urge all citizens to be leaders in prevention and participate in a “Know the 5 Signs” training with the 5B Suicide Prevention Alliance.

Joint Proclamation

- Whereas,* the census is mandated by the United States Constitution every 10 years; and
- Whereas,* the goal of the U.S. Census is to ensure a complete and accurate count of everyone living in the United States once, only once, and in the right place; and
- Whereas,* more than \$675 billion per year in federal funding is allocated to states and communities based on census data; and
- Whereas,* an accurate count is vital to ensuring our state and cities receive annual funds to improve transportation, schools, hospitals, public works and other vital programs; and
- Whereas,* census data helps shape where to locate schools, offices and stores; and
- Whereas,* census data ensures fair Congressional representation in the U.S. House of Representatives and in redistricting state legislatures, county and city councils, and school and voting districts; and
- Whereas,* we all benefit from a complete and accurate count and have a civic responsibility to take the 2020 Census before it closes September 30, 2020.

Now Therefore, WE THE UNDERSIGNED do hereby encourage anyone who has not already taken the 2020 Census to

“Take 10 minutes to take the 2020 Census on September 10th”

in the cities of Ketchum, Sun Valley, Hailey and Bellevue, and Blaine County.

IN WITNESS WHEREOF, WE HAVE HEREUNTO set hand for “Take 10 minutes to take the 2020 Census on September 10th, on this 8th day of September in the year two thousand twenty.



CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING
Monday, August 17, 2020, 4:00 PM
480 East Avenue, North, Ketchum, Idaho

Minutes

Due to safety and COVID-19 physical distancing requirements, there will be limited public attendance at Ketchum City Council meetings. Members of the public may observe the meeting live on the City's website at <https://www.ketchumidaho.org/meetings> or observe the meeting live outside of the building.

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Dial-in: +1 253 215 8782
Meeting ID: 922 2050 9409

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Neil Bradshaw called the meeting to order at 4:00 p.m.

- ROLL CALL

PRESENT

Mayor Neil Bradshaw
Council President Amanda Breen
Councilor Michael David
Councilor Courtney Hamilton
Councilor Jim Slanetz

ALSO PRESENT

City Administrator Suzanne Frick
Director of Finance & Internal Services Grant Gager
Associate Planner Abby Rivin

- COMMUNICATIONS FROM MAYOR AND COUNCILORS
Councilor Courtney Hamilton reminded the public to clear their properties of noxious weeds.

Mayor Neil Bradshaw advised the public of the bear problem and asked the public to secure their garbage to make it safe for the public as well as wildlife. Mayor Bradshaw talked about the wildlife grant.

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

1. Approval of Minutes: Special Meeting July 29, 2020
2. Approval of Minutes: Regular Meeting August 3, 2020
3. Approval of Minutes: Special Meeting August 10, 2020

Councilor Courtney Hamilton pulled the minutes and advised of a correction in wording on page 2 explaining she said that she asked about the increase in Construction LOT, not the decrease

4. Authorization and approval of the payroll register
5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$675,499.36 as presented by the Treasurer.

Council President Amanda Breen pulled bills and questioned the employee mental health support charge being charged to Fly Sun Valley Alliance. Director of Finance & Internal Services Grant Gager explained that it is related to the corporate ski pass program.

Councilor Courtney Hamilton asked about the cost of the face masks. Mayor Neil Bradshaw explained that the masks were a donation, however, the city pays the charge up front. The expense is showing in the bills and the reimbursement will show up in the revenues. Courtney Hamilton also questioned the sandwich board for P & Z. City Administrator Suzanne Frick explained the procedure for sandwich board charges on sites saying we are now charging the applicant for the signs.

6. Monthly Financial State of the City - Director of Finance & Internal Services Grant Gager
7. Recommendation to approve Resolution 20-017 Wood River Valley Wildlife Smart Communities - Assistant City Administrator - Lisa Enourato

Councilor Courtney Hamilton advised all that this is a valley wide effort and she is appreciative of anything we can do to get the message out there.

8. Recommendation to approve Resolution 20-018 relating to Surplus Property - Director of Finance & Internal Services Grant Gager
9. Recommendation to approve Encroachment Agreement 20497 with Cox Communications at 215 Corrock Drive--City Administrator Suzanne Frick
10. Recommendation to approve Encroachment Agreement 20486 with Century Link at 415 Spruce--City Administrator Suzanne Frick
11. Consideration of Contract 20499 with Syringa Networks - Director of Finance & Internal Services Grant Gager

Motion to approve the consent agenda 1,2,4,6,8,9 and 10.

Motion made by Council President Breen, Seconded by Councilor Slanetz.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

Motion to approve 3,5, & 7

Motion made by Council President Breen, Seconded by Councilor Slanetz.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

- NEW BUSINESS (no public comment required)
- 12. ACTION ITEM: Recommendation to approve funding for Bluebird Village community housing--Mayor Neil Bradshaw

Mayor Neil Bradshaw outlined the Bluebird Village project and the tax credit application.

Greg Dunfield presented a power point describing the project. He showed how the project evolved over the past year and showed renderings. He advised they are not designs, design review will come at a later date. Greg Dunfield went over parking, bike storage, and who this project will serve. He talked about the tax credit application and an application of award. Greg Dunfield advised that they are targeting households between \$45,000 - \$69,500 in annual income. There will be 3 market rate units. He would like to work with the city on a preference for the active local workforce. Greg Dunfield advised that this is a \$22M project. Last year it was \$20M. He advised the council of the KURA's participation, the resale Condo, the City of Ketchum housing in lieu fund contribution and land donation. Greg Dunfield advised that the project will serve this community well and is hopeful to secure the funding to move this project forward. Mayor Neil Bradshaw thanked Greg Dunfield and advised of his plan for using local contractors.

Councilor Jim Slanetz questioned the ground floor parking. Greg Dunfield advised they are tandem spaces to maximize parking. There will be coordination between the two users. Jim Slanetz asked how much the City would be out if we do not get the tax credits and asked if the city is taking a risk? Greg Dunfield said the city's exposure is less than \$75,000. Jim Slanetz asked about the ownership structure and how it plays into the future. Greg Dunfield talked about Northwood Place and how it evolved in ownership. Mayor Neil Bradshaw elaborated on how this land never ends up in private hands. Jim Slanetz questioned the timeline on ownership. Greg Dunfield explained that KCDC are co-owners from day 1. The tax credits, investors will be paid at the end of 15 years and KCDC would take over the management.

Councilor Michael David questioned preference related to units overall. Greg Dunfield explained that means that the City of Ketchum would need to make certain declarations. It has been done before in other high cost communities. He would like to see it applying to all the units. Greg Dunfield feels it should be a community wide policy. Michael David questioned what we could do as a city, during the application process, beyond the financial and land contribution. Greg Dunfield advised that a letter of support from Mayor and Council to State Representatives and IHFA would be help. This is the 5th time were applying for this grant and it is time for Ketchum to get a project.

Council President Amanda Breen questioned the timing of the decision. Greg Dunfield explained it would most likely be around Christmas, and we will know more around September 4, 2020. Amanda Breen said she has been contacted by residents of the area and is hopeful they watched tonight's presentation. She is in support of this project and is hopeful it will go forward.

Councilor Courtney Hamilton talked about parking, stating that it is important to have these conversations. Greg Dunfield confirmed there are 47 parking spaces. Courtney Hamilton advised they are deciding tonight about funding without community input and talked about car share being included

in this project. She advised that she is in support of this in our community and talked about the importance of this project.

Councilor Michael David added that parking is such a minor issue in comparison to affordable housing in our community and talked about the current inventory for parking.

Councilor Courtney Hamilton talked about the timing of the project. Greg Dunfield went over the timeline and advised that they would like to start as early as next summer or as late as Labor Day at the latest to avoid building in winter conditions. Courtney Hamilton talked about cost of delay being factored in. Mayor Neil Bradshaw talked about the conversations and the costs involved. Courtney Hamilton continued to talk about transparency stating we need to know what we are signing up for. She does not want to regret this project in a year.

Mayor Neil Bradshaw advised this is a chance to leverage our dollars for our number one goal which is housing. If we get this money, it is \$12M of free money. This is an opportunity to create housing. Mayor Bradshaw advised he is giving this all the transparency there is at this time.

Motion to authorize use of Housing In-Lieu Funds in an amount not to exceed \$1.4 million to support Bluebird Village and authorize the Mayor to sign a letter committing city funding.

Councilor Courtney Hamilton asked how much money is in the In-Lieu Housing Fund. Director of Finance & Internal Services Grant Gager advised that there is \$2.4M uncommitted in the fund.

Motion made by Councilor David, Seconded by Councilor Slanetz.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

13. ACTION ITEM: Consideration and approval of park reservations - Assistant City Administrator Lisa Enourato

Mayor Neil Bradshaw updated council regarding weddings that have occurred in and out of our jurisdiction. He talked about his concern regarding large events that are happening that are not consistent with the protocols in place. We do not have control of private space, but we do on public land. He outlined events that have been approved and talked about what Ada County is doing. Mayor Bradshaw recommends that we go back and look at the upcoming weddings that we have approved and deny their application because they are spreading fear. This exposes those who are catering the events and can cause issues. We are doing a great job as a community and need to stay vigilant. He talked about what others and the Health District is doing. Mayor Neil Bradshaw will update council more after his meeting on Thursday but stated that he would like to lead by example for our public lands.

Councilor Michael David asked Mayor Neil Bradshaw about his upcoming meeting and what will be discussed and if it will cover local bars and restaurants. Mayor Neil Bradshaw asked what council would like discussed in this meeting. Wedding gatherings seem to be its own problem. Council President Amanda Breen talked about her frustration with the state and the health district not taking the lead. Councilor Jim Slanetz said we are not risking caterers any more than we are waiters. From a practical purpose we are not changing anything other than taking a stand. Jim Slanetz advised that if we were endangering staff, he would feel differently but this is just symbolic. Council continued to deliberate. Mayor Neil Bradshaw gave suggestions on how to move forward and advised we could do a special

meeting if they need to change the city's protocol. Council talked about monitoring the events more closely and circle back with applicants to remind them of the protocol.

Motion to approve the park reservation for the Berger Wedding.

Motion made by Council President Breen, Seconded by Councilor Hamilton.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

14. Update on requests for restaurant outdoor seating in parking areas - City Administrator Suzanne Frick

Mayor Neil Bradshaw advised that he talked to restaurant owners and the reason for restaurants not taking advantage of the outdoor seating in parking areas appears to be a staffing issue. The restaurants that are interested are on Main Street and they need to work with ITD. It will probably not happen this year. A lot of the restaurants already have outdoor space available. City Administrator Suzanne Frick advised that there has only been one applicant, but they are working with ITD. Councilor Courtney Hamilton asked if the restaurants were notified? Mayor Neil Bradshaw advised he attended a meeting with restaurants, and some were interested in closing alleys on a temporary basis, but staff looked at that and it was difficult to do. Mayor Bradshaw encouraged councilors to talk to restaurant owners to see what they can find out.

- PUBLIC HEARING

15. ACTION ITEM: Second Reading of Ordinance 1208, Annual Appropriations Ordinance - Mayor Neil Bradshaw

Director of Finance and Internal Services Grant Gager presented the possible scenarios that lead to the forecasted \$1.75M in revenue. The slides are part of the presentation. He talked about the \$100,000 increase in revenue that council requested be proposed in the budget and went over the FY 21 LOT forecast. Grant Gager explained what the average millennial as well as the silent generation spends per day. He talked about how the dollar amount spent works out to in visitors each day that Ketchum needs to make up the \$100,000 additional funds requested to fund Visit Sun Valley (VSV) in the proposed budget. Grant Gager explained that the silent generation is 75 years and older. He went onto talk about the data he received from VSV to come up with the dollar figures he presented.

Scott Fortner, Executive Director of Visit Sun Valley, explained the numbers given to Director of Finance & Internal Services Grant Gager, and what they are made of. He advised those numbers come from VSV asking visitors what they spend each day. He went onto talk about their goal in gathering the data. Scott Fortner talked about what VSV is doing to attract visitors during COVID and talked about the challenges before them. He hopes they will be able to educate and attract the right kind of guest for us. Mayor Neil Bradshaw thanked Scott Fortner for his clarification and asked him to clarify timing on the spending of his ask to assist in the creation of the contract. Scott Fortner talked about historic planning.

Council President Amanda Breen talked about people planning trips and the fact that it is not currently happening. She questioned what other ski areas are doing? VSV Executive Director, Scott Fortner talked about wanting to make sure we are performing as well as other ski areas. Amanda Breen is not in favor of changing the structure of the contract. She agrees that the funds need to be front loaded. Councilor Courtney Hamilton questioned what Scott Fortner thinks of the proposed numbers. Scott Fortner advised he has not had a chance to look at them. He advised he is more worried about the winter numbers than the summer.

Mayor Neil Bradshaw opened the meeting for public comment. There was no public comment.

Mayor Neil Bradshaw asked council for comments and questions on the updated proposal. Councilor Courtney Hamilton questioned the legislative budget. Director of Finance & Internal Services Grant Gager talked about annual operating contingency and fund balance reserves. He is comfortable with the contingency that is being proposed stating, historically it has sometimes been used. Courtney Hamilton appreciates the scenarios presented. She talked about LOT Sales for June being up, and that being hopeful. Looking at the scenarios she believes they are reasonable. Grant Gager explained the LOT collection deadlines and reporting again. He then asked for clarification from Council on the code update and using the funds dedicated to Forest Service Park. The council agreed to using the funds on a code update.

Motion to approve the second reading, by title only, or Ordinance No. 1208, and Ordinance of the City of Ketchum, Idaho, entitled the Annual Appropriation Ordinance for the Fiscal Year beginning October 1, 2020, appropriating to the various budgetary funds, sums of money deemed necessary to defray all necessary expenses and liabilities within each fund for the ensuing fiscal year, authorizing a levy of a sufficient tax upon the taxable property and specifying the objects and purposed for which said appropriation is made, and providing an effective date.

Motion made by Councilor Slanetz, Seconded by Councilor Hamilton.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

Councilor Courtney Hamilton read the title aloud.

16. ACTION ITEM: Recommendation to Approve Ordinance 1210 Amending the FY 20 Budget (Ordinance 1203) - Director of Finance & Internal Services Grant Gager

Mayor Neil Bradshaw talked about the reallocation of funds and memorializing the measures they took earlier in the year. Grant Gager advised they are recognizing the \$11.5 M from the bond sale and allocating the \$2 M that will be spent in the rest of this FY. He explained the sale of the bonds and why this is coming before them now.

Mayor Neil Bradshaw asked for public comment. There was no public comment.

Pursuant to Idaho Code 50-902, I move to waive the first and second readings of Ordinance No. 1210 and read by title only.

Motion made by Council President Breen, Seconded by Councilor Hamilton.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

Motion to adopt and read by title only

Motion made by Council President Breen, Seconded by Councilor Hamilton.

Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz

Council President Amanda Breen read the title aloud.

17. ACTION ITEM: Appeal of the Planning and Zoning Commission decision on Zoning Administrator's Decision on 201 Garnet Street--City Administrator Suzanne Frick.

Mayor Neil Bradshaw introduced the topic before council and explained who owns the Gem Streets and who maintains them. City Administrator Suzanne Frick gave the background of the house being constructed on Garnet Street. She talked about the requirements of the setback as well as the analysis that was done regarding snow storage and drainage and explained that a 15' set back is what is required. The applicant does not agree and brought this back to Planning & Zoning. The commissioners required 10' with an indemnification of not holding the City responsible for up to 15'. Staff is recommending that the applicant be held to the 15' set back. This has been brought to council to decide on the set back.

Applicant Attorney Fritz Haemmerle talked about the history of this project and Ketchum Code. He clarified that in 1995 the City of Ketchum and the Garnet Street residents created a "Garnet Street Agreement". He advised that the city negotiated for a 20' public roadway easement in 1995. He talked about the Local Land Use Planning Act and addressed setbacks. He talked about how staff has addressed the Appeal and about uniformity requirements of LLUPA in the City of Ketchum. Fritz Haemmerle talked about the P & Z discussion and the approval process and the uniqueness of the Gem Streets and about what his client has agreed to. The argument is about 1/3 of the house (3 feet). He is requesting Council follow the laws of the State of Idaho.

Mayor Neil Bradshaw explained these are two different discussions. What is the right precedent and what is legal? Applicant Attorney Fritz Haemmerle talked about the condos on Emerald Street, stating they are on the pavement. If there was precedent it was established back then. Mayor Bradshaw asked council what they would like for future Gem Street development? He advised that safety and practicality must drive the decision. Are we creating an issue that could hurt us for plowing and future development?

Council President Amanda Breen talked about what we would like and what they would like, stating that we must do what is best and what is legal. She questioned the Garnet St. Agreement and asked if it requires us to treat Garnet St. as a public right of way. City Attorney Matt Johnson explained that the city holds a Right of Way over the Gem Streets. The City has treated them as a public street and that is the issue that remains to be involved. Amanda Breen advised that the LLUPA conversation is quite persuasive and is unsure if the City can say that life and safety is an issue. Mayor Neil Bradshaw questioned the 15' setback. If we set this new precedent what are we setting ourselves up for?

City Administrator Suzanne Frick said the Zoning Ordinance has requirements that need to be met and setbacks is one of them. All standards must be considered, and the council needs to look at all zoning requirements for every property. City Attorney Matt Johnson explained the legal perspective. stating the issue is drainage and snow storage. The administrator's determination is that additional setbacks are necessary to provide for drainage and snow storage.

Applicant Attorney Fritz Haemmerle said you must look at the setback provisions and supplemental setback requirements. He advised that the city should have put these individual set back provisions under supplemental setback requirements. He questioned how the city came up with the 15' setback provision?

Mayor Neil Bradshaw opened the meeting for public comment.

Janie Davidson 111 Topaz Street questioned the expansion and how it affects her financially and her property value. She voiced concern about trees being removed on Garnet Streets. Janie Davidson advised that she was not noticed of today's meeting and that she accidentally found out about it.

Councilor Michael David left the meeting at 7:03 p.m.

Architect Jen Jarvis advised that her client wants to build a 2000 sq. ft. home on Garnet St. All they are asking for is a setback that is reasonable. They have met with the P & Z and met all standards. Staff has appealed the P & Z decision. She advised that P & Z has said this should not have changed. She advised that they have moved the building back 3 feet and the city has not compromised at all.

Attorney Matt Johnson explained to Council that this is an administrative appeal. Was the Administrative Decision correct or incorrect? Attorney Fritz Haemmerle agrees with Matt Johnson's determination of what they are deciding on this evening. It is not about policy.

Mayor Neil Bradshaw outlined the 3 decisions that are before the Council. Councilor Courtney Hamilton advised that this topic is extremely frustrating. Outside this circumstance, this needs to be cleaned up. She advised this is setting a precedent for what can be done in the future. She voiced concern over snow storage and ambulance service. Applicant Attorney Fritz gave the background on the reason the Garnet St. Agreement was passed. He talked about the 20' of surface that was required.

Mayor Neil Bradshaw voiced his support of staff recommendation. Councilor Jim Slanetz agrees and supports the administrative act. The consistency of protecting public safety and having snow storage is important. Without access and storage, we open ourselves up for more liability.

Council President Amanda Breen is not comfortable standing behind the Administrative Position. Councilor Courtney Hamilton talked about what has precedent. She is relying on the City Engineer stating 15' is needed for snow storage.

Move to affirm the March 9, 2020, decision of the Zoning Administrator and direct staff to prepare finds of fact for approval.

Motion made by Councilor Slanetz, Seconded by Councilor Hamilton.

Voting Yea: Councilor Hamilton, Councilor Slanetz

Voting Nay: Council President Breen

Absent: Councilor David

City Attorney Matt Johnson stated the majority of councilors present voted and the motion stands.

18. ACTION ITEM: Consideration of North Pass Subdivision Preliminary Plat: 128 & 130 Short Swing Lane A & B (North Pass Condominiums No. 8: Units A & B) 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 - City Administrator Suzanne Frick

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

Bruce Smith for the applicant is on the line.

Councilor Courtney Hamilton said these kinds of transitions are good for our community. Council President Amanda Breen and Councilor Jim Slanetz both agree. Associate Planner Abby Rivin advised that all standards have been met for this project.

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

Motion to approve the North Pass Townhomes Subdivision Preliminary plat application subject to conditions of approval #1-9.

Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Breen, Councilor Hamilton, Councilor Slanetz

Absent: Councilor David

19. ACTION ITEM: Recommendation to consider a Lot Line Shift at 3020 Warm Spring Road, Waddell/Rousch Duplex. The Council will consider and take action on a Lot Line Shift application to remove an existing duplex's building footprint from the Wills Condominium No. 2 Subdivision Plat located at 3020 Warm Springs Road within the City's General Residential Low Density (GR-L) Zoning District. The existing building will be demolished, and the property will be developed with a new duplex and associated site improvements. --City Administrator Suzanne Frick

City Administrator Suzanne Frick talked about the existing subdivision and advised that this consideration is to eliminate the old subdivision. Cinda Lewis is here on behalf of the client.

Move to approve the Wills Condominiums No. 2 Readjustment of Lot Lines application subject to conditions 1-7.

Motion made by Councilor Hamilton, Seconded by Councilor Breen

Voting Yea: Council President Breen, Councilor Hamilton, Councilor Slanetz

Absent: Councilor David

20. ACTION ITEM: Consideration of a Townhouse Subdivision Preliminary Plat and Phasing Plan Agreement Application for West Ketchum Residences, LLC at 150 Bird Drive (Lot 5AA, Bavarian Village Sub) - City Administrator Suzanne Frick

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

Councilor Courtney Hamilton questioned building in parcel B and how it would affect the in-lieu housing requirement? Galena Engineering Project Manager, Sam Stahlnecker, advised, they can be built on, and a new note will be added to reflect that. Sam Stahlnecker talked about parcel B being in the common area and there is a mechanical building on parcel B and confirmed that parcel N is not a development parcel and shall only be used for a common area.

Motion to approve the West Ketchum Residences Preliminary Plat and Phasing Agreement application, subject to conditions 1-7 with changes as discussed.

***Motion made by Councilor Hamilton, Seconded by Council President Breen.
Voting Yea: Council President Breen, Councilor Hamilton, Councilor Slanetz
Absent: Councilor David***

- ADJOURNMENT

Motion to adjourn at 7:36 p.m.

***Motion made by Councilor Hamilton, Seconded by Council President Breen.
Voting Yea: Council President Breen, Councilor Hamilton, Councilor Slanetz
Voting Abstaining: Councilor David***

Neil Bradshaw Mayor

Robin Crotty City Clerk

Report Criteria:

Invoices with totals above \$0 included.
Paid and unpaid invoices included.
[Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"
Invoice Detail.Voided = No, Yes

Vendor Name	Invoice Number	Description	Net Invoice Amount
GENERAL FUND			
01-3700-3600 REFUNDS & REIMBURSEMENTS			
GALENA ENGINEERING, INC.	080720	Refund Application Fee	2,200.00
Total :			2,200.00
LEGISLATIVE & EXECUTIVE			
01-4110-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	45.00
Total LEGISLATIVE & EXECUTIVE:			45.00
ADMINISTRATIVE SERVICES			
01-4150-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	63.00
01-4150-3100 OFFICE SUPPLIES & POSTAGE			
A.C. HOUSTON LUMBER CO.	2008-667529	Safety Supplies	31.07
GEM STATE PAPER & SUPPLY	1033115	Paper Supplies	117.12
TREASURE VALLEY COFFEE INC	2160 06877957	Spring Water	15.90
TREASURE VALLEY COFFEE INC	2160 06903828	Spring Water	23.85
01-4150-4200 PROFESSIONAL SERVICES			
SENTINEL FIRE & SECURITY, IN	57136	2347 - Atkinsons Park	93.00
SENTINEL FIRE & SECURITY, IN	57361	4784 - 480 East Ave.	93.00
BROWN, LINDA DIANE	2009	Delivery for September 2020	100.00
01-4150-4800 DUES, SUBSCRIPTIONS & MEMBERSH			
CNA SURETY DIRECT BILL	61838199 0818	Blanket Notary Errors & Omissions Policy	156.00
01-4150-5100 TELEPHONE & COMMUNICATIONS			
CENTURY LINK	2087264135 08	2087264135 081320	976.27
CENTURY LINK	2087265574 08	2087265574 081320	55.29
CENTURY LINK	74754376 0824	74754376 082420	4.59
SYRINGA NETWORKS, LLC	20AUG0386	20AUG0386	3,000.00
VERIZON WIRELESS	365459737 081	365459737 081320	41.67
VERIZON WIRELESS	965494438 081	965494438 081020	45.35
VERIZON WIRELESS	965494438 081	965494438 081020	40.34
COX WIRELESS	047131901 082	047131901 082620	89.00
01-4150-5110 COMPUTER NETWORK			
KETCHUM COMPUTERS, INC.	17296	Computer Support	5,659.20
01-4150-5150 COMMUNICATIONS			
SNEE, MOLLY	2012	August Retainer	3,150.00
01-4150-5200 UTILITIES			
CITY OF KETCHUM	090120	772 - August	58.30

Vendor Name	Invoice Number	Description	Net Invoice Amount
CITY OF KETCHUM	090120	360 - August	48.76
CITY OF KETCHUM	090120	9994 - August	158.51
CITY OF KETCHUM	090120	9997 - August	318.12
CLEAR CREEK DISPOSAL	0001341679	960 082520	34.20
CLEAR CREEK DISPOSAL	0001341683	960 082520	345.10
CLEAR CREEK DISPOSAL	0001342560	56339 082520	3,873.59
CLEAR CREEK DISPOSAL	0001342911	951449 082520	60.00
IDAHO POWER	2200749261 08	2200749261 082420	1,405.83
IDAHO POWER	2203990334 08	2203990334 081020	37.35
IDAHO POWER	2206570869 08	2206570869 081020	25.66
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	17.72
INTERMOUNTAIN GAS	44919030005 0	44919030005 082520	5.67
01-4150-5900 REPAIR & MAINTENANCE-BUILDINGS			
CHATEAU DRUG CENTER	2265784	Kitchen Faucet	39.87
CHATEAU DRUG CENTER	2265822	Credit	11.38-
MOUNTAIN FIRE SPRINKLER	1984	Annual Fire Sprinkler Inspections	200.00
OVERHEAD DOOR COMPANY, IN	457928	Roll Pin Lubed and Serviced	375.00
01-4150-6500 CONTRACTS FOR SERVICES			
S & C ASSOCIATES LLC	1724 - 1749	19-1037	977.50
S & C ASSOCIATES LLC	1724 - 1749	20-1001	287.50
S & C ASSOCIATES LLC	1724 - 1749	20-1008	57.50
S & C ASSOCIATES LLC	1724 - 1749	18-1008	985.00
S & C ASSOCIATES LLC	1724 - 1749	20-1041	115.00
Total ADMINISTRATIVE SERVICES:			23,169.45
LEGAL			
01-4160-4200 PROFESSIONAL SERVICES			
WHITE PETERSON	24892R 073120	General Services 24892R 073120	15,500.00
Total LEGAL:			15,500.00
PLANNING & BUILDING			
01-4170-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	36.00
01-4170-4200 PROFESSIONAL SERVICES			
S & C ASSOCIATES LLC	1724 - 1749	18-1015	230.00
S & C ASSOCIATES LLC	1724 - 1749	19-1057	115.00
S & C ASSOCIATES LLC	1724 - 1749	19-1042	230.00
S & C ASSOCIATES LLC	1724 - 1749	20-1039	230.00
S & C ASSOCIATES LLC	1724 - 1749	19-1004	460.00
S & C ASSOCIATES LLC	1724 - 1749	20-1027	517.50
S & C ASSOCIATES LLC	1724 - 1749	18-1016	230.00
S & C ASSOCIATES LLC	1724 - 1749	20-1004	152.50
S & C ASSOCIATES LLC	1724 - 1749	20-1043	115.00
S & C ASSOCIATES LLC	1724 - 1749	17-1009	115.00
S & C ASSOCIATES LLC	1724 - 1749	19-1005	115.00
S & C ASSOCIATES LLC	1724 - 1749	19-1002	2,452.50
S & C ASSOCIATES LLC	1724 - 1749	20-1022	937.50
S & C ASSOCIATES LLC	1724 - 1749	20-1042	172.50
S & C ASSOCIATES LLC	1724 - 1749	20-1034	115.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4170-4210 PROFESSIONAL SERVICES - IDBS			
DIVISION OF BUILDING SAFETY	090120	August 2020 Building Permit Fees	22,564.76
Total PLANNING & BUILDING:			28,788.26
NON-DEPARTMENTAL			
01-4193-4500 1ST/WASHINGTON RENT			
URBAN RENEWAL AGENCY	4237	Parking Lot Rent	3,000.00
Total NON-DEPARTMENTAL:			3,000.00
FACILITY MAINTENANCE			
01-4194-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	27.00
01-4194-3200 OPERATING SUPPLIES			
CHATEAU DRUG CENTER	2262185	Trash Bags	9.48
CHATEAU DRUG CENTER	2264751	Scrub Sponge	6.64
CHATEAU DRUG CENTER	2266861	Bleach	7.59
GEM STATE PAPER & SUPPLY	1033556	Paper Supplies	325.38
GEM STATE PAPER & SUPPLY	1033585	Covid Disinfectant	68.45
01-4194-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	946222	38950 081520	275.95
UNITED OIL	947401	38950 083120	272.54
01-4194-4200 PROFESSIONAL SERVICES			
BECK, ROB LLC	6454	Trimming and Tree Removal	2,000.00
BIG WOOD LANDSCAPE, INC.	22886	Town Square Power Wash	440.00
WOOD RIVER LOCK SHOP, LLC	15338	Park Restroom Keys	32.50
01-4194-4210 PROFESSIONAL SERVC-CITY TREES			
ARBOR CARE	CMB369-6	City Hall Tree Care	15.00
ARBOR CARE	CMB370-6	Little Park Tree Care	15.00
ARBOR CARE	CMB371-6	Ore Wagon Museum Tree Care	15.00
ARBOR CARE	CMB372-6	Rotary Park Tree Care	145.00
ARBOR CARE	CMB373-6	Atkinsons' Park Tree Care	90.00
ARBOR CARE	CMB374-6	Forest Service Park Tree Care	40.00
ARBOR CARE	CMB375-6	Guy Coles Tree Care	30.00
ARBOR CARE	CMB376-6	Water Facility Tree Care	35.00
ARBOR CARE	CMB378-6	Street Dept Tree Care	30.00
ARBOR CARE	CMB379-6	Park Circle Pumphouse Tree Care	30.00
ARBOR CARE	CMB380-6	Lucy Loken Park Tree Care	40.00
ARBOR CARE	CMB381-6	110 River Ranch Tree Care	60.00
ARBOR CARE	CMB382-6	Town Square Tree Care	20.00
ARBOR CARE	CMB384-6	Farnlun Park Tree Care	30.00
ARBOR CARE	CMB385-6	New City Hall Tree Care	20.00
ARBOR CARE	CMB386-5	City Corridor Tree Care	250.00
01-4194-5200 UTILITIES			
CITY OF KETCHUM	090120	9995 - August	2,060.00
CITY OF KETCHUM	090120	560 - August	130.82
CITY OF KETCHUM	090120	1127 - August	13.21
CITY OF KETCHUM	090120	9996 - August	49.82
CITY OF KETCHUM	090120	536 - August	131.58
CITY OF KETCHUM	090120	532 - August	732.31

Vendor Name	Invoice Number	Description	Net Invoice Amount
CITY OF KETCHUM	090120	9991 - August	157.97
CITY OF KETCHUM	090120	456 - August	2,370.52
CITY OF KETCHUM	090120	1245 - August	35.55
CLEAR CREEK DISPOSAL	0001341678	960 082520	293.50
CLEAR CREEK DISPOSAL	0001341681	960 082520	154.32
CLEAR CREEK DISPOSAL	0001341682	960 082520	409.82
CLEAR CREEK DISPOSAL	0001341685	960 082520	148.50
CLEAR CREEK DISPOSAL	0001342561	56339 082520	125.00
CLEAR CREEK DISPOSAL	0001342562	56339 082520	386.60
IDAHO POWER	2201272487 08	2201272487 081920	36.31
IDAHO POWER	2203538992 08	2203538992 081920	119.22
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	11.37
INTERMOUNTAIN GAS	65669030002 0	65669030002 082520	9.79

01-4194-5300 CUSTODIAL & CLEANING SERVICES

WESTERN BUILIDNG MAINTEN	0126451-IN	Monthly Janitorial Service	4,798.12
WESTERN BUILIDNG MAINTEN	0126451-IN	Disinfectant Services	430.00

01-4194-6000 REPAIR & MAINT-AUTOMOTIVE EQUI

RIVER RUN AUTO PARTS	6538-156799	Washer Fluid	20.85
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01-4194-6950 MAINTENANCE

A.C. HOUSTON LUMBER CO.	2008-664938	Wipe Rags	33.99
A.C. HOUSTON LUMBER CO.	2009-673119	Drywall Supplies	41.86
A.C. HOUSTON LUMBER CO.	2009-673604	Museum Supplies	10.78
CHATEAU DRUG CENTER	2258275	Tape	5.69
CHATEAU DRUG CENTER	2265820	Clog Remover	6.64
CHATEAU DRUG CENTER	2269881	Supplies	16.13
COLOR HAUS, INC.	237778	Paint	12.99
LUTZ RENTALS	109500-1	Propane	65.06
MOSS GARDEN CENTER	187322	Hedge Shear	27.99
MOSS GARDEN CENTER	187445	Flowers	21.59
PIPECO, INC.	S3863334.001	PVC Coupling	35.76
PIPECO, INC.	S3868657.001	Rotator Hunters	16.09
RIVER RUN AUTO PARTS	6538-156059	Trailer Connector	3.95
SAWTOOTH WOOD PRODUCTS, I	0000121568	Hedge Trimmer and Battery	575.86
SAWTOOTH WOOD PRODUCTS, I	0000121841	Cordless Trimmer	296.95

Total FACILITY MAINTENANCE:

18,127.04

POLICE

01-4210-3200 OPERATING SUPPLIES

CHATEAU DRUG CENTER	2268696	Velcro	4.74
CHATEAU DRUG CENTER	2269509	Can of Air	7.59
CHATEAU DRUG CENTER	2269675	CSO Battery Charger	37.99
UPS STORE #2444	082120	8106	21.90

01-4210-3620 PARKING OPS EQUIPMENT FEES

VERIZON WIRELESS	965494438 081	965494438 081020	44.81
VERIZON WIRELESS	965494438 081	965494438 081020	40.35
VERIZON WIRELESS	965494438 081	965494438 081020	40.35
OMNI PARK	121958	Omni Park Subscription	437.00

01-4210-4200 PROFESSIONAL SERVICES

KETCHUM COMPUTERS, INC.	17297	Computer Support - BCSO	2,018.25
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Vendor Name	Invoice Number	Description	Net Invoice Amount
Total POLICE:			2,652.98
FIRE & RESCUE			
01-4230-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	117.00
01-4230-3200 OPERATING SUPPLIES FIRE			
ATKINSONS' MARKET	02908268	Coffee	13.77
ATKINSONS' MARKET	06441495	Cleaning Supplies	10.68
GALL'S, LLC	016203133	Work Boots	149.50
GALL'S, LLC	016240354	Work Boots	160.16
CHATEAU DRUG CENTER	2268664	Supplies	3.93
UPS STORE #2444	082120	8163	12.76
01-4230-3210 OPERATING SUPPLIES EMS			
ATKINSONS' MARKET	02908268	Coffee	13.77
ATKINSONS' MARKET	06441495	Cleaning Supplies	10.67
BOUNDTREE MEDICAL	83729791	Medical Products	615.90
BOUNDTREE MEDICAL	83738126	Medical Supplies	150.00
CHATEAU DRUG CENTER	2268664	Supplies	3.93
MCKESSON	17022639	Laryngoscope	119.16
PRAXAIR DISTRIBUTION INC.	98467246	Cylinder Rental	51.75
STRYKER SALES CORPORATION	3116600M	Laryngoscope Batteries	297.75
UPS STORE #2444	082120	8219	22.62
UPS STORE #2444	082120	8282	18.58
HENRY SCHEIN	80974257	Medical Supplies	103.20
HENRY SCHEIN	80974257	Medical Supplies	231.26
HENRY SCHEIN	81170946	Medical Supplies	824.46
HENRY SCHEIN	81198711	Ketamine	196.62
HENRY SCHEIN	82077765	Medical Supplies	430.89
01-4230-3500 MOTOR FUELS & LUBRICANTS FIRE			
UNITED OIL	946094	37267 081520	144.16
UNITED OIL	947241	37267 083120	192.87
01-4230-3510 MOTOR FUELS & LUBRICANTS EMS			
UNITED OIL	946094	37267 081520	107.81
UNITED OIL	947241	37267 083120	103.89
01-4230-4920 TRAINING-FACILITY			
CLEAR CREEK DISPOSAL	0001342023	1848 082520	57.46
UPS STORE #2444	082120	8163	94.62
COX WIRELESS	047339201 080	047339201 080720	99.79
01-4230-5100 TELEPHONE & COMMUNICATION FIRE			
MTE COMMUNICATIONS	056983 090120	056983 090120	15.12
VERIZON WIRELESS	765494480 081	765494480 081320	86.70
COX WIRELESS	027222301 082	027222301 082020	59.71
01-4230-5110 TELEPHONE & COMMUNICATION EMS			
MTE COMMUNICATIONS	056983 090120	056983 090120	15.13
VERIZON WIRELESS	765494480 081	765494480 081320	86.71
NETWORK INNOVATIONS	20073051181	Traffic and Fees	6.20
COX WIRELESS	027222301 082	027222301 082020	59.72

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4230-6000 REPAIR & MAINT-AUTO EQUIP FIRE			
ALSCO - AMERICAN LINEN DIVI	LBO11824471	5109 081720	29.75
ALSCO - AMERICAN LINEN DIVI	LBO11828023	5109 083120	29.75
RIVER RUN AUTO PARTS	6538-156392	Mini Lamp	57.90
RIVER RUN AUTO PARTS	6538-156824	Oil and Filters	345.97
01-4230-6010 REPAIR & MAINT-AUTO EQUIP EMS			
RIVER RUN AUTO PARTS	6538-156824	Oil and Filters	189.38
01-4230-6100 REPAIR & MAINT--MACHINERY & EQ			
MUNICIPAL EMERGENCY SERIC	IN1487915	SCBA Flow Tests	1,583.20
Total FIRE & RESCUE:			6,924.20
STREET			
01-4310-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	81.00
01-4310-3200 OPERATING SUPPLIES			
DAVIS EMBROIDERY INC.	36139	Embroider Services	75.00
RIVER RUN AUTO PARTS	6538-156787	Carwash Soap	24.95
01-4310-3400 MINOR EQUIPMENT			
FASTENAL COMPANY	IDJER92450	Oil Cleanup Supplies	102.56
01-4310-3500 MOTOR FUELS & LUBRICANTS			
WEX BANK	67238774	Fuel Purchases	81.01
UNITED OIL	946096	37269 081520	1,397.85
UNITED OIL	947243	37269 083120	1,017.44
01-4310-4200 PROFESSIONAL SERVICES			
CENTRAL DRUG SYSTEM, INC.	308498	Testing & Fees	149.75
S. ERWIN EXCAVATION INC	20-385	Chip Hauling	2,700.00
RICK'S EXCAVATION, INC.	597	Driving Water Truck	1,305.00
BIGHORN TRAFFIC SERVICES	B3595	Chip Seal Labor Services	14,717.46
01-4310-5100 TELEPHONE & COMMUNICATIONS			
VERIZON WIRELESS	365459737 081	365459737 081320	86.34
01-4310-5200 UTILITIES			
CITY OF KETCHUM	090120	9999 - August	219.07
CITY OF KETCHUM	090120	9993 - August	88.49
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	16.14
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	26.71
INTERMOUNTAIN GAS	49438330009 0	49438330009 082520	12.96
01-4310-6000 REPAIR & MAINT--AUTOMOTIVE EQU			
NAPA AUTO PARTS	025429	Durango Part	17.29
NAPA AUTO PARTS	025430	Durango Speed Sensor	33.29
01-4310-6100 REPAIR & MAINT--MACHINERY & EQ			
A.C. HOUSTON LUMBER CO.	2008-671014	Eye Bolt	5.19
NAPA AUTO PARTS	024852	Air Switch	23.89
NAPA AUTO PARTS	024881	Gladhand	23.94
NAPA AUTO PARTS	025490	Gas Cap	7.26
NAPA AUTO PARTS	026781	Wrench Set	32.99
JACKSON GROUP PETERBILT	227702	New Brakes - Truck 6	809.18

Vendor Name	Invoice Number	Description	Net Invoice Amount
JACKSON GROUP PETERBILT	227838	Scotseal Plus	270.24
JACKSON GROUP PETERBILT	228299	Brake Chamber	142.23
JACKSON GROUP PETERBILT	CM227838	credit	77.48-
01-4310-6910 OTHER PURCHASED SERVICES			
ALSCO - AMERICAN LINEN DIVI	LBOI1824066	5831 081420	48.11
ALSCO - AMERICAN LINEN DIVI	LBOI1825818	5831 082120	48.11
ALSCO - AMERICAN LINEN DIVI	LBOI1827620	5831 082820	48.11
NORCO	29861884	53271 073120	221.65
CINTAS FIRST AID & SAFETY	5026753194	First Aid Supplies	74.77
01-4310-6920 SIGNS & SIGNALIZATION			
WOOD RIVER WELDING, INC.	177394	Replacement Sign Hanger	51.09
01-4310-6930 STREET LIGHTING			
IDAHO POWER	2201013857 08	2201013857 081920	13.44
IDAHO POWER	2203855230 08	2203855230 081920	41.02
IDAHO POWER	2204535385 08	2204535385 081920	34.14
IDAHO POWER	2206773224 08	2206773224 081920	8.44
IDAHO POWER	2207487501 08	2207487501 081920	6.57
PLATT ELECTRIC SUPPLY	0P37307	Electric Boxes	1,803.91
01-4310-6950 MAINTENANCE & IMPROVEMENTS			
A.C. HOUSTON LUMBER CO.	2008-670462	Bolt	3.20
BIG WOOD LANDSCAPE, INC.	22990	Paver Cleaner	139.50
IDAHO ASPHALT SUPPLY, INC.	5-441689	Credit	703.00-
IDAHO HYDROJETTING, INC.	8115	Hydrojet Culvert 6th & Leadville	1,750.00
JOHNNY B TRANSPORT	0429052	Chip Seal	1,845.88
JOHNNY B TRANSPORT	0441689	Spreader Service	10,947.50
LUTZ RENTALS	107710-1	Propane	15.75
WALKER SAND AND GRAVEL	748559	Road Base	117.11
Total STREET:			39,905.05
RECREATION			
01-4510-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	36.00
01-4510-3200 OPERATING SUPPLIES			
OHIO GULCH TRANSFER STATIO	159575	Waste	9.00
01-4510-3250 RECREATION SUPPLIES			
CHATEAU DRUG CENTER	2257191	Sunflower Seeds	15.18
CHATEAU DRUG CENTER	2265678	Sunscreen	24.68
CHATEAU DRUG CENTER	2269271	Construction Paper	3.79
BLICK ART MATERIALS	3087960 07282	Art Supplies	654.19
01-4510-3300 RESALE ITEMS-CONCESSION SUPPLY			
ATKINSONS' MARKET	05336300	Concessions	48.91
ATKINSONS' MARKET	05339442	Concessions	17.04
ATKINSONS' MARKET	06430474	Concessions	20.21
ATKINSONS' MARKET	06445161	Concessions	21.38
ATKINSONS' MARKET	08146259	Concessions	15.11
01-4510-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	946095	37268 081520	104.73
UNITED OIL	947242	37268 083120	63.44

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4510-4200 PROFESSIONAL SERVICE			
CENTRAL DRUG SYSTEM, INC.	308498	Testing & Fees	155.50
01-4510-5200 UTILITIES			
IDAHO POWER	2206452274 08	2206452274 081920	611.28
INTERMOUNTAIN GAS	31904030009 0	31904030009 082520	14.02
01-4510-6000 REPAIR & MAINT--AUTOMOTIVE EQU			
A.C. HOUSTON LUMBER CO.	2008-667883	Cables and Bolts	32.68
TYO, JULIAN	082420	Cable and Housing for Paint Liner	15.12
Total RECREATION:			1,862.26
Total GENERAL FUND:			142,174.24
WAGON DAYS FUND			
WAGON DAYS EXPENDITURES			
02-4530-3200 OPERATING SUPPLIES			
PIONEER MANUFACTURING CO	INV763221	Wagon Days Pod Paint	63.50
Total WAGON DAYS EXPENDITURES:			63.50
Total WAGON DAYS FUND:			63.50
GENERAL CAPITAL IMPROVEMENT FD			
GENERAL CIP EXPENDITURES			
03-4193-7400 COMPUTER/COPIER LEASING			
DELL FINANCIAL SERVICES	80537134	Management Fee	11.30
DELL FINANCIAL SERVICES	80541785	Lease Services	236.56
DELL FINANCIAL SERVICES	80541786	computer rentals	1,465.97
Total GENERAL CIP EXPENDITURES:			1,713.83
Total GENERAL CAPITAL IMPROVEMENT FD:			1,713.83
STREET CAPITAL IMPROVEMENT FND			
STREET CIP EXPENDITURES			
05-4310-7600 STREET EQUIPMENT			
BARRY EQUIPMENT RENTAL IN	568495	Bobcat Snow Blade	2,700.00
Total STREET CIP EXPENDITURES:			2,700.00
Total STREET CAPITAL IMPROVEMENT FND:			2,700.00
ORIGINAL LOT FUND			
ORIGINAL LOT TAX			
22-4910-6600 REFUNDS-LOT OVERPAYMENT			
NOMADIC VAN SUN VALLEY	081320	Refund Overpayment of Sales Tax	424.00
MAX BOX LLC	081320	Refund Overpayment of Sales Tax	1,621.29
Total ORIGINAL LOT TAX:			2,045.29

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total ORIGINAL LOT FUND:			2,045.29
ADDITIONAL 1%-LOT FUND			
ADDITIONAL 1%-LOT			
25-4910-4220 SUN VALLEY AIR SERVICE BOARD			
SUN VALLEY AIR SERVICE BOA	090120	July 2020 Additional 1%	239,431.65
SUN VALLEY AIR SERVICE BOA	090120	Direct Cost's	5,522.66-
Total ADDITIONAL 1%-LOT:			233,908.99
Total ADDITIONAL 1%-LOT FUND:			233,908.99
FIRE CONSTRUCTION FUND			
FIRE FUND EXP/TRNFRS			
42-4800-4200 PROFESSIONAL SERVICES			
MATERIALS TESTING & INSPEC	176539	Concrete Inspections	117.68
DENNIS POTTS PROJECT MGMT,	1188	Construction Mgmt Services 7/21	13,670.29
42-4800-4210 PROF SERVICES CONSTRUCTION			
CORE CONSTUCTION SERVICES	20-01-006 JV9	20-01-006 JV90 APP 1	320,906.20
CORE CONSTUCTION SERVICES	20-01-006 JV9	20-01-006 JV90 APP 2	337,277.55
Total FIRE FUND EXP/TRNFRS:			671,971.72
Total FIRE CONSTRUCTION FUND:			671,971.72
WATER FUND			
63-3700-3600 REFUNDS & REIMBURSEMENTS			
MITCHELL, MARY BETH	082820	Refund Overpayment Water Bill	682.98
Total :			682.98
WATER EXPENDITURES			
63-4340-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	27.00
63-4340-3100 OFFICE SUPPLIES & POSTAGE			
UNIFIED OFFICE SERVICES	287313	Office Supplies	72.13
63-4340-3120 DATA PROCESSING			
BILLING DOCUMENT SPECIALIS	60430	Utilities Billing	915.89
63-4340-3200 OPERATING SUPPLIES			
ALSCO - AMERICAN LINEN DIVI	LBOI1824070	5192 081420	24.49
ALSCO - AMERICAN LINEN DIVI	LBOI1824074	5493 081420	50.14
ALSCO - AMERICAN LINEN DIVI	LBOI1827624	5192 082820	24.49
ALSCO - AMERICAN LINEN DIVI	LBOI1827628	5493 082820	50.14
CHATEAU DRUG CENTER	2272177	Filters	28.45
GEM STATE PAPER & SUPPLY	1033416	Paper Supplies	79.48
63-4340-3250 LABORATORY/ANALYSIS			
GO-FER-IT	96947	292 083120	51.00
MAGIC VALLEY LABS, INC.	17517	Landfill Well/drinking water testing	513.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
63-4340-3400 MINOR EQUIPMENT			
A.C. HOUSTON LUMBER CO.	2008-665415	Ladder	47.89
A.C. HOUSTON LUMBER CO.	2008-665540	Sledge Hammer	16.79
A.C. HOUSTON LUMBER CO.	2008-668289	Concrete Stake	5.09
63-4340-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	946098	37271 081520	302.79
UNITED OIL	947245	37271 083120	336.06
63-4340-3800 CHEMICALS			
GEM STATE WELDERS SUPPLY,I	E263226	55 gal T-Chlor x 4	972.96
63-4340-4200 PROFESSIONAL SERVICES			
ARBOR CARE	CMB377-6	Weed Control	454.50
63-4340-4300 STATE & WA DISTRICT FEES			
IDAHO DEPT. OF ENVIRONMENT	20210849	2020 Annual Assessment	7,000.00
63-4340-4900 PERSONNEL TRAINING/TRAVEL/MTG			
CHATTERTON, KELLEN	081820	Reimbursement for Travel	194.79
IDAHO RURAL WATER ASSOCIA	072820	Utility Management Cert - Chatterton	285.00
IDAHO RURAL WATER ASSOCIA	16620	Water Certs - Gaston	120.00
BEST WESTERN PLUS	123630 081320	Chatterton Room Charge	192.00
63-4340-5100 TELEPHONE & COMMUNICATIONS			
CENTURY LINK	2087250715195	2087250715195B 080420	121.33
CENTURY LINK	2087255045103	2087255045103B 080420	57.34
VERIZON WIRELESS	365516521 081	365516521 081320	129.18
VERIZON WIRELESS	965494438 081	965494438 081020	40.35
63-4340-5200 UTILITIES			
IDAHO POWER	2202458903 08	2202458903 081820	79.48
IDAHO POWER	2203658592 08	2203658592 082620	14,508.24
IDAHO POWER	2206786259 08	2206786259 081820	37.55
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	9.79
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	4.90
63-4340-6000 REPAIR & MAINT-AUTO EQUIP			
RIVER RUN AUTO PARTS	6538-156308	Brake Cleaner	29.93
RIVER RUN AUTO PARTS	6538-157083	Oil Filters	3.79
RIVER RUN AUTO PARTS	6538-157084	Washer Fluid	3.00
63-4340-6100 REPAIR & MAINT-MACH & EQUIP			
A.C. HOUSTON LUMBER CO.	2008-665415	Filters	38.97
CHATEAU DRUG CENTER	2262955	Filter	4.74
Total WATER EXPENDITURES:			26,832.67
Total WATER FUND:			27,515.65
WATER CAPITAL IMPROVEMENT FUND			
WATER CIP EXPENDITURES			
64-4340-7600 MACHINERY AND EQUIPMENT			
WOOD RIVER ELECTRIC, INC.	1317	Electric Boiler Install	3,315.98

Vendor Name	Invoice Number	Description	Net Invoice Amount
64-4340-7650 WATER METERS			
FERGUSON ENTERPRISES, LLC	0753797	Radios	4,409.76
64-4340-7800 CONSTRUCTION			
FERGUSON ENTERPRISES, LLC	0755781	Couplings	157.95
FERGUSON ENTERPRISES, LLC	0755854	Saddle 4x2	120.70
LUNCEFORD EXCAVATION, INC.	11218	570 WR Drive Leak	4,811.33
64-4340-7802 KETCHUM SPRING WA CONVERSION			
FERGUSON ENTERPRISES, LLC	0753800	20461 080520	40.59
S & C ASSOCIATES LLC	1724 - 1749	19-1072	1,537.50
CANYON EXCAVATION. LLC	20457 080720 3	Ketchum Sprngs Water Phase 3 20457 App 3	61,559.12
Total WATER CIP EXPENDITURES:			75,952.93
Total WATER CAPITAL IMPROVEMENT FUND:			75,952.93
WASTEWATER FUND			
65-3700-3600 REFUNDS & REIMBURSEMENTS			
MITCHELL, MARY BETH	082820	Refund Overpayment Wastewater Bill	532.58
Total :			532.58
WASTEWATER EXPENDITURES			
65-4350-2515 VISION REIMBURSEMENT ACCT(HRA)			
STARLEY-LEAVITT INS. AGENCY	646652	646652 082820	54.00
65-4350-3100 OFFICE SUPPLIES & POSTAGE			
UNIFIED OFFICE SERVICES	287313	Office Supplies	72.14
65-4350-3120 DATA PROCESSING			
BILLING DOCUMENT SPECIALIS	60430	Utilities Billing	1,373.83
65-4350-3200 OPERATING SUPPLIES			
A.C. HOUSTON LUMBER CO.	2008-671834	Pump Sprayer	29.29
ALSCO - AMERICAN LINEN DIVI	LBOI1824070	5192 081420	24.49
ALSCO - AMERICAN LINEN DIVI	LBOI1824072	5292 081420	115.01
ALSCO - AMERICAN LINEN DIVI	LBOI1827624	5192 082820	24.49
ALSCO - AMERICAN LINEN DIVI	LBOI1827626	5292 082820	115.01
ATKINSONS' MARKET	04944332	Fabreeze	3.32
ATKINSONS' MARKET	05335981	Distilled Water	3.76
ATKINSONS' MARKET	08153042	Distilled Water	9.09
UPS STORE #2444	082120	8177	11.59
UPS STORE #2444	082120	8135	10.98
UPS STORE #2444	082120	8247	11.00
UPS STORE #2444	082120	8217	10.98
65-4350-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	946097	37270 081520	325.91
UNITED OIL	947244	37270 083120	364.69
65-4350-3600 COMPUTER SOFTWARE			
WIN-911 SOFTWARE	66795	Software Upgrade	1,800.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
65-4350-3800 CHEMICALS			
NORTH CENTRAL LABORATORI	443067	Chemicals	380.47
NORTH CENTRAL LABORATORI	443614	Chemicals	722.53
THATCHER COMPANY, Inc.	1500859	Alu Sulfate	4,814.07
THATCHER COMPANY, Inc.	1501204	T-Chlor 12.5	1,631.50
65-4350-4200 PROFESSIONAL SERVICES			
MAGIC VALLEY LABS, INC.	17517	Influent Oil & Grease / Cooler Return	72.00
65-4350-4900 PERSONNEL TRAINING/TRAVEL/MTG			
IDAHO BUREAU OF OCCUPATIO	081920	Certification Test App - Riggs	100.00
HOEFER, ZACH	082420	IBOL Exam Fee	50.00
65-4350-5100 TELEPHONE & COMMUNICATIONS			
CENTURY LINK	2087268953 08	2087268953 081320	57.73
VERIZON WIRELESS	965494438 081	965494438 081020	36.97
VERIZON WIRELESS	965494438 081	965494438 081020	22.81
65-4350-5200 UTILITIES			
IDAHO POWER	2202158701 08	2202158701 081420	10,754.88
IDAHO POWER	2202703357 08	2202703357 081820	60.17
IDAHO POWER	2206786259 08	2206786259 081820	37.55
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	9.79
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	9.79
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	9.79
INTERMOUNTAIN GAS	32649330001 0	32649330001 082620	4.89
INTERMOUNTAIN GAS	58208688554 0	58208688554 082520	9.79
65-4350-6000 REPAIR & MAINT-AUTO EQUIP			
NAPA AUTO PARTS	024156	Black Diamond RF	34.99
NORTHWEST EQUIP SALES MAC	170890TP	Straps and Support	1,393.98
NORTHWEST EQUIP SALES MAC	CM170890TP	Insulator	19.95
PLATT ELECTRIC SUPPLY	Z703451	Lamp and Lights	16.28
65-4350-6100 REPAIR & MAINT-MACH & EQUIP			
A.C. HOUSTON LUMBER CO.	2008-668716	Epoxy	5.39
A.C. HOUSTON LUMBER CO.	2009-672890	Self Sealing Pipe	4.58
BOLEN'S CONTROL HOUSE, INC.	S1309009.001	Filter Mat	72.70
McMASTER-CARR SUPPLY CO.	44265243	Chain and Chisel	120.99
McMASTER-CARR SUPPLY CO.	44478242	Drill Bits	67.02
OHIO GULCH TRANSFER STATIO	157682	Wood Waste	2.80
PIPECO, INC.	S3873222.001	PVC Parts	5.23
PLATT ELECTRIC SUPPLY	0R46465	LPJ Replacement	72.95
STANDARD PLUMBING SUPPLY	LMD898	Reduced Pressure Zone	283.89
Total WASTEWATER EXPENDITURES:			25,245.06
Total WASTEWATER FUND:			25,777.64
WASTEWATER CAPITAL IMPROVE FND			
WASTEWATER CIP EXPENDITURES			
67-4350-7800 CONSTRUCTION			
S & C ASSOCIATES LLC	1724 - 1749	19-1063	402.50
Total WASTEWATER CIP EXPENDITURES:			402.50

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total WASTEWATER CAPITAL IMPROVE FND:			402.50
PARKS/REC DEV TRUST FUND			
PARKS/REC TRUST EXPENDITURES			
93-4900-7000 OTHER DONATION PROGRAMS			
SUN VALLEY PERFORMING ART	083120	Strange Hotels Concert	5,000.00
Total PARKS/REC TRUST EXPENDITURES:			5,000.00
Total PARKS/REC DEV TRUST FUND:			5,000.00
DEVELOPMENT TRUST FUND			
DEVELOPMENT TRUST EXPENDITURES			
94-4900-8000 PEG GATEWAY MARRIOT AUTOGRAPH			
WHITE PETERSON	24892R 073120	PEG 24892R 073120	868.75
94-4900-8019 ELIAS -123 STIRRUP LN #352			
ELIAS CONSTRUCTION	D20-010	Performance Bond Release	21,750.00
94-4900-8052 TANNER CONST (NYSEETHER)-SEC			
TANNER CONSTRUCTION	090120	Performance Bond Release D15-020	960.00
Total DEVELOPMENT TRUST EXPENDITURES:			23,578.75
Total DEVELOPMENT TRUST FUND:			23,578.75
ESSENTIAL SERVICES FAC. TRUST			
ESF TRUST EXPENDITURES			
95-4193-7201 FUTURE ESF CITY HALL			
CSHQA	33892	New City Hall Design	26,288.91
Total ESF TRUST EXPENDITURES:			26,288.91
Total ESSENTIAL SERVICES FAC. TRUST:			26,288.91
Grand Totals:			1,239,093.95

Report Criteria:

Invoices with totals above \$0 included.
 Paid and unpaid invoices included.
 [Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"
 Invoice Detail.Voided = No, Yes



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation To Approve Change Order #1 to Contract 20454

Recommendation and Summary

Staff is recommending the council provide authorization to the Mayor to sign Change Order #1 to Contract 20454 with CORE | Headwaters LLC:

“I move to approve Change Order #1, in an amount of \$31,841, to Contract 20454 with CORE | Headwaters LLC and authorize the Mayor to sign the Change Order.”

The reasons for the recommendation are as follows:

- The City and the project team utilized an opportunity to advance construction of the fire station.
- This Change Order will reconcile the 95% design documents with the Issued for Construction set.

Introduction and History

The City of Ketchum approved the construction of a fire station on November 5, 2020. Since that time, the project team has worked to bring the project to construction. In order to advance the project into construction, and allow an additional 3 weeks of construction to occur in the summer months, the team elected to bid out the 95% construction drawings with a future reconciliation of any changes between those drawings and the “issued for construction set.”

Analysis

Change Order #1 achieves the reconciliation of the 95% construction drawings and the issued for construction set. There were five changes to subcontractor scopes of work that total an additional \$31,841 in work above the guaranteed maximum price (GMP) provided by CORE | Headwaters LLC. It is worth noting that these costs would have otherwise been included in the GMP had the team waited for the construction set to be finalized.

Sustainability Impact

There is no sustainability impact arising from this action.

Financial Impact

The funds for the change order (\$31,841) will be taken from the City’s project contingency. A future Change Order will offset much of this increase with other project options to return the cost back to the GMP.

Attachments

- Attachment A: Change Order #1 Contract 20454



Contract #: 20454
Project Description: Fire Station CM/GC
Change Order #: 001
Effective Date: 9/8/2020

Description of Change:

Acceptance by City of pricing for fire station project ASI #1 which incorporated the changes between the "bid set" plans and specs and "issued for construction" plans and specs.

Additional Time Granted: 0 days
New Contract End Date: Unchanged

Contract Price Impact

Original Contract Price:	\$	9,320,940.00
Total of Prior Change Orders:	\$	-
Contract Price Prior to this Change Order:	\$	9,320,940.00
Increase / (Decrease) of this Change Order:	\$	31,841.00
Contract Price Incorporating this Change Order:	\$	9,352,781.00

Acceptance

Neil Bradshaw, Mayor
City of Ketchum

Seth Maurer, Managing Member
CORE | Headwaters LLC



Building. Growing. Leading. ...Since 1937.

Budget Evolution Item Summary

City of Ketchum Fire Station #1

ASI #01 CoK Fire Station #1

Date: 8/6/2020

Description: Document updates from 6/05/20 documents to 6/19/20 Docs.

SCOPE	SUBCONTRACTOR	AMOUNT
Footing changes	Garrett	\$ 1,805.00
Casework and Top materials change	Gary's Woodworking	\$ 5,695.00
Load Center and Lighting Changes	Magic Valley Electric	\$ (12,069.00)
Parapet backing & Blocking changes	Nations Roof Mountain	\$ 22,381.00
Bracing changes	Rule Steel	\$ 12,075.00
SUBTOTAL:		\$ 29,887.00
SUBTOTAL reflects direct costs only on the presumption that costs will come from allowances. If costs are reimbursed by Change Order, TOTAL AMOUNT below reflects the SUBTOTAL with add of agreed upon markup in accordance with the change order pricing.		
Bond and Insurance	CORE	\$ 624.00
CMAR FEE	CORE	\$ 1,330.00
Sales Tax	CORE	\$ -
TOTAL AMOUNT:		\$ 31,841.00

GARRETT CONSTRUCTION, INC.

P.O. BOX 128 KETCHUM, IDAHO 83340

PHONE: (208) 726-2835 / FAX: (208) 726-8976

www.garrettconstructioninc.com

July 16, 2020

RE: Ketchum fire station
Revised Construction Set
July 8 2020

Chris Schatwieser
Core Construction
7150 Cascade Valley Court
Las Vegas, NV 89128

SUBJECT: Revision Narrative Price

Summary Revised Drawings

1.	S0.02 Modified Schedule	No Cost Change per 7/02/2020 Schedule
2.	S2.01 Remove CMU Site Wall- Footing & wall between Grids 7.5/8.5 and K lines	Deduct (5,153.00)
	Labor 2,478.00	
	Materials 2,905.00	
3.	S2.01a Modified Slab Edge-S4.02 Detail 6	Deduct (1,538.00)
	Labor 207.00	
	Materials 1,331.00	
4.	S4.02 -Modify Details 6- thicker stem walls	Add 6,793.00
	Labor 2,119.00	
	Materials 4,673.00	

Net add \$102.00 cs

Please feel free to contact me if have any questions.

Sincerely,

Grady Garrett
President

GARRETT CONSTRUCTION, INC.

FORCE REPORT

JOB # 232
 OWNER: City of Ketchum
 DATE: 7/31/2020
 Core Job no 20-01-006

PROJECT NAME: Core-Ketchum Firestation
 ADDRESS: 107 Saddle Road-Ketchum, ID
 DESCRIPTION OF WORK: ASI-1 Change in Footings

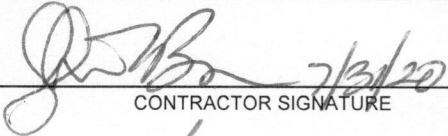

LABOR		STANDARD		OVERTIME		AMOUNT	
NAME	PHASE CODE	HOURS	RATE	HOURS	RATE		
Francisco Lopez	9900	0.5	\$65.00		\$97.50	\$32.50	
	0		\$0.00		\$0.00	\$0.00	
Luis Velusvez	1013	1	\$55.00		\$82.50	\$55.00	
	0		\$0.00		\$0.00	\$0.00	
Isearl Ceja	1013	1	\$55.00		\$82.50	\$55.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
	0		\$0.00		\$0.00	\$0.00	
					SUBTOTAL LABOR	\$142.50	
EQUIPMENT		INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT	
					SUBTOTAL EQUIPMENT	\$0.00	
SUPPLIES & MATERIAL		INVOICE	QUANTITIES		UNITS	PRICE	AMOUNT
					SUBTOTAL SUPPLIES & MATERIALS	\$0.00	
SUBCONTRACTORS		INVOICE	DISCRIPTION OF WORK PERFORMED FOR US			AMOUNT	
					SUBTOTAL SUBCONTRACTORS	\$0.00	
		SUMMARY				AMOUNT	
		LABOR				\$142.50	
		EQUIPMENT RENTAL				\$0.00	
CONTRACTOR SIGNATURE		PERMITS				\$0.00	
		SUPPLIES & MATERIAL				\$0.00	
		SUBCONTRACTOR				\$0.00	
GARRETT SUPERINTENDENT		GARRETT 10% OVERHEAD & PROFIT				\$14.25	
		TOTAL				\$156.75	
NOTES AND COMMENTS							

GARRETT CONSTRUCTION, INC.

FORCE REPORT

JOB # 232
 OWNER: City Ketchum
 DATE: 7-31-2020

PROJECT NAME: Ketchum Fire station
 ADDRESS: _____
 DESCRIPTION OF WORK: Take footing a part on corner of Grid lines 6N and B so excavation dig 9" and live bottom of footings same elevation

LABOR		STANDARD		OVERTIME		AMOUNT	
NAME	PHASE CODE	HOURS	RATE	HOURS	RATE		
Francisco	9900	.5					
Luis Velazquez	1013	1					
Israel Ceja	1013	1					
SUBTOTAL LABOR							
EQUIPMENT	INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT		
SUBTOTAL EQUIPMENT							
SUPPLIES & MATERIAL	INVOICE	QUANTITIES	UNITS	PRICE	AMOUNT		
SUBTOTAL SUPPLIES & MATERIALS							
SUBCONTRACTORS	INVOICE	DISCRIPTION OF WORK PERFORMED FOR US			AMOUNT		
SUBTOTAL SUBCONTRACTORS							
 CONTRACTOR SIGNATURE  GARRETT SUPERINTENDENT					SUMMARY		AMOUNT
					LABOR		
					EQUIPMENT RENTAL		
					PERMITS		
					SUPPLIES & MATERIAL		
					SUBCONTRACTOR		
GARRETT OVERHEAD & PROFIT-10%							
TOTAL							
NOTES AND COMMENTS							

GARRETT CONSTRUCTION, INC.

FORCE REPORT

PROJECT NAME: <u>Core-Ketchum Firestation</u> ADDRESS: <u>107 Saddle Road-Ketchum, ID</u> DESCRIPTION OF WORK: <u>ASI-1 Change in Footings</u>	JOB # <u>232</u> OWNER: <u>City of Ketchum</u> DATE: <u>8/3/2020</u>	Core Job no 20-01-006
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LABOR		STANDARD		OVERTIME		AMOUNT
NAME	PHASE CODE	HOURS	RATE	HOURS	RATE	
Francisco Lopez	9900	0.5	\$65.00		\$97.50	\$32.50
	0		\$0.00		\$0.00	\$0.00
Luis Velusvez	1013	4	\$55.00		\$82.50	\$220.00
	0		\$0.00		\$0.00	\$0.00
Isearl Ceja	1013	4	\$55.00		\$82.50	\$220.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
SUBTOTAL LABOR						\$472.50
EQUIPMENT		INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT
SUBTOTAL EQUIPMENT						\$0.00
SUPPLIES & MATERIAL		INVOICE	QUANTITIES	UNITS	PRICE	AMOUNT
Skill saw						No Charge
Drill Optic level						No Charge
						No Charge
SUBTOTAL SUPPLIES & MATERIALS						\$0.00
SUBCONTRACTORS		INVOICE	DISCRIPTION OF WORK PERFORMED FOR US			AMOUNT
SUBTOTAL SUBCONTRACTORS						\$0.00
SUMMARY						AMOUNT
LABOR						\$472.50
EQUIPMENT RENTAL						\$0.00
CONTRACTOR SIGNATURE						PERMITS
						SUPPLIES & MATERIAL
						\$0.00
						SUBCONTRACTOR
						\$0.00
						GARRETT 10% OVERHEAD & PROFIT
						\$47.25
GARRETT SUPERINTENDENT						TOTAL
						\$519.75

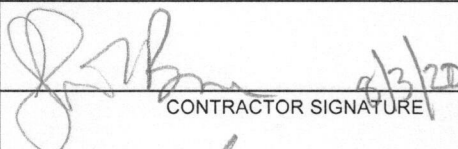
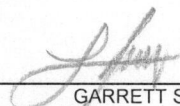
NOTES AND COMMENTS

GARRETT CONSTRUCTION, INC.

FORCE REPORT

JOB # 232
 OWNER: City of Ketchum
 DATE: 8-3-2020

PROJECT NAME: Ketchum Fire station
 ADDRESS: _____
 DESCRIPTION OF WORK: Formwork footing on Grid lines B and 60 corner after dig, form footing back, line, staked, set turnbuckles and set grade

LABOR NAME	PHASE CODE	STANDARD		OVERTIME		AMOUNT
		HOURS	RATE	HOURS	RATE	
Francisco Lopez	9900	.5				
Enrique Ceja	1013	4				
Israel Ceja	1013	4				
SUBTOTAL LABOR						
EQUIPMENT	INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT	
SKILL saw						
Drill						
Optic level set						
SUBTOTAL EQUIPMENT						
SUPPLIES & MATERIAL	INVOICE	QUANTITIES	UNITS	PRICE	AMOUNT	
SUBTOTAL SUPPLIES & MATERIALS						
SUBCONTRACTORS	INVOICE	DISCRIPTION OF WORK PERFORMED FOR US				AMOUNT
SUBTOTAL SUBCONTRACTORS						
 CONTRACTOR SIGNATURE <u>8/3/20</u>		SUMMARY				AMOUNT
		LABOR				
		EQUIPMENT RENTAL				
		PERMITS				
		SUPPLIES & MATERIAL				
		SUBCONTRACTOR				
 GARRETT SUPERINTENDENT		GARRETT OVERHEAD & PROFIT-10%				
		TOTAL				
NOTES AND COMMENTS						

GARRETT CONSTRUCTION, INC.

FORCE REPORT

JOB # 232

OWNER: City of Ketchum

PROJECT NAME: Core-Ketchum Firestation

DATE: 8/4/2020

ADDRESS: 107 Saddle Road-Ketchum, ID

Core Job no

DESCRIPTION OF WORK: ASI-1 Change in Footings

20-01-006

LABOR NAME	PHASE CODE	STANDARD		OVERTIME		AMOUNT
		HOURS	RATE	HOURS	RATE	
Franisco Lopez	9900	0.5	\$65.00		\$97.50	\$32.50
	0		\$0.00		\$0.00	\$0.00
	1013	6	\$55.00		\$82.50	\$330.00
	0		\$0.00		\$0.00	\$0.00
	1013	8	\$55.00		\$82.50	\$440.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
Alan Gilet Project Manager	9900	1	\$85.00		\$127.50	\$85.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
	0		\$0.00		\$0.00	\$0.00
					SUBTOTAL LABOR	\$887.50
EQUIPMENT	INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT	
					SUBTOTAL EQUIPMENT	\$0.00
SUPPLIES & MATERIAL	INVOICE	QUANTITIES	UNITS	PRICE	AMOUNT	
AC Houston Lumber		4	20.0'	11.30 ea	\$45.20	
Rebar						
					SUBTOTAL SUPPLIES & MATERIALS	\$45.20
SUBCONTRACTORS	INVOICE	DISCRPTION OF WORK PERFORMED FOR US			AMOUNT	
					SUBTOTAL SUBCONTRACTORS	\$0.00
		SUMMARY				AMOUNT
		LABOR				\$887.50
		EQUIPMENT RENTAL				\$0.00
CONTRACTOR SIGNATURE		PERMITS				
		SUPPLIES & MATERIAL				\$45.20
		SUBCONTRACTOR				\$0.00
		GARRETT 10% OVERHEAD & PROFIT				\$93.27
GARRETT SUPERINTENDENT		TOTAL				\$1,025.97
NOTES AND COMMENTS						

GARRETT CONSTRUCTION, INC.

FORCE REPORT

JOB # _____

OWNER: _____

PROJECT NAME:

Ketchum Fire station

DATE: 8/4/2020

ADDRESS:

DESCRIPTION OF WORK:

3N & 4N were Plumbing pipes go, set step blockouts and fabric step bars

LABOR NAME	PHASE CODE	STANDARD		OVERTIME		AMOUNT
		HOURS	RATE	HOURS	RATE	
	1013	6				
	1014	8				
SUBTOTAL LABOR						
EQUIPMENT	INVOICE	DAYS	HOURS	RENTAL RATE	AMOUNT	
SUBTOTAL EQUIPMENT						
SUPPLIES & MATERIAL	INVOICE	QUANTITIES	UNITS	PRICE	AMOUNT	
AC Houston						
4-#5 x 20'						
SUBTOTAL SUPPLIES & MATERIALS						
SUBCONTRACTORS	INVOICE	DISCRIPTION OF WORK PERFORMED FOR US			AMOUNT	
SUBTOTAL SUBCONTRACTORS						
		SUMMARY				AMOUNT
		LABOR				
		EQUIPMENT RENTAL				
CONTRACTOR SIGNATURE		PERMITS				
		SUPPLIES & MATERIAL				
		SUBCONTRACTOR				
		GARRETT OVERHEAD & PROFIT-10%				
GARRETT SUPERINTENDENT		TOTAL				
NOTES AND COMMENTS						



1825 FLORAL AVE. TWIN FALLS, IDAHO 83301

Ph: (208) 734-6121 Fax: (208) 734-7177 Email: garyswoodworking@gmail.com

Tuesday, May 26, 2020

Proposal for Ketchum Fire Station #1

Euro laminated cabinets

Laminated exposed ends

Laminated door and drawer fronts over 3/4" plywood white on back

3MM edge banding on door and drawer edges

White melamine interiors

135 degree concealed hinges

Ball bearing drawer guides

Richlieu handles

installation

Laminate tops: radio room

work station

ET center

Quartz tops: reception,

coffee,

6- restrooms

laundry

Kitchen

Does not include backsplashes

Stainless steel top in scuba room

Quartz window sills as noted

Reception	201
Coffee	hallway
Radio	108
Scuba	123
24- dorm closets	204,205,206,207,208 and 209
Kitchen	201
6- restrooms	104,105,117,212,213 and 214
Laundry	210
Et center	201
Work station	202

Change countertops in radio room from laminate to quartz

Delete 1 cabinet and make stainless top 3' shorter in scuba room

Total add 5,695.00

Thank You,

Gary Henning



The Power To Do It Right!

Magic Valley Electric, LLC
395 Railway Street
Jerome, Id 83338
Office: 208.944.4931

SUBCONTRACTOR CHANGE ORDER REQUEST

Date: 7/29/2020

SUBCONTRACTOR: Magic Valley Electric

PROJECT NAME: Ketchum Fire station

CONTACT: Jimmy Gyorfy

PROJECT ADDRESS: 107 Saddle Road

ADDRESS: 395 Railway Street
Jerome, ID 83338

Ketchum, ID 83353

PHONE: 208-944-4931

THIS IS IN RESPONSE TO: Changes to construction set

Bulletin #: _____

CONTRACTOR: Core Construction

ASI #: _____

CONTACT: Chris Schratwieser

VERBAL REQUEST FROM: _____

ADDRESS: 777 North 4th Street

Boise, ID 83702

SUBCONTRACTOR CO#: _____

PHONE: 702-794-0550

DESCRIPTION: Deduction change order for related changes that reflect in the construction set of Drawings. 21 items from email from Crystal McCully, project Architect on 6/19/2020.

LOCATION: _____

DRAWINGS: _____

	Trade Description	Hours	Labor Amt.			Total Cost
LABOR:	Journeyman					0.00
	Apprentice					0.00
						0.00
						0.00
						0.00
	Description	QTY	Unit Price	Sub-Total	Taxes	Total Cost
MATERIAL:	Gear & other deduction	1	6,029.27	6,029.27	361.76	6,391.03
	Lighting deductions	1	5,356.69	5,356.69	321.40	5,678.09
				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
	Description	QTY	Unit Price	Sub-Total	Taxes	Total Cost
EQUIPMENT:				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
SUBTOTAL:						12,069.12
GRAND TOTAL:	DEDUCTION			Total Amount		\$12,069.12

NOTES: _____

Authorized Signature

Date

Chris Schratwieser

From: Damon Harper <dharper@nationsroof.com>
Sent: Tuesday, July 14, 2020 10:04 AM
To: Chris Schratwieser
Cc: Kent Tolley
Subject: RE: CoK Fire Station Updated Construction set of drawings

Chris,

I have reviewed and compared the Addendum #2 set against the Construction Set of plans and have come up with the following changes to the Roofing SOW. I have broken out the impact per Page and Detail.

The add/deduct listed below comes to a net total cost of \$ 22,381.00 – Please let me know when a good time would be if needed to discuss

A7.00 Roof Plan

Reduced the SF area of APP Storage building

A7.20/1 Details - Roof

No Changes made to roofing SOW

A7.20/2 Details – Roof – at Gridline 5

Added Tapered Insulation at top of parapet
Added 2"x4" Exterior Treated wood Blocking
Added 2"x12" Exterior Treated Wood Ladder Framed Blocking 2"x12"
Added 2"x6" Wood Blocking Top Plate
Removed ½" Plywood
Reduced Bent Metal Cap, Factory Finish from 57" stretch to 52" stretch

A7.20/3 Details – Parapet Detail – Coping Cap at Brick

Added Tapered Insulation at top of parapet
Added 2"x4" Exterior Treated wood Blocking
Added 2"x6" Wood Treated Wood Blocking
Added 2"x12" Exterior Treated Wood Top Plate
Added 14" TPO Up and Over Coping Cap Face
Added 26" Exterior Treated Wood Ladder Framed Blocking
Added 4" Prefinished Metal Fascia
Added 4" Exterior Cleat

A7.20/4 Details – Roof – at Screenwall

No Changes made to roofing SOW

A7.20/5 Details – Roof – at Gridline B

Added Tapered Insulation at top of parapet
Added 2"x4" Exterior Treated wood Blocking
Added 2"x6" Wood Treated Wood Blocking
Added 2"x8" Exterior Treated Wood Top Plate
Added 2"x16" Exterior Treated Wood Blocking

Removed 2"x21" Exterior Treated Blocking Secured to Cold Formed Steel Framing
Increased Prefinished Metal Fascia from 32" stretch to 36" stretch

A7.20/6 Details – Roof – at Metal Panel

Added ½" Plywood
Added 2"x4" Exterior Treated wood Blocking
Added 2"x6" Wood Treated Wood Blocking
Increased Prefinished Metal Fascia from 32" stretch to 36" stretch
Added 15" TPO Up and Over Coping Cap Face
Removed 15" Metal Flashing at Coping Cap

A7.21/1 Details – Roof – at Gridline 1

Added ½" Plywood
Added 2"x4" Exterior Treated wood Blocking
Added 2"x6" Wood Treated Wood Blocking
Increased Prefinished Metal Fascia from 32" stretch to 36" stretch
Added 15" TPO Up and Over Coping Cap Face
Removed 15" Metal Flashing at Coping Cap

A7.21/2 Details – Roof – at Gridline A

Added ½" Plywood
Added 2"x4" Exterior Treated wood Blocking
Added 2"x6" Wood Treated Wood Blocking
Increased Prefinished Metal Fascia from 32" stretch to 36" stretch
Added 15" TPO Up and Over Coping Cap Face
Removed 15" Metal Flashing at Coping Cap

A7.21/3 Details – Parapet at APP Store at Gridline 8S

Added 17" TPO Up and Over Coping Cap Face
Added 13" Tapered Shim at Parapet
Removed Reglet
Removed Cleat

Damon Harper
Estimator/Project Manager
NATIONS ROOF
Mountain
10621 W Executive Dr.
Boise, ID 83713

Office: 208-322-2474
Mobile: 208-999-1945
www.NationsRoof.com
www.NationsFM.com



Change Order Request Summary

Project: Ketchum Fire Station 1
 Date: July 17, 2020
 C/O Req. No.: 01
 Description: Cost changes due to construction drawing set dated 6/19/2020.

Subcontractor: Rule Steel
 Reference: Construction Set
 6/19/2020

Material:

Item Description	Quantity	Unit Price	Extended
WF (in)	2540	\$0.78	\$ 1,981.20
WF (out)	(748)	\$0.78	\$ (583.44)
C (in)	800	\$0.90	\$ 720.00
C (out)	(76)	\$0.90	\$ (68.40)
MC (in)		\$1.14	\$ -
MC (out)		\$1.14	\$ -
PL (in)	277	\$0.78	\$ 216.06
PL (out)	(490)	\$0.78	\$ (382.20)
FB (in)	1060	\$0.78	\$ 826.80
FB (out)		\$0.78	\$ -
L (in)	3360	\$0.78	\$ 2,620.80
L (out)	(6)	\$0.78	\$ (4.68)
HSS (in)	6960	\$0.84	\$ 5,846.40
HSS (out)	(10358)	\$0.84	\$ (8,700.72)
Pipe (in)		\$1.02	\$ -
Pipe (out)		\$1.02	\$ -
Rod (in)		\$0.78	\$ -
Rod (out)		\$0.78	\$ -
Hardware (in)		lump	\$ 185.01
Hardware (out)		lump	\$ 141.48
Paint Material (in)		lump	\$ (204.56)
Paint Material (out)		lump	\$ -
	3,319	<i>Total Mat.</i>	\$ 2,593.75

Shop Hours (net):
Detailing (net) include field meas.
Painting Labor (net):
Blasting Labor (net):
Freight (net):

Hours	Rate/Hr	Extended
74.00	\$ 70.00	\$ 5,180.00
8.00	\$ 75.00	\$ 600.00
0.50	\$ 60.00	\$ 30.00
-3.00	\$ 115.00	\$ (345.00)
	lump	\$ -
	<i>Total Shop</i>	\$ 5,465.00

Subcontractor

Subcontractor	Work Description	Quote Amount
DMS (COR #001)	Erection	\$ 3,300.00

Suppliers

Suppliers	Work Description	Quote Amount
SEI	Deck/Joists	\$ -
Valmount	Galvanizing	\$ 198.45
		\$ -
	<i>Sub Total</i>	\$ 3,498.45
	<i>10% mkup</i>	\$ 349.85
	<i>Total Subcontractor/Supplier</i>	\$ 3,848.30

Change Order Request Amount
Sales Tax 6% (on material and suppliers)
Additional Bond Cost

\$ 11,907.05
\$ 167.53
\$ -

Total Change Order Request - Rounded
Added time to schedule - working days

\$ 12,075.00

Notes:

- 1) Revised joist loading, S0.02. Joist supplier is not asking for additional costs on this.
- 2) Lowered top of footing at Patio cover columns, S2.01. Lengthen columns.
- 3) Deleted roof opening frame and added two W10x12 beams at roof hatch opening, S2.02.
- 4) Revised two W14x22 beams to W16x31, S2.02, material only.
- 5) Added angle cross bracing at grids 1 and 6S, S2.02.
- 6) Added one new W16x31 and one new W14x22 beams between grids 2S & 3S, S2.02.
- 7) Added new C15x40 at grid 6S, S2.02.
- 8) Reduced size of Patio cover. Deleting one HSS8x6x1/4" beam & reducing lengths on 2 HSS beams and two bent plate beams, S2.02.
- 9) Add roof elevations at covered parking and covered patio, S2.02. Miter cuts for beams added.
- 10) Added angle bracing at grids 2S and 6S, S2.03.
- 11) Revised deck bearing elevations at grids G, K & J, S2.03. Lengthening columns.
- 12) Revised 48 double sided 3/8"x12" fillet shop welds to 1" CJP, 3 & 4/S5.04.
- 13) Revised 83' of HSS5x5x1/4" closure beams to L6x6x7/16", 5 & 6/S9.10.
- 14) Added detail 7/S9.20. Added 18' of ledger angle and 18' of shelf angle.
- 15) Added details 10 & 11/A1.01. Priced in original and post bid add.
- 16) Revised interior elevations, A5.01 & A5.02. Changing quantity of counter supports to 9. Had given \$/ea as post bid add.
- 17) Changed 11/A6.72 to 9/A6.72 and added 10/A6.72. Had in original pricing.
- 18) Added 5/A6.73. Gave post bid add for jamb framing at OH doors.
- 19) Deleted fall arrest system from roof plan. Had given post bid \$/Each for posts supports.
- 20) Deleted columns and brace at 1/S3.20 to remain in per RFI #CC-2. No change.

Change Order Request

Donahue - McNamara Steel LLC.

P.O. Box 1250,
 Sun Valley, ID 83353
 208-720-0977 fax 208-788-2575

TO: Rule Steel

 Attn: Scott Grabanski

CHANGE ORDER REQUEST #001	
DATE: 7.17.2020	JOB #
PROJECT: Ketchum Fire Station #1	
JOB PHON	
CONTRACT #	
CONTRACT DATE	

We agree to make the change(s) specified below

DMS will install added steel per the 6.19.2020 drawings. A breakdown of costs per item is included on the following pages

- | | |
|--------------------------------------------------------------------------------|------------------------|
| 1. Added cross bracing @ grids 1/J thru K and near 6S/J thru K - (8) Locations | \$ 780.00 |
| 2. Added lateral bracing @ grids 1/J thru K and 6S/J thru K - (6) Locations | \$ 585.00 |
| 3. Added deck support angle and lintel angle @ Apparatus Structure per 7/S9.20 | \$ 780.00 |
| 4. Added C15x40 @ grid 6S | \$ 855.00 |
| 5. Deleted Chevron brace @ level 2 near H line - S9.20 | \$ (555.75) |

10% OH & P **\$300.00**
 \$ ~~244.63~~

NOTE: This change order becomes part of and in conformance with the existing contract.

DATE <u>7.17.2020</u> SIGNATURE BY DONAHUE-MCNAMARA STEEL	We agree to hereby to make the change(s) specified above at this price	\$ 3,300.00 2,698.88 \$ 3,300.00 2,698.88
------------------------------------------------------------------	------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

ACCEPTED - The above prices and specifications of this Change Order are satisfactory and are hereby accepted. All work shall be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated.

 SIGNATURE BY GENERAL CONTRACTOR, OWNER, OR HIS AGENT DATE

Ketchum Fire Station #1

6.19.2020 Drawing Review

1. Added cross bracing @ grid 1/J thru K and grid 6S/J thru K per detail 5/S6.01
 - a. (2) Ironworkers @ 4 hrs. = 8 total hrs. x \$75.00/hr. = \$600.00
 - b. (1) 19' Scissor @ 4 hrs. x \$45.00/hr. = \$180.00
 - c. SUB-TOTAL = \$780.00

2. Added lateral bracing @ grid 1/J thru K and grid 6S/J thru K per detail 5/S6.01
 - a. (2) Ironworkers @ 3 hrs. = 6 total hrs. x \$75.00/hr. = \$450.00
 - b. (1) 19' Scissor @ 3 hrs. x \$45.00/hr. = \$135.00
 - c. SUB-TOTAL = \$585.00

3. Added deck support angle and shelf angle @ Apparatus Structure per 7/S9.20
 - a. (2) Ironworkers @ 4 hrs. = 8 total hrs. x \$75.00/hr. = \$600.00
 - b. (1) 19' Scissor @ 4 hrs. x \$45.00/hr. = \$180.00
 - c. SUB-TOTAL = \$780.00

4. Added C15x40 @ grid 6S/G thru H, assuming connection detail 6/S5.02
 - a. Install - (2) Ironworkers @ 1.5 hrs. = 3 total hrs. x \$75.00/hr. = \$225.00
 - b. Welding - (1) Ironworker @ 4 hrs. x \$75.00/hr. = \$300.00
 - c. (1) Welding Machine @ 5.5 hrs. x \$15.00/hr. = \$ 82.50
 - d. (1) 19' Scissor @ 5.5 hrs. x \$45.00/hr. = \$247.50
 - e. SUB-TOTAL = \$855.00

5. Deleted Chevron brace @ level 2 near H line
 - a. Install - (4) Ironworkers @ 15 min. = 1 total hr. x \$75.00/hr. = -\$ 75.00
 - b. Welding - (1) Ironworker @ 3 hrs. x \$75.00/hr. = -\$225.00
 - c. (1) Crane @ 15 min. x \$295.00/hr. = -\$ 73.75
 - d. (1) Welding Machine @ 3 hrs. x \$15.00/hr. = -\$ 45.00
 - e. (1) 19' Scissor @ 3 hrs. x \$45.00/hr. = -\$135.00
 - f. SUB-TOTAL = -\$553.75



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Purchase Order 20508 for Purchase of SCBA Regulators

Recommendation and Summary

Staff is recommending the council provide authorization to the Mayor to sign purchase order 20508 for the purchase of additional regulators for self-contained breathing apparatus for the fire department with the following motion:

“I move to approve purchase order 20508 with Municipal Emergency Services and authorize the Mayor to sign the purchase order.”

The reasons for the recommendation are as follows:

- Regulators are a possible source of transmission of COVID-19 between firefighters.
- The purchase of additional regulators, to be shared with the volunteer association will lessen the risk of COVID-19 transmission.

Introduction and History

In 2018, the city purchased Self Contained Breathing Apparatus (SCBA) for the Ketchum Fire Department. This purchase included SCBA units for each riding position on the engine and the ladder truck. Along with that purchase, individual facepieces were purchased for each firefighter.

With the advent of COVID-19, all operations have faced increased scrutiny over potential exposure to COVID and other transmissible diseases. The ambulances have been retrofitted to reduce decontamination, and procedures have changed to provide for greater distancing and PPE.

One avenue of exposure is the sharing of the SCBA while at training or on incidents. While each firefighter has been issued a facepiece, the regulator that controls airflow to the facepiece are shared. This regulator is less than 2 inches from the users mouth. The regulators can be decontaminated, however that requires a break of 60 minutes between users. Alternately, a single firefighter can be assigned to use a particular SCBA, but that risks accidental swapping of units and limits the number of firefighters who can train or fight fire by more than half.

The regulators are designed to be quickly swapped out. This practice is now the recommended best practice to reduce exposure. Even if no transmission between responders occurs, quarantine of responders could occur if a risk of transmission occurs, which could severely impact availability of staff for 14 days.

Analysis

This request is for the City of Ketchum to fund 50% of the cost of individual regulators to be issued to all active firefighters. The Volunteer Firefighter's Association has authorized the remaining 50% of the purchase.

Sustainability Impact

There is no sustainability impact arising from this action.

Financial Impact

This purchase was not included in the approved FY 20 budget as the budget did not anticipate COVID exposure. The total would be \$38,350 for the regulators, of which the city would contribute 50% or \$19,175. The City's share may be reimbursable by the CARES Act funds allocated to the City.

Attachments

- Attachment A: Purchase Order 20508



3801 Fruit Valley Rd.
Suite C
Vancouver, WA 98660

Quote

Date 05/19/2020
Quote # QT1369183
Expires 06/18/2020
Sales Rep Courtney, Gavin
PO #
Shipping Method FedEx Ground

Bill To
KETCHUM FIRE DEPARTMENT
PO BOX 966
Ketchum ID 83340
United States

Ship To
Seth Martin
KETCHUM FIRE DEPARTMENT
480 EAST AVE. NORTH
Ketchum ID 83340
United States

Part	Alt. Item #	Units	Description	QTY	Unit Price	Amount
200077-60			REG ASY, QD, 2018	25	1,534.00	38,350.00

Subtotal 38,350.00
Shipping Cost (FedEx Ground) 0.00
Total \$38,350.00

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1369183



City of Ketchum
City Hall

Purchase Order

Number: 20508
Date: 9/3/2020

Vendor: Municipal Emergency Services
3801 Fruit Valley Rd.
Suite C
Vancouver, WA 98660

Quote Ref: QT1369183

Quantity	Item # / SKU	Description	Item Cost	Total Cost
25	200077-60	Reg Asy, QD. 2018	1534.00	\$38,350.00
			Total	\$38,350.00

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with Grant Gager, Director Finance & Internal Services, at ggager@ketchumidaho.org or (208) 726-3841.

Please Ship Above Listed Items to:

City of Ketchum
Attn: Grant Gager
480 East Avenue N
Box 2315
Ketchum, ID 83340

Order Submitted By:

Grant Gager



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Adopt Resolution No. 20-020 Destruction and Disposal of Semi-Permanent

Recommendation and Summary

Staff is recommending the council City Council approve Resolution 20-020 and authorize the Mayor to sign the resolution by adopting the following motion:

"I move to approve Resolution No. 20-020 authorizing the destruction of semi-permanent records and authorize the Mayor to sign."

The reasons for the recommendation are as follows:

- State statute establishes requirements for document destruction.

Introduction and History

Idaho Code requires the City Council to authorize the destruction and disposal of records and documents that are not required to be retained as permanent records and that have met the minimum retention period provided by the City of Ketchum Record Retention Schedule.

Analysis

All records on the attached list have met their retention per the City of Ketchum Record Retention Schedule and have been reviewed by the City Attorney and the State Archives.

Sustainability Impact

There is no sustainability impact arising from this action.

Financial Impact

There is no financial impact to this reporting.

Attachments

- Attachment A: Resolution 20-020

RESOLUTION NUMBER 20-020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AUTHORIZING THE DESTRUCTION OF SEMI-PERMANENT RECORDS PER IDAHO CODE 50-907.

WHEREAS, Idaho Code 50-907 requires the City Council to authorize destruction of records that are not required to be retained as permanent records and that have met the minimum retention period provided by the city's record retention schedule and are no longer required by law or for city business; and

WHEREAS, the City Clerk has proposed for destruction of certain records that have exceeded their minimum retention; and,

WHEREAS, the City Clerk sent a written notice including a detailed list of the semi-permanent records proposed for destruction, to the City Attorney and the Idaho State Historical Society prior to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Council of the City of Ketchum, Idaho that a list of temporary & semi-permanent records shall be destroyed under the direction and supervision of the City Clerk.

SECTION 1. That the following Temporary & Semi-Permanent Records, which are only required to be kept for two (2) to ten (10) years after date of issuance or completion of the matter contained within the record, be destroyed (See Attached List)

SECTION 2. The administrative staff of the City is authorized to take all necessary steps to carry out the authorization provided by this Resolution.

PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR THIS 8th day of September 2020

CITY OF KETCHUM, IDAHO

Neil Bradshaw
Mayor

Robin Crotty
City Clerk

Documents Management Records (Electronic Records) that have met retention

Name	Date of record	Retention Date
Clerk File: PR Requests	2017	12/1/2019
Clerk File: Communication Special Events	2017	12/1/2019
Finance: Bank Statements	2011 - 2013	12/1/2019
Franchise payments	Quarterly rep 2018	12/31/2019
Payroll Benefits Payments	2014	12/31/2019

Paper files that have met Retention

Box #26	5 Years	Property Loss Control Review
	5 years	2003 Warm Springs Connector planning files
	5 years	2000 Street Scape planning files phase 3 & 4
	5 years	Concept Report for the Warm Springs Road Bike Route
	1 year	Correspondence/ complaints 1969 -2002
	5 years	Public Comment/Petitions 1967-2002
	5 years	Snow Storage requests - 2001
Box #27	4 years	Ketchum Sun Valley Ambulance Fee Slip 1975
	5 years	Fire Dept. A/P from 2008 and 2010
	2 years	Snow Storage Permits 2003 - 2003
	1 year	Street Dept. Miscellaneous Correspondence
	5 years	Street Dept. Dig Bonds 2006 - 2009
	10 years	Traffic Calming Statistics from 2005
	10 years	Traffic Engineering Studies from 1983
Box #28	5 years	99-2002 Sales Tax Masters File
	5 Years	2003 Sales Tax Master File
	5 Years	2000-2006 Sales Tax Audit
	5 Years	9/2005 - 3/2014 Sales Tax Penalty and Interest Coy of letters sent
	5 Years	2007-2011 Sales Tax Correspondence letters
	5 Years	6/2001 - 2/2015 - Sales Tax Balance Due - Copy of Letters Sent
	5 Years	8/2011 - 9/2015 Temporary Sales Tax Applications and Permits
5 years	Impact Fee Committee files 2005	
Box #29	2 years	All Residential Building Plans prior to 2018



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Purchase Order 20511 With Columbia Electric Supply for Variable Frequency Drives and accessories

Recommendation and Summary

Staff is recommending the council approve Purchase Order 20511 and adopt the following motion:

"I move to approve Purchase Order 20511 with Columbia Electric Supply for the purchase of Variable Frequency Drives with necessary accessories to be used at the influent pumping station of the wastewater treatment plant in the amount of \$14,055.30 plus shipping and authorize the mayor to sign the purchase order.

The reasons for the recommendation are as follows:

- Existing influent pump Variable Frequency Drives (VFDs) are over 20 years old and are becoming unreliable and require frequent maintenance.
- Temporary wiring of VFDs needs to be made permanent.
- VFD upgrade will improve energy efficiency of the wastewater treatment plant.

Introduction and History

The existing influent pump VFDs were installed in 1997. They have reached the end of their life expectancy. It has been necessary in the last couple of years to replace different components of the VFDs that have failed. This is occurring more frequently and causing concern with the reliability of the pumping system for wastewater entering the treatment plant.

Influent pump VFDs were intended to be moved from their current location to the new headworks building when it was built in 2018. Instead of incurring the cost of moving old VFDs, which we expected to need replacing in the near future, we decided to temporarily wire the existing VFDs in their current location and pay only one installation cost when the old VFDs were replaced.

Analysis

The existing VFDs are becoming more and more unreliable and costly to repair. They have reached the end of their lifecycle and are a liability which could jeopardize the health and safety of the community if they fail.

Sustainability

The recommended action will further the goals of the 2020 Ketchum Sustainability Action Plan in the following ways:

- Variable frequency drives adjust power consumption as the load requirement changes allowing pumps to use less energy when flows decrease.
- Technological advances in VFDs have improved their energy efficiency capabilities.

Financial Impact

This is a budgeted expense for FY 19/20 with funds coming from the Capital Outlay: Machinery and Equipment line item of Wastewater CIP Expenditures. This expense will be shared equally with the Sun Valley Water and Sewer District.

Attachments:

Purchase Order 20511
Columbia Electric Supply Quote # 1036453



City of Ketchum
City Hall

Purchase Order

Number: 20511
Date: 9/8/2020

Vendor: Columbia Electric Supply
552 Washington Street
Twin Falls, ID 83301

Quote Ref: 1036453

Quantity	Item # / SKU	Description	Item Cost	Total Cost
2	20G11ND040AA0NNNNN	Allen Bradley AC Drive	5,254.80	10,509.60
2	HGP0025AW0S0000	TCI 25HP Harmonic Filter	1,772.85	3,545.70
1		Freight		
			Total	14,055.30

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with expected delivery to Mick Mummert, Wastewater Dept. Supervisor, at mmummert@ketchumidaho.org or (208) 726-7825.

Please Ship Above Listed Items to:

City of Ketchum WWTP
Attn: Mick Mummert
110 River Ranch Rd
Ketchum, ID 83340

Billing Address:

City of Ketchum
P.O. Box 2315
Ketchum, ID 83340

Order Submitted By:

Neil Bradshaw, Mayor

COLUMBIA ELECTRIC SUPPLY
 552 WASHINGTON STREET
 TWIN FALLS ID 83301
 TEL: 208 733-6861 FAX: 208 734-1701

CONTACT: MIKE CLOYD

QUOTE FOR: CITY OF KETCHUM
 ACCT #: MK-58340 CITY OF KETCHUM

WASTE WATER
 PO BOX 2315
 KETCHUM, ID 83340
 TEL: (208) 720-4945

QUOTATION		PAGE 001 OF 001	
QUOTE # 1036453	DATE 08/21/20	REV # 000	REV DATE 08/21/20
QUOTE EXPIRES 09/20/2020		PREPARED BY MC	
SLS 5192		INSL 8000	
FOB SHIPPING POINT		FREIGHT PREPAY & CHARGE	

CUS PO #: MICK
JOB NAME:

LN	QTY	MFR	CATALOG #	DESCRIPTION	PRICE	UOM	EXT AMT
01	2	AB	20G11ND040AA0NNNNN	AC DRIVE	5,254.80	E	10,509.60
02	*		FACTORY STOCK				
03	2	TCI	HGP0025AW0S0000	25 HP HARMONIC FILTER	1,772.85	E	3,545.70
04	*		ABOUT 1 - 2 WEEKS OUT- PLUS FREIGHT.				

TOTAL: 14,055.30

PLEASE NOTE: THIS IS NOT AN OFFER TO CONTRACT, BUT MERELY A QUOTATION OF CURRENT PRICES FOR YOUR CONVENIENCE AND INFORMATION. ORDERS BASED ON THIS QUOTATION ARE SUBJECT TO YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS LOCATED AT SALES.OUR-TERMS.COM, WHICH WE MAY CHANGE FROM TIME TO TIME WITHOUT PRIOR NOTICE. WE MAKE NO REPRESENTATION WITH RESPECT TO COMPLIANCE WITH JOB SPECIFICATIONS.



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Adopt Resolution 20-021 Appointing Brenda Moczygemba to the Planning and Zoning Commission

Recommendation and Summary

The Mayor is recommending the council adopt the following motion:

Move to approve Resolution # 20-021

The reasons for the recommendation are as follows:

- Brenda Moczygemba has expressed interest in being appointed to the Planning and Zoning Commission;
- Brenda has resided in Blaine County for at least three (3) years prior to this reappointment to the Planning and Zoning Commission
- Brenda is a local architect and has the skills and knowledge for this position.

Background

Kurt Eggers resigned from the Planning and Zoning Commission. His term would have expired on April 9, 2021. The Mayor is recommending Brenda fill the remaining term and then be eligible for two additional terms after April 2021. Brenda has been practicing architecture in the Wood River Valley for a number of years. She is familiar with the Ketchum Zoning Ordinance and will be an outstanding addition to the Commission.

Attachment

A - Resolution 20-021

**RESOLUTION NUMBER 20-021
A RESOLUTION OF THE CITY OF KETCHUM CITY COUNCIL
APPOINTING BRENDA MOCZYGEMBA TO THE KETCHUM PLANNING AND ZONING COMMISSION
FOR A TERM EXPIRING ON APRIL 9, 2021**

WHEREAS, Brenda Moczygemba has expressed interest in being appointed to the Planning and Zoning Commission; and

WHEREAS, Brenda Moczygemba has resided in Blaine County for at least three (3) years prior to this reappointment to the Planning and Zoning Commission; and

WHEREAS, Mayor Bradshaw recommends Brenda Moczygemba be confirmed by the City Council to serve on the Planning and Zoning Commission; and

WHEREAS, Brenda Moczygemba will be completing the term of Kurt Eggers who resigned whose term would have expired on April 9, 2021.

WHEREAS, Brenda Moczygemba will be eligible for reappointment for two terms on or before April 9, 2021.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Ketchum, that Brenda Moczygemba is appointed to the Ketchum Planning and Zoning Commission.

This Resolution will be in full force and effect upon its adoption this eighth day of September 2020.

Neil Bradshaw, Mayor

ATTEST:

Robin Crotty, City Clerk



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve the Second and Second Project's Amended Floor Area Ratio (FAR) Exceedance Agreement (Contract #20509)

Recommendation and Summary

Staff recommends that the Ketchum City Council move to approve the Amended 2nd and 2nd Project Floor Area Ratio (FAR) Exceedance Agreement:

Recommended Motion: "I move to approve the Second and Second Project's Amended FAR Exceedance Agreement Contract #20509."

The reasons for the recommendation are as follows:

- On June 29th, 2020, the applicant submitted revisions to the project plans proposing to add a new entrance to the front elevation of the building along 2nd Avenue. The applicant adjusted the floor areas of the two dwelling units on the first floor, including the community housing unit studio, to accommodate the new entryway.
- This doorway addition qualifies as a minor modification pursuant to Ketchum Municipal Code (KMC) §17.08.020 because the change does not increase the density, intensity, or size of the building. Staff has the authority to approve minor modifications, such as changes to exterior finishes and the addition of windows or doors, to projects that have received Design Review approval (KMC §17.96.030.A).
- The floor area adjustment decreased the size of the community housing unit from 402 square feet to 360 square feet. Ketchum Municipal Code does not specify minimum floor areas for community housing units. By way of comparison, the minimum floor area for an accessory dwelling unit is 300 square feet (KMC §17.124.070.B).

Introduction and History

The Planning and Zoning Commission approved the Design Review application (P19-048) for 2nd and 2nd residential building on June 10th, 2019. On September 26th, 2019, the Ketchum City Council approved FAR Exceedance Agreement Contract #20393 memorializing the project's community housing contribution. The City issued a building permit (B19-076) for the project on September 27th, 2019. The building is currently under construction and the project is nearing completion.

Financial Impact

This change will increase the applicant's community housing in-lieu fee payment to \$70,210.

Attachments

- Second and Second Project Amended FAR Exceedance Agreement (Contract #20509)

**SECOND AND SECOND PROJECT
AMENDED FAR EXCEEDANCE AGREEMENT
CONTRACT #20509**

Parties:

City of Ketchum	"City"	P.O. Box 2315, 480 East Ave. N., Ketchum, Idaho, 83340
KKL, LLC	"Owner"	Mailing: 216 E Spruce Street, Hailey, ID 83333-4980 Physical Address: 180 W 2 nd Street (Ketchum Townsite: Block 59: W ½ of Lot 5)

This FAR Exceedance Agreement ("Agreement") is made between the City of Ketchum, a municipal corporation of the state of Idaho, and KKL, LLC, a property owner and developer in the City of Ketchum.

RECITALS

- A. Pursuant to the City's authority under the Idaho Local Land Use Planning Act, the Ketchum Municipal Code ("K.M.C.") Chapter 17.124 provides for certain development standards, including maximum floor area ratio (FAR) standards under K.M.C. 17.124.040 - Floor Area Ratios and Community Housing. These standards are intended to protect the public interest, health, general welfare, and provision of public services. The City has provided options for development proposals to potentially exceed the allowable FAR in exchange for mitigation of the impacts of such larger development, particularly as focused on affordable community and workforce housing. K.M.C. 17.124.040(B).
- B. The City has adopted Resolution 17-006 which provides for the Parties to proceed with the FAR standards and options under K.M.C. 17.124.040, so long as the Parties voluntarily opt into a FAR Exceedance Agreement, making clear they are voluntarily opting by contract into use of such FAR standards and mitigation measures and are waiving any claims or demands related to any legal challenge to K.M.C. 17.124.040.

THEREFORE, in consideration of the mutual agreement herein contained and subject to the terms and conditions stated, it is hereby understood and agreed by the Parties as follows:

- 1. **Attestation of Developer.** Developer, by this Agreement, attests that Developer desires to voluntarily proceed on the development proposal, including proposal of exceedance of FAR standards and accompanying mitigation measures, using the approach and standards as set forth in K.M.C. 17.124.
- 2. **Waiver and Release of Claims.** Developer, by this Agreement, waives and releases any claims, demands, challenges, claims for reimbursement or refund, and/or damages now

or in the future deriving from or relying on the outcome of future litigation substantially challenging the validity of K.M.C. 17.124 and its standards. It is Developer's intent to accept and proceed with such standards as outlined in K.M.C. 17.124 for Developer's development plan for purposes of allowable FAR and Developer voluntarily and knowingly accepts the mitigation measures as proposed.

3. **FAR Exceedance Consideration.** In consideration for Developer's attestation and waiver, the City agrees to consider their exceedance proposal and will currently consider and evaluate Developer's proposed FAR exceedance and accompanying mitigation measures within the framework and standards of K.M.C. 17.124.040, attached hereto as Exhibit A and made a part of this Agreement.
4. **Maximum FAR and Mitigation.** The Parties hereby agree to an allowable maximum floor area ratio and accompanying mitigation measures as set forth in Exhibit B, attached hereto and made a part of this Agreement.
5. **Withdrawal.** Developer may withdraw from this Agreement upon thirty day notice to City provided that Developer has not commenced building and has received no benefit from a maximum FAR exceedance. Withdrawal shall cause an immediate reversion to the permitted gross FAR as set forth in Exhibit A: K.M.C. 17.124.040(A) at the time of this Agreement. Furthermore, the City acknowledges that the Building Owner, in its sole discretion, may choose not to build the residential units. In such an event, this FAR Exceedance Agreement will be modified.
6. **Amendments.** This Agreement may not be amended, modified, altered or changed in any respect whatsoever, except by further agreement in writing duly executed by the parties.
7. **No Assignment.** Developer shall not sell, assign, or transfer all or any portion of its interest in this Agreement at any time without consent of the City.
8. **Binding Effect.** This Agreement shall be binding upon the heirs, estates, personal representatives, successors, and assigns of the parties.
9. **Attorney Fees and Costs.** In the event any action is brought to enforce this Agreement, the prevailing party is entitled to an award of reasonable attorney fees and costs.
10. **Notices.** Any notice under this Agreement shall be in writing and shall be treated as duly delivered if the same is personally delivered or deposited in the United States mail, certified, return receipt requested, postage prepaid, and properly addressed to the contacts as specified at the beginning of this Agreement.
11. **Partial Invalidity.** Whenever possible, each provision of this Agreement shall be interpreted in such a way as to be effective and valid under applicable law. If a provision

of this Agreement is prohibited by or invalid under applicable law, it shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

12. **Waiver:** The rights and remedies of the parties to this Agreement are cumulative and not alternative. Neither the failure nor any delay by any party in exercising any right, power, or privilege under this Agreement or the documents referenced in this Agreement will operate as a waiver of such right, power, or privilege, and no single or partial exercise of any such right, power, or privilege will preclude any other or further exercise of such right, power, or privilege or the exercise of any other right, power, or privilege.

13. **Execution and Counterparts:** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original agreement, but all of which shall be considered one instrument.

DATED THIS 8TH DAY OF SEPTEMBER, 2020.

Owner

City of Ketchum, Idaho

Kirsten Ritzau
KKL, LLC

Neil Bradshaw, Mayor

Attest:

Robin Crotty, City Clerk

17.124.040: FLOOR AREA RATIOS AND COMMUNITY HOUSING:

- A. General Requirements: All new buildings and alterations to existing buildings in the GR-H, T, T-3000, T-4000 and CC zoning districts, unless otherwise specified in this title, shall be subject to the maximum floor area ratio (FAR) described below. Hotels that meet the definition of "hotel" found in [chapter 17.08](#) of this title may exceed the floor area listed in the table below subject to section [17.124.050](#) of this chapter.

Districts	Permitted Gross FAR	Inclusionary Housing Incentive
GR-H	0.5	1.4
T	0.5	1.6
T-3000	0.5	1.6
T-4000	0.5	1.6
CC	1.0	2.25

B. Inclusionary Housing Incentive:

1. The purpose of this section is to encourage new development to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees. Land within the zoning districts specified in the table above may be built to the listed permitted FAR. As an incentive to build community housing units, floor area may be increased up to the maximum FAR listed in said table with inclusionary housing incentive.
2. An increased FAR may be permitted subject to design review approval, and provided, that all of the following conditions are met:
 - a. A minimum of twenty percent (20%) of the total increase in gross floor area above the greater of the permitted FAR is deed restricted in perpetuity as community housing unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross square footage to net livable square footage for community housing units.
 - b. After calculating net livable square footage, an allowance can be made for projects with demonstrated groundwater issues as documented by a registered engineer. Upon determination by the city that groundwater on the subject property precludes underground parking, a credit of three hundred fifty (350) square feet per required parking space shall be subtracted from the net livable square footage prior to the calculation for the twenty percent (20%) deed restricted community housing. Parking space credit shall be rounded to the nearest whole number, and shall not be calculated as fractions.
 - c. Community housing requirements may be paid via a fee in lieu of housing. The community housing units times the fee equals the amount due to the city. The fee in lieu shall be recommended by the governing housing authority on an annual basis and adopted by the city council. For fractions of units, the developer has the option of providing a full housing unit

rather than paying the fee in lieu or working with the city or other nonprofit entity to construct the balance of the community housing unit with additional funds.

- d. All community housing units, either for sale or rent, shall be administered by the governing housing authority, unless otherwise determined by the city council. The governing housing authority shall recommend the types and locations of all proposed community housing units for approval by the city.
 - e. The community housing units shall be targeted for Blaine County housing authority income category 4 (100 percent or less of area median income). The applicant may seek the recommendation of the governing housing authority in the determination of an alternative category with corresponding adjustment in the amount of community housing required. Said recommendation, if mutually agreed upon by the applicant and the commission, may be used in place of category 4. This allowance shall be based on need for the category type. The definition of who may qualify to purchase affordable housing shall be maintained in the guidelines of the governing housing authority as adopted by the city council.
 - f. The city's primary goal is to see the development of and encourage the construction of community housing units, but realizes that other options will also move the city closer to its goal of housing the workforce. With this in mind, the following options for fulfillment of the community housing incentive are available to the applicant outright. These include, but are not limited to:
 - (1) Housing constructed by the applicant on or off site, within the city of Ketchum;
 - (2) Payment of an in lieu fee; or
 - (3) Acquisition of existing housing stock that meets with the governing housing authority's requirements and approval.
 - g. In addition to those outright options noted in this section, the city council may consider alternative proposals by the applicant to fulfill the community housing incentive. The city council has full discretionary power to determine said request. Options for fulfillment of the community housing incentive include, but are not limited to:
 - (1) Land conveyance to the city;
 - (2) Existing housing unit buy down or mortgage buy down; or
 - (3) Other proposals and options as approved by the city council.
3. In the CC district, the maximum floor area incentive applies to buildings up to three (3) stories in height. Buildings above three (3) stories may exceed the 2.25 FAR maximum only in accordance with the pertinent code provisions allowing for a fourth floor (for example, hotels, PUDs and 100 percent community housing project, etc.). For hotel uses, community housing calculations apply to all those portions of the hotel development except the hotel units, which are addressed pursuant to employee housing of this chapter. (Ord. 1135, 2015)

Exhibit B
SECOND AND SECOND PROJECT
AMENDED FAR EXCEEDANCE AGREEMENT
CONTRACT #20509
EXCEEDANCE AGREEMENT COMPLIANCE

PROJECT: Second and Second Residential Building

APPLICATION FILE NUMBERS: Design Review P19-084 & Building Permit B19-076

OWNER: KKL, LLC

REPRESENTATIVE: Mike Brunelle, AIA, Brunelle Architects & KMV Builders

REQUEST: Development of a new four unit, 8,307 sq ft multi-family residential building with an attached 1,246 sq ft enclosed parking garage.

LOCATION: 180 W 2nd St (Ketchum Townsite: Block 59: W ½ of Lot 5)

ZONING: Mixed-Use Subdistrict of the Community Core (CC-2)

BACKGROUND:

1. The applicant is constructing a new multi-family residential building comprised of four dwelling units including an enclosed parking garage at the ground level. One of the proposed dwelling units will be a community housing studio.
2. The site is located at 180 W 2nd St (Ketchum Townsite: Block 59: W ½ of Lot 5) within the Mixed-Use Subdistrict of the Community Core (CC-2). Multi-family dwelling units are a permitted use in the CC-2 Zone, and unlike the Retail Core Subdistrict (CC-1), dwelling units may be sited on the ground floor
3. The subject corner lot has an area of 4,124 sq ft, which is nonconforming to the 5,500 sq ft minimum lot area required in the CC-2 Zone.
4. The proposed floor area of the project will have a total area of 8,467 gross square feet.
5. Pursuant to the definition of gross floor area (KMC §17.08.020), four parking stalls for developments on single Ketchum Townsite lots of 5,600 sq ft or less are not included in the gross floor area calculation.
6. With the parking stall discount, the multi-family residential building has a proposed Floor Area Ratio (FAR) of 1.94 (7,981 sq ft/4,125 sq ft lot area).
7. As a condition of Design Review approval, the project shall comply with the requirements of Ketchum City Code §17.124.040, *Floor Area Ratios and Community Housing*, as adopted on the date a Building Permit is submitted for the project.

8. The Planning and Zoning Commission approved the Design Review application (P19-048) for 2nd and 2nd residential building on June 10th, 2019. On September 26th, 2019, the Ketchum City Council approved FAR Exceedance Agreement Contract #20393 memorializing the project's community housing contribution. The City issued a building permit (B19-076) for the project on September 27th, 2019. The building is currently under construction and the project is nearing completion.

9. On June 29th, 2020, the applicant submitted revisions to the project plans proposing to add a new entrance to the front elevation of the building along 2nd Avenue. The applicant adjusted the floor areas of the two dwelling units on the first floor, including the community housing unit studio, to accommodate the new entryway. This doorway addition qualifies as a minor modification pursuant to Ketchum Municipal Code (KMC) §17.08.020 because the change does not increase the density, intensity, or size of the building. Staff has the authority to approve minor modifications, such as changes to exterior finishes and the addition of windows or doors, to projects that have received Design Review approval (KMC §17.96.030.A).

Table 1. EXCEEDANCE ANALYSIS

Yes	No	N/A	Regulation	City Standard
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>17.124.040</i>	<i>Floor Area Ratios and Community Housing</i>
				<p>The project shall comply with the requirements of Ketchum Municipal Code § 17.124.040 as adopted on the date a building permit is submitted for the project.</p> <p>Permitted in Community Core Subdistrict 2(CC-2) Permitted Gross FAR: 1.0 Permitted Gross FAR with Inclusionary Housing Incentive: 2.25 Proposed Gross FAR:</p> <p>Second and Second Building Gross Floor Area: 8,467 gross square feet</p> <p>Pursuant to the definition of gross floor area (KMC §17.08.020), four parking stalls for developments on single Ketchum Townsite lots of 5,600 sq ft or less are not included in the gross floor area calculation. As the subject lot is less than 5,600 sq ft but is only one half of a Ketchum Townsite lot, Staff has prorated the parking discount and allowed the applicant to discount three parking stalls [3 x parking stall dimension pursuant to KMC §17.125.030(9 x 18)] from the gross floor area calculation.</p> <p>Gross Floor Area with Parking Discount: 7,981 sq ft West ½ of Lot 5 Area: 4,125 sq ft FAR Proposed: 1.94 (7,981 sq ft/4,125 sq ft lot area) Increase Above Permitted FAR: 3,856 sq ft 20% of Increase: 771 sq ft Net Livable (15% Reduction): 655 sq ft</p>

				<p><u>SECOND AND SECOND COMMUNITY HOUSING CONTRIBUTION PROPOSAL</u></p> <p>The applicant proposes to:</p> <ol style="list-style-type: none"> 1. Provide one 360-square-foot community housing unit on the first floor of the proposed multi-family residential building. 2. Target subject community housing unit for Blaine County Housing Authority Income Category 4. 3. List subject studio for rent through the Blaine County Housing Authority concurrent with the issuance of Certificate of Occupancy by the City for the project. 4. Pay for the remaining 295 square feet of community housing contribution through the community housing in-lieu fee. The total community housing in-lieu fee payment will be \$70,210.
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City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve Right-of-Way Encroachment Agreement 20498 with CenturyLink for placement of telecommunications infrastructure in the City Right-of-Way

Recommendation and Summary

Staff is recommending the Council approve the attached Encroachment Agreement and adopt the following motion:

"I move to authorize the Mayor to sign Encroachment Agreement 20498 with CenturyLink."

The reasons for the recommendation are as follows:

- The encroachment is necessary to upgrade telecommunication services to 260 2nd Avenue.
- The encroachment will have no impact on pedestrian or public access.

Introduction and History

CenturyLink would like to install approximately 758 feet of new underground fiber optic cable in conduit and two at grade vaults (handholes) within the City's right-of-way along 2nd Ave. beginning at the Wildwood Mini Condominiums and terminating at 271 W. 1st St. No above grade pedestals are proposed.

City code requires a right-of-way encroachment agreement for any permanent encroachment in the public right-of-way. These agreements are intended to help protect the City in the event the proposed encroachments were to ever pose an issue requiring repair or relocation of the encroachments.

Analysis

Engineering and Streets have reviewed the layout of the proposed telecommunications infrastructure and determined it will not impact public access or maintenance operations.

Financial Impact

There is no financial impact resulting from approval of this encroachment agreement.

Attachments:
Encroachment Agreement 20498

WHEN RECORDED, PLEASE RETURN TO:

**OFFICE OF THE CITY CLERK
CITY OF KETCHUM
POST OFFICE BOX 2315
KETCHUM, IDAHO 83340**

RIGHT-OF-WAY ENCROACHMENT AGREEMENT 20498

THIS AGREEMENT, made and entered into this ____ day of ____, 2020, by and between the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum"), whose address is Post Office Box 2315, Ketchum, Idaho and _____, representing CenturyLink, (collectively referred to as "Owner"), whose address is 216 S Park Ave. W, Twin Falls, ID 83301

RECITALS

WHEREAS, Owner wishes to permit placement of telecommunications improvements in the right-of-way on 2nd Avenue beginning southeast of River Street and terminating on W 1st Street. These improvements are shown in Exhibit "A" attached hereto and incorporated herein (collectively referred to as the "Improvements"); and,

WHEREAS, Ketchum finds that said Improvements will not impede the use of said public right-of-way at this time subject to the terms and provisions of this Agreement;

WHEREAS, the Owner will restore the sidewalk, street, curb and gutter and any landscaping back to the original condition acceptable to the Streets and Facilities Director;

NOW, THEREFORE, in contemplation of the above stated facts and objectives, it is hereby agreed as follows:

TERMS AND CONDITIONS

1. Ketchum shall permit Owner to install telecommunications infrastructure identified in Exhibit "A" within the public right-of-way of 2nd Avenue beginning southeast of River Street and terminating on W 1st Street., until notified by Ketchum to remove the same. Removal shall be at the Owner's expense.
2. Owner shall be responsible for the maintenance of said Improvements and shall repair said improvements within 48 hours upon notice from Ketchum that repairs are needed.
3. Owner shall be responsible for restoring the sidewalk, curb and gutter and landscaping that is altered due to the construction and installation to the satisfaction of the Director of Streets and Facilities.
4. In consideration of Ketchum allowing Owner to maintain the Improvements in the public right-of-way, Owner agrees to indemnify and hold harmless Ketchum from and against any and all claims of liability for any injury or damage to any person or property arising from the Improvements constructed, installed and maintained in the public right-of-way. Owner shall further indemnify and hold Ketchum harmless from and against any and all claims arising from

any breach or default in the performance of any obligation on Owner's part to be performed under this Agreement, or arising from any negligence of Owner or Owner's agents, contractors or employees and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such action or proceeding brought thereon. In the event any action or proceeding is brought against Ketchum by reason of such claim, Owner, upon notice from Ketchum, shall defend Ketchum at Owner's expense by counsel satisfactory to Ketchum. Owner, as a material part of the consideration to Ketchum, hereby assumes all risk of damages to property or injury to persons in, upon or about the Improvements constructed, installed and maintained in the public right-of-way arising from the construction, installation and maintenance of said Improvements and Owner hereby waives all claims in respect thereof against Ketchum.

5. Ketchum shall not be liable for injury to Owner's business or loss of income therefrom or for damage which may be sustained by the person, goods, wares, merchandise or property of Owner, its tenants, employees, invitees, customers, agents or contractors or any other person in or about the Subject Property caused by or resulting from the Improvements constructed, installed, removed or maintained in the public right-of-way.

6. Owner understands and agrees that by maintaining the Improvements in the public right-of-way pursuant to this Agreement, Owner obtains no claim or interest in said public right-of-way which is adverse to that of Ketchum and that Owner obtains no exclusive right to said public right-of-way nor any other right to use the public right-of-way not specifically described herein.

7. In the event either party hereto retains an attorney to enforce any of the rights, duties and obligations arising out of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees at the trial and appellate levels and, whether or not litigation is actually instituted.

8. This Agreement shall be governed by, construed, and enforced in accordance with the laws and decisions of the State of Idaho. Venue shall be in the District Court of the fifth Judicial District of the State of Idaho.

9. This Agreement sets forth the entire understanding of the parties hereto, and shall not be changed or terminated orally. It is understood and agreed by the parties hereto that there are no verbal promises or implied promises, agreements, stipulations or other representations of any kind or character pertaining to the Improvements maintained in the public right-of-way other than as set forth in this Agreement.

10. No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of this document.

11. This Agreement shall be recorded with the Blaine County Recorder by Ketchum.

12. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

OWNER:

CITY OF KETCHUM:

By: _____

By: _____
Neil Bradshaw
Its: Mayor

STATE OF _____,)
County of _____) ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public for _____
Residing at _____
Commission expires _____

STATE OF IDAHO)
County of Blaine) ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified to me to be the Mayor of the CITY OF KETCHUM, IDAHO, and the person who executed the foregoing instrument on behalf of said municipal corporation and acknowledged to me that said municipal corporation executed the same.

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

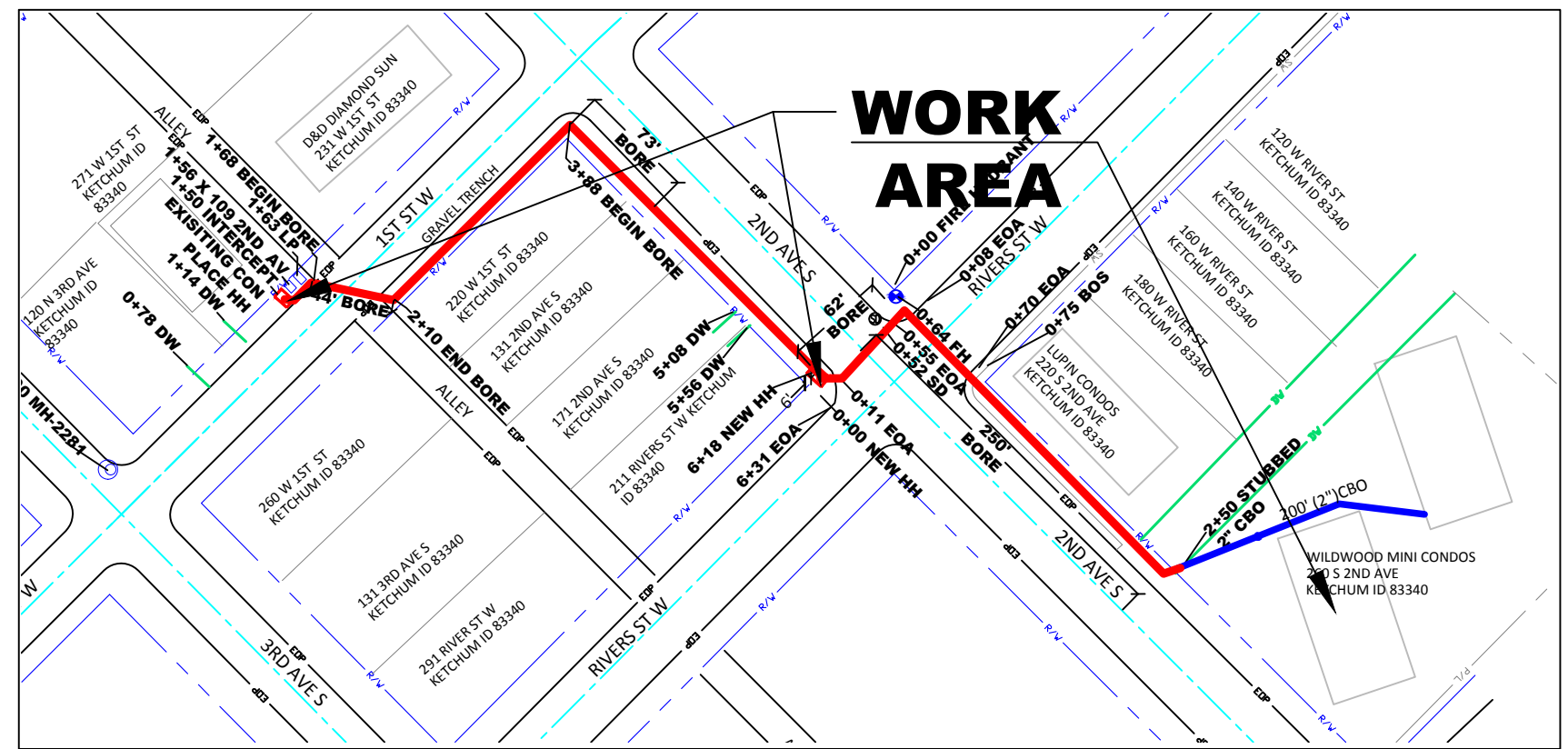
Notary Public for _____
Residing at _____
Commission expires _____

EXHIBIT "A"

LEGEND SHEET

SYMBOLOLOGY

CENTERLINES		BRASS CAP		CATCH BASIN	
MONUMENT LINE		STREET SIGN		CULVERT	
PROPERTY LINE		TREE		IRRIGATION CONTROL VALVE	
RIGHT OF WAY		BUSH		IRRIGATION MANHOLE	
PUE		CACTUS		WATER MANHOLE	
MATCHLINE		UTILITY CABINET		SEWER MANHOLE	
RAILROAD		POWER POLE		STORM DRAIN MANHOLE	
CATV LINE		WOOD POWER POLE		GAS MANHOLE	
ELECTRIC		PROPOSED ANCHOR		TELCO MANHOLE	
OVERHEAD ELECTRIC		TRAFFIC LIGHT POLE		CATV MANHOLE	
OVERHEAD T & E		STREET LIGHT		GAS VALVE	
GAS		STEEL POWER POLE		GAS METER	
PETROLEUM		WOOD TRANSMISSION POLE		ELECTRIC METER	
IRRIGATION		STEEL TRANSMISSION POLE		ELECTRIC VAULT/PULLBOX	
RWCD IRRIGATION PIPE		JUNCTION BOX		TEL MANHOLE EXISTING	
SEWER		UTILITY VAULT/HAND HOLE		TEL MANHOLE NEW	
STORM DRAIN		GROUND TRANSFORMER		TELCO HANDHOLE EXISTING	
TELEPHONE		CATV POWER SUPPLY		TELCO HANDHOLE NEW	
JOINT TRENCH TELCO/ELEC		CATV PEDESTAL		4"x4" BOREPIT	
AERIAL UTILITY (FIBER OPTIC)		TELCO PEDESTAL		SAI EXISTING	
BURIED UTILITY (FIBER OPTIC)		POWER PED EXISTING		SAI NEW	
ABN TELCO		POWER PED NEW		RT EXISTING	
WATER		WATER METER		RT NEW	
RECLAIMED WATER		WATER VALVE		TELCO REPEATER NEW	
FENCE		FIRE HYDRANT		TELCO REPEATER EXISTING	
WALL		BACK FLOW PREVENTER		COOLPED NEW	
CITY LIMITS		PROPOSED RISER		COOLPED EXISTING	
TRAFFIC SIGNAL		PROPOSED DG TO FOREIGN ANCHOR		PROPOSED AERIAL FIBER SLACK LOOP	
STREET LIGHT		TRENCH FTG		BORE FTG	
BORE		ASPHALT CUT FTG		SLACK LOOP FTG	
ASPHALT CUT & RESTORE					
TRENCH					



VICINITY MAP

CONSTRUCTION NOTES:

- UTILITY LOCATE 72 HOURS PRIOR TO TRENCHING OR DIGGING
- THE EXISTENCE AND LOCATION ON ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PRINTS WERE OBTAINED BY FIELD INSPECTION AND/OR A SEARCH OF AVAILABLE COUNTY RECORDS. THE ACTUAL LOCATION AND NATURE OF THE UNDERGROUND FACILITIES MAY BE DIFFERENT THAN SHOW. CONTRACTOR IS REQUIRE TO VERIFY PRIOR TO EXCAVATION.
- FOR UNDERGROUND ACTIVITY: TEST AND VENTILATE MANHOLE/UTILITY VAULT PRIOR TO ENTRY, PLACE WARNING DEVICES AND WORK ARE PROTECTION AS REQUIRED, AND USE ALL SAFETY PROJECTION PER FEDERAL, STATE, AND LOCAL REGULATIONS.
- ALL EXCAVATION, TRENCHING, AND SHORING IS TO ADHERE TO THE CODE OF ALL EXCAVATION, TRENCHING, AND SHORING IS TO ADHERE TO THE CODE OF CODE OF FEDERAL REGULATIONS (CFR) 1926.650 SUBPART P.
 - PROVIDE ALL PITS WITH 1'x1' SLOPE AT ONE END OF EXCAVATION FOR TECHNICIAN INGRESS/EGRESS.
 - EXCAVATED SPOILS ARE TO BE NO LESS THAN 24" FROM EDGE OF PIT OR FROM EDGE OF PIT OR TRENCH.
 - BARRICADE ALL OPEN PITS AND TRENCHING FOR PUBLIC SAFETY. ALL BARRICADES MUST BE EQUIPPED WITH FLASHING LIGHTS FOR NIGHT VISIBILITY.
 - FOR PITS GREATER THAN 4' IN DEPTH, USE APPROPRIATE SHORING FOR WALL STABILITY.
- TRENCH COVER IS TO BE 36" MINIMUM AND FREE OF ROCKS, DEBRIS AND CLOUDS. THE TRENCH IS TO BE A MINIMUM OF 36" COVER IN DEVELOPED AREAS AND A MINIMUM OF 48" OF COVER IN UNDEVELOPED AREAS (ANY VARIANCE FROM THESE STANDARDS WILL BE SPECIFIED ON THE PLANS).
- ALL ASPHALT/CONCRETE AND LANDSCAPING REMOVED, DISTURBED, OR DAMAGED AS A RESULT OF CONSTRUCTION SHALL BE RESTORED TO ORIGINAL CONDITION OR BETTER.
- NORMAL/GUIDED-BORING METHOD RECOMMENDED WHEN BORING.
- ADHERE TO AIRTIGHT GUIDELINES UNLESS OTHERWISE NOTED.
- BOND BURIED/AERIAL FACILITIES AS REQUIRED BY JURISDICTIONAL AGENCY(S).
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- ALL WORK AREA PROTECTIONS FOR TRAFFIC CONTROL IS TO BE WITH APPROVED WARNING DEVICES AND PLACED PER STATE DEPARTMENT OF TRANSPORTATION AND/OR PUBLIC WORKS ENGINEERING DEPARTMENT STANDARDS AND SPECIFICATIONS. IF REQUIRED, A TRAFFIC CONTROL PLAN SHALL BE SUBMITTED TO THE REQUESTING PERMITTING AGENCY. PRIOR TO BEGINNING WORK, PERMITTING AGENCIES MUST BE NOTIFIED 48 HOURS IN ADVANCE OF CONSTRUCTION ACTIVITIES.
- EXISTING PEDESTRIAN CROSSWALKS AND WALKING AREAS SHALL BE MAINTAINED AT ALL TIMES. AS NECESSARY, TEMPORARY PEDESTRIAN CROSSWALKS AND WALKING AREAS SHALL BE PROVIDED AND MAINTAINED PER STATE DEPARTMENT OF TRANSPORTATION AND/OR PUBLIC WORKS ENGINEERING DEPARTMENT STANDARDS AND SPECIFICATIONS.
- THE FOLLOWING FOOTAGES ARE ESTIMATES. FOOTAGES TO BE VERIFIED PRIOR TO CONSTRUCTION.

RIGHT OF WAY NOTES:

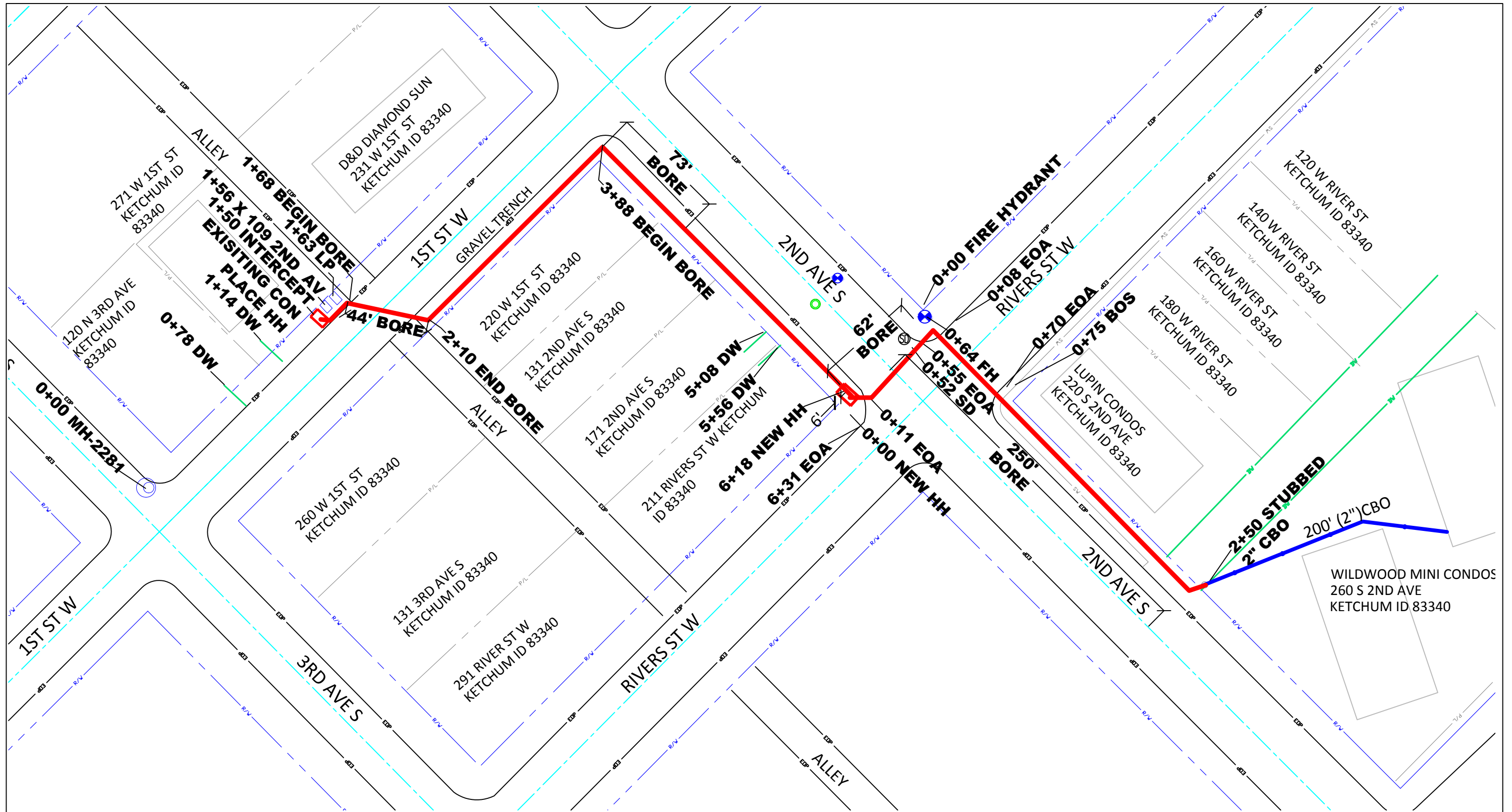
RIGHT OF WAY LINES DEPICTED HAVE BEEN RESEARCHED USING SOME OR ALL OF THE FOLLOWING RESOURCES/METHODS:
 REFERRING TO RECORDED SURVEYS AND COUNTY PARCEL MAP, SEARCHING FOR PROPERTY CORNER PINS, SEARCHING FOR CENTERLINE MONUMENTS, AND GEOGRAPHICAL OBSERVATION (FENCES, UTILITY LOCATIONS, CHANGES IN LANDSCAPING, ETC.)
 DISCLAIMER: ABSOLUTE RIGHT OF WAY LINES LOCATION MUST BE OBTAINED VIA PROFESSIONAL LAND SURVEY (WHEN NECESSARY).

AERIAL CONSTRUCTION NOTES:

- MAINTAIN 40" BELOW LOWEST POWER ATTACHMENTS (TYPICALLY NEUTRAL).
- MAINTAIN 30" BELOW NEUTRAL AT MID SPAN.
- CANNOT USE POWER ANCHORS ON ANY CORNER POLE WITH OVER 6' OF ANGLE.
- MAINTAIN 15'-6" MID-SPAN CLEARANCE TO GRADE/ROAD MINIMUM.
- SIX FOOT SPACING (MINIMUM) BETWEEN PROPOSED CTL ANCHOR AND EXISTING POWER ANCHORS.

KETCHUM CITY PERMIT REQUIRED

GEO: 360231 TAX: 06000 TPR: 110301		BVAPP: BVXWPADK8 - KTCHIDY SCOPE OF WORK: FIBER ENTRANCE TO CUSTOMER SITE		REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> </tr> <tr> <td>#</td> <td>\$</td> </tr> <tr> <td>%</td> <td>~</td> </tr> </tbody> </table>		DATE	DESCRIPTION	1	0	#	\$	%	~	ECD: 10/30/2020					
DATE	DESCRIPTION																		
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FW PROJECT N.617073		WFMT PROJECT: S.2753271		COMMUNITY NAME NAME: KETCHUM CITY: KETCHUM		ENGINEERING CONTACT NAME: TENILLE SORENSON PHONE: 208-733-0278		CONTRACT ENGINEER NAME: K HADLEY COMPANY: MTN LTD		CONSTRUCTION COORDINATOR NAME: JEFF DUNN PHONE: 208-736-0906		SPlicing COORDINATOR NAME: RICK PERKINS PHONE: 208-736-0906		ISSUE: 1 WC CLLI: KTCHIDMA SECTION: 18 TOWNSHIP: 4N RANGE: 18E		EXCEPT AS MAY BE OTHERWISE PROVIDED BY CONTRACT. THESE DRAWINGS AND SPECIFICATIONS SHALL REMAIN THE PROPERTY OF CENTURYLINK BEING ISSUED IN STRICT CONFIDENCE AND SHALL NOT BE REPRODUCED, COPIED, OR USED FOR ANY PURPOSE WITHOUT SPECIFIC WRITTEN PERMISSION. DESC: MOE - FINN DSR616843 - 260 2ND AVE S EXCH KEY: 208-726 REM KEY: 3324 SCALE: NTS DATE: 7/10/20		SHEET: 1 OF 2	



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City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve Right-of-Way Encroachment Agreement 20483 with CenturyLink for placement of telecommunications infrastructure in the City Right-of-Way

Recommendation and Summary

Staff is recommending the Council approve the attached Encroachment Agreement and adopt the following motion:

"I move to authorize the Mayor to sign Encroachment Agreement 20483 with CenturyLink."

The reasons for the recommendation are as follows:

- The encroachment is necessary to upgrade telecommunication services to 560 N First Avenue.
- The encroachment will have no impact on pedestrian or public access.

Introduction and History

CenturyLink would like to install approximately 416 feet of new underground fiber optic cable in conduit, one at grade vault (handhole), and an above grade pedestal located behind and existing retaining wall within the City's alley right-of-way west of Washington Avenue beginning south of 4th Street and terminating behind 571 Washington Avenue.

City code requires a right-of-way encroachment agreement for any permanent encroachment in the public right-of-way. These agreements are intended to help protect the City in the event the proposed encroachments were to ever pose an issue requiring repair or relocation of the encroachments.

Analysis

Engineering and Streets have reviewed the layout of the proposed telecommunications infrastructure and determined it will not impact public access or maintenance operations at this time.

Financial Impact

There is no financial impact resulting from approval of this encroachment agreement.

Attachments:

Encroachment Agreement 20483

WHEN RECORDED, PLEASE RETURN TO:

**OFFICE OF THE CITY CLERK
CITY OF KETCHUM
POST OFFICE BOX 2315
KETCHUM, IDAHO 83340**

RIGHT-OF-WAY ENCROACHMENT AGREEMENT 20483

THIS AGREEMENT, made and entered into this ____ day of ____, 2020, by and between the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum"), whose address is Post Office Box 2315, Ketchum, Idaho and _____, representing CenturyLink, (collectively referred to as "Owner"), whose address is 216 S Park Ave. W, Twin Falls, ID 83301

RECITALS

WHEREAS, Owner wishes to permit placement of telecommunications improvements in the right-of-way in the alley west of Washington Avenue beginning south of 4th Street and terminating south of 6th Street. These improvements are shown in Exhibit "A" attached hereto and incorporated herein (collectively referred to as the "Improvements"); and,

WHEREAS, Ketchum finds that said Improvements will not impede the use of said public right-of-way at this time subject to the terms and provisions of this Agreement;

WHEREAS, the Owner will restore the sidewalk, street, curb and gutter and any landscaping back to the original condition acceptable to the Streets and Facilities Director;

NOW, THEREFORE, in contemplation of the above stated facts and objectives, it is hereby agreed as follows:

TERMS AND CONDITIONS

1. Ketchum shall permit Owner to install telecommunications infrastructure identified in Exhibit "A" within the public right-of-way in the alley west of Washington Avenue beginning south of 4th Street and terminating south of 6th Street, until notified by Ketchum to remove the same. Removal shall be at the Owner's expense.
2. Owner shall be responsible for the maintenance of said Improvements and shall repair said improvements within 48 hours upon notice from Ketchum that repairs are needed.
3. Owner shall be responsible for restoring the sidewalk, curb and gutter and landscaping that is altered due to the construction and installation to the satisfaction of the Director of Streets and Facilities.
4. In consideration of Ketchum allowing Owner to maintain the Improvements in the public right-of-way, Owner agrees to indemnify and hold harmless Ketchum from and against any and all claims of liability for any injury or damage to any person or property arising from the Improvements constructed, installed and maintained in the public right-of-way. Owner shall further indemnify and hold Ketchum harmless from and against any and all claims arising from

any breach or default in the performance of any obligation on Owner's part to be performed under this Agreement, or arising from any negligence of Owner or Owner's agents, contractors or employees and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such action or proceeding brought thereon. In the event any action or proceeding is brought against Ketchum by reason of such claim, Owner, upon notice from Ketchum, shall defend Ketchum at Owner's expense by counsel satisfactory to Ketchum. Owner, as a material part of the consideration to Ketchum, hereby assumes all risk of damages to property or injury to persons in, upon or about the Improvements constructed, installed and maintained in the public right-of-way arising from the construction, installation and maintenance of said Improvements and Owner hereby waives all claims in respect thereof against Ketchum.

5. Ketchum shall not be liable for injury to Owner's business or loss of income therefrom or for damage which may be sustained by the person, goods, wares, merchandise or property of Owner, its tenants, employees, invitees, customers, agents or contractors or any other person in or about the Subject Property caused by or resulting from the Improvements constructed, installed, removed or maintained in the public right-of-way.

6. Owner understands and agrees that by maintaining the Improvements in the public right-of-way pursuant to this Agreement, Owner obtains no claim or interest in said public right-of-way which is adverse to that of Ketchum and that Owner obtains no exclusive right to said public right-of-way nor any other right to use the public right-of-way not specifically described herein.

7. In the event either party hereto retains an attorney to enforce any of the rights, duties and obligations arising out of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees at the trial and appellate levels and, whether or not litigation is actually instituted.

8. This Agreement shall be governed by, construed, and enforced in accordance with the laws and decisions of the State of Idaho. Venue shall be in the District Court of the fifth Judicial District of the State of Idaho.

9. This Agreement sets forth the entire understanding of the parties hereto, and shall not be changed or terminated orally. It is understood and agreed by the parties hereto that there are no verbal promises or implied promises, agreements, stipulations or other representations of any kind or character pertaining to the Improvements maintained in the public right-of-way other than as set forth in this Agreement.

10. No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of this document.

11. This Agreement shall be recorded with the Blaine County Recorder by Ketchum.

12. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

OWNER:

CITY OF KETCHUM:

By: _____

By: _____
Neil Bradshaw
Its: Mayor

STATE OF _____,)
) ss.
County of _____ .)

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public for _____
Residing at _____
Commission expires _____

STATE OF IDAHO)
) ss.
County of Blaine)

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified to me to be the Mayor of the CITY OF KETCHUM, IDAHO, and the person who executed the foregoing instrument on behalf of said municipal corporation and acknowledged to me that said municipal corporation executed the same.

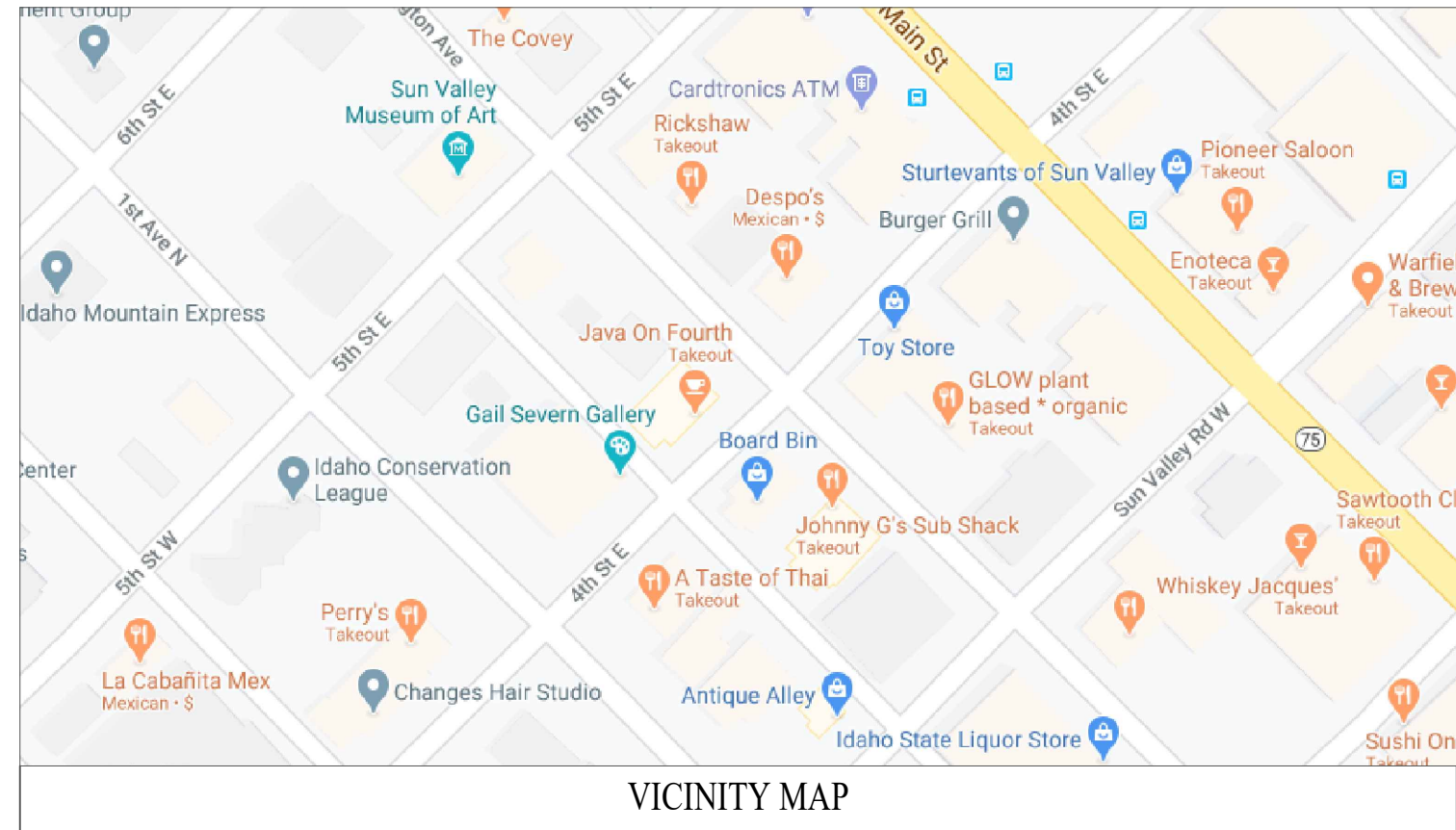
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

Notary Public for _____
Residing at _____
Commission expires _____

EXHIBIT "A"

CONSTRUCTION NOTES:

1. CALL UTILITY LOCATE AT 811 72 HOURS PRIOR TO TRENCHING OR DIGGING.
2. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY FIELD INSPECTION AND A SEARCH OF THE AVAILABLE CITY OR COUNTY RECORDS. SINCE THE ACTUAL LOCATION AND NATURE OF THE UNDERGROUND FACILITIES MAY BE SOMEWHAT DIFFERENT FROM THAT SHOWN, THE CONTRACTOR IS REQUIRED TO VERIFY PRIOR TO EXCAVATION.
3. FOR UNDERGROUND ACTIVITY: TEST AND VENTILATE MANHOLE/UTILITY VAULT PRIOR TO ENTRY, PLACE WARNING DEVICES AND WORK AREA PROTECTION AS REQUIRED, AND USE EYE AND HEAD SAFETY PROTECTION PER FEDERAL, STATE, AND LOCAL REGULATIONS.
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5. TRENCH COVER IS TO BE 36" MINIMUM AND FREE OF ROCKS, DEBRIS, AND CLODS. THE TRENCH IS TO BE A MINIMUM OF 36" COVER IN DEVELOPED AREAS AND A MINIMUM OF 48" OF COVER IN UNDEVELOPED AREAS (ANY VARIANCE FROM THESE STANDARDS WILL BE SPECIFIED ON THE PLANS).
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7. NORMAL/GUIDED-BORING METHOD RECOMMENDED WHEN BORING.
8. ADHERE TO AIRTIGHT GUIDELINES UNLESS OTHERWISE NOTED.
9. BOND BURIED/AERIAL FACILITIES AS REQUIRED BY JURISDICTIONAL AGENCY(S).
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13. THE FOLLOWING FOOTAGES ARE ESTIMATES. FOOTAGES TO BE VERIFIED PRIOR TO CONSTRUCTION.



ESTIMATED TOTALS

TOTAL EXISTING CONDUIT USED:	0 L.F.	CUSTOMER NAME: LCON:	SERVICE ORDER #: DSR ID #:
TOTAL NEW BORE:	0 L.F.		
TOTAL NEW DIRT TRENCH:	0 L.F.	PHONE NO:	
TOTAL NEW S/W TRENCH:	0 L.F.		
TOTAL NEW ASPHALT TRENCH:	0 L.F.	SCOPE OF WORK:	THIS JOB WILL PLACE GPON FACILITIES WITHIN THE KETCH I & II APTS LOCATED WITHIN THE KETCHUM WIRE CENTER. JOB IS AN FTTB CTL-ON. THE KETCH I & II APTS IS A CTL-ON SUBDIVISION THAT WILL FEED 37 LUs.
TOTAL NEW AERIAL:	0 L.F.		
SIDEWALK (PCC) R&R:	0 S.F.	THIS JOB WILL PLACE BOTH F1 & F2 FACILITIES. NEW SUTTLE-PED-FSAI + (2)1X8 STATIC SPLITTERS: 571 WASHINGTON AVE [KTCHIDJ0010,F01] -WILL NEED TO PUSH LKS4,71-72 FROM MH65 TO POF FP 357.	
ASPHALT (AC) R&R:	0 S.F.		

FIBER ENGINEER: TENILLE SORENSON PHONE NO: 208-733-0278 EMAIL: TENILLE.SORENESON@CENTURYLINK.COM	MT LTD ENGINEER: PHONE NO: EMAIL:	TOWN: 2N	RNGE: 18E	SECT: 14
--------------------------------------------------------------------------------------------------------	-----------------------------------------	---------------------------	----------------------------	---------------------------

NOTICE-NOT FOR DISCLOSURE OUTSIDE OF CENTURYLINK AND AFFILIATES EXCEPT UNDER WRITTEN AGREEMENT



571 WASHINGTON AVE KETCHUM, IDAHO	JOB: N.695627 GEO CODE: WC CLLI: KTCHIDMA
DRAFTED BY: MOUNTAIN LTD/GS 08-28-20	SH 1 OF 3

AERIAL LEGEND

ANC	ANCHOR
CA ARM	CABLE ARM
CATV	CABLE TV
DG	DOWN GUY
DGA	DOUBLE GUARD ARM
FGA	FIBER GLASS ARM
F/S	FIELD SIDE
GA	GUARD ARM
HOA	HEIGHT OF ATTACHMENT
M/R	MAKE READY
OHG	OVERHEAD GUY
R/S	ROAD SIDE
SLAN	LIGHT OR POWER COMPANY INVENTORY NUMBER
SWA	SIDEWALK ANCHOR AND GUY
T	TELEPHONE
TERM	TERMINAL
TRANS	TRANSFORMER
TAPE & SHAPE	REQUEST FOR POWER COMPANY TO CLEAN UP SECONDARY POWER CABLES AND/OR TOP OF RISER CABLES SO PROPOSED CABLE CAN BE ATTACHED WITHOUT VIOLATING THE 40" RULE

CABLE ARM ATTACHMENT LOCATION:

TF	TOP FIELD SIDE
TS	TOP STREET SIDE
TIP	TOP INSIDE POSITION
TIS	TOP INSIDE STREET SIDE
TMP	TOP MIDDLE POSITION
TOP	TOP OUTSIDE POSITION
TOS	TOP OUTSIDE STREET SIDE
BF	BOTTOM FIELD SIDE
BS	BOTTOM STREET SIDE
BIP	BOTTOM INSIDE POSITION
BIS	BOTTOM INSIDE STREET SIDE
BMP	BOTTOM MIDDLE POSITION
BOP	BOTTOM OUTSIDE POSITION
BOS	BOTTOM OUTSIDE STREET SIDE

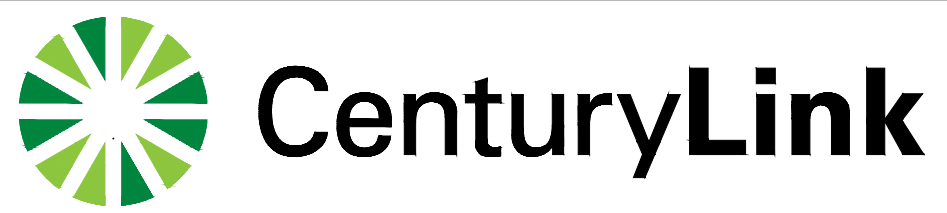
EXISTING EQUIPMENT LEGEND

	CENTERLINE		TELEPHONE BULLET PEDESTAL		ELECTRIC PEDESTAL/CABINET		GAS METER		IRRIGATION METER
	TRAFFIC LANE		TELEPHONE REPEATER		ELECTRIC TRANSFORMER		GAS VALVE		IRRIGATION VALVE
	BIKE/FOG LANE		TELEPHONE PEDESTAL		ELECTRIC METER		TRAFFIC SIGNAL VAULT/HANDHOLE		CULVERT
	RIGHT OF WAY		TELEPHONE VAULT/HANDHOLE		ELECTRIC VAULT/HANDHOLE		TRAFFIC SIGNAL POLE		C/L MONUMENT
	PROPERTY LINE		TELEPHONE CABINET		ELECTRIC MANHOLE		WATER METER		POLE ITEM NO.
	EASEMENT		TELEPHONE MANHOLE		ELECTRIC J-BOX		WATER VALVE		TREES
	CURB & GUTTER		TELEPHONE COOL PED		STREETLIGHT		FIRE HYDRANT		SHRUB
	EDGE OF PAVEMENT		TELEPHONE SAI		CATV BULLET PEDESTAL		WATER MANHOLE	EXISTING DOWNGUY & ANCHORS	
	RAILROAD		TELEPHONE USAM		CATV PED		STORM DRAIN CATCH BASIN		
	FENCE		TELEPHONE OWNED POLE		CATV VAULT/HANDHOLE		STORM DRAIN INLET		
	TELCO		JOINT USE POLE		SEWER MANHOLE		STORM DRAIN MANHOLE		
	ELECTRIC		TRAFFIC ARROW						
	CATV		TURN ARROWS						
	GAS								
	TRAFFIC SIGNAL								
	WATER								
	SEWER								
	STORM DRAIN								
	IRRIGATION								
	TRENCH/BORE								

PROPOSED EQUIPMENT LEGEND

	PARKWAY TRENCH		2'x2' RECEIVING PIT		SIDEWALK ANCHOR & DOWN GUY
	BORE		4'x4' BORE PIT		ANCHOR & DOWN GUY
	ASPHALT TRENCH		SAI		DOWN GUY
	UNDERGROUND BUILD		COOL PEDESTAL		ASPHALT TRENCH FOOTAGE
	AERIAL BUILD		ELECTRIC PEDESTAL		DIRT OR S/W TRENCH FOOTAGE
	UNDERGROUND BUILD-SLACK		TELCO HANDHOLE		BORE FOOTAGE
	AERIAL BUILD-SLACK SPAN		TELCO PEDESTAL		AERIAL FOOTAGE
	AERIAL STRAND		TELCO CABINET		
			TELCO MANHOLE		

ITEM #	STATION	HT-CL-YR	PROPOSED HOA
	STA	HT-CL-YR	XX'-X"
	POLE NUMBER(S) - CTL/PWR/OTHER		
	POLE#		
	EXISTING ATTACHMENTS		
	MAKE READY		



FIBER ENGINEER: TENILLE SORENSON | MT LTD ENGINEER: [Name] | TOWN: 2N | RANGE: 18E | SECT: 14

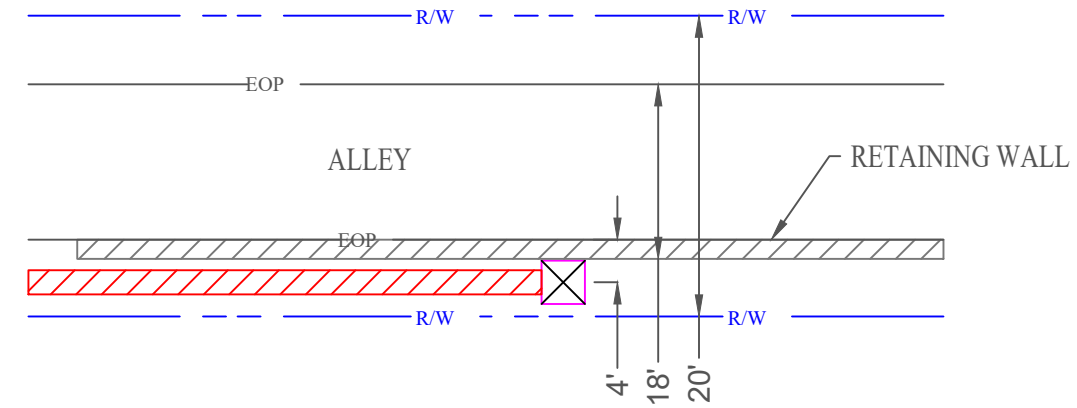
NOTICE-NOT FOR DISCLOSURE OUTSIDE OF CENTURYLINK AND AFFILIATES EXCEPT UNDER WRITTEN AGREEMENT

571 WASHINGTON AVE
KETCHUM, IDAHO

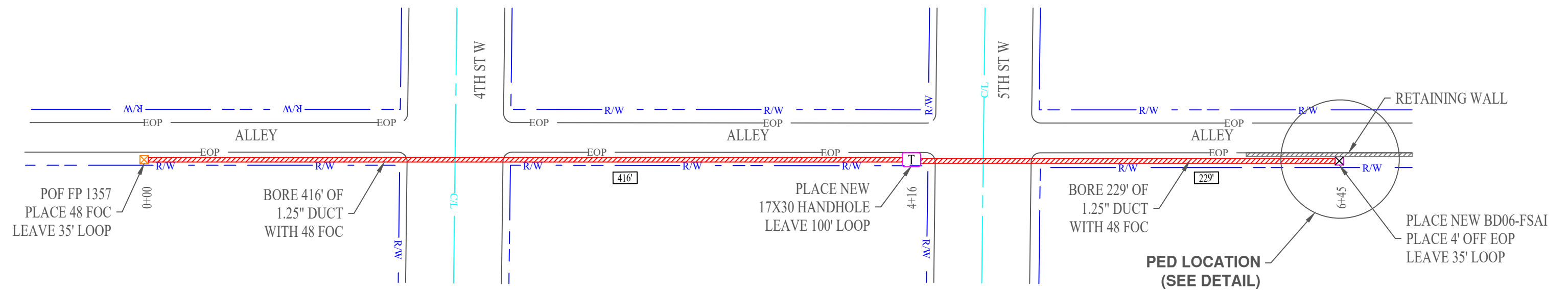
DRAFTED BY: MOUNTAIN LTD/GS 08-28-20

JOB: N.695627
GEO CODE:
WC CLLI: KTCHIDMA

83
SH 2 OF 3



PED LOCATON DETAIL



REMOVE AND REPLACE ASPHALT
AS NEEDED

NOTE:
THE RIGHT-OF-WAY SHOWN HAS NOT BEEN SURVEYED OR TIED. RIGHT-OF-WAY LOCATION IS ASSUMED WITH REFERENCE TO ONLINE DATA SOURCE MATERIALS. CONTRACTOR TO VERIFY ALL RIGHTS OF WAY AND/OR EASEMENTS PRIOR TO CONSTRUCTION.

NOTE:
FOR UNDERGROUND ACTIVITY: TEST AND VENTILATE MANHOLE/UTILITY VAULT PRIOR TO ENTRY, PLACE WARNING DEVICES AND WORK AREA PROTECTION AS REQUIRED, AND USE EYE AND HEAD SAFETY PROTECTION PER FEDERAL, STATE, AND LOCAL REGULATIONS.

FIBER ENGINEER: TENILLE SORENSON PHONE NO: 208-733-0278 EMAIL: TENILLE.SORENENSON@CENTURYLINK.COM	MT LTD ENGINEER: PHONE NO: EMAIL:	TOWN: 2N	RNGE: 18E	SECT: 14
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NOTICE-NOT FOR DISCLOSURE OUTSIDE OF CENTURYLINK AND AFFILIATES EXCEPT UNDER WRITTEN AGREEMENT

571 WASHINGTON AVE
KETCHUM, IDAHO

JOB: N.695627
GEO CODE:
WC CLLI: KTCHIDMA

DRAFTED BY: MOUNTAIN LTD/GS 08-28-20

SH3 OF 3





City of Ketchum

September 8, 2020
Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Findings of Fact, Conclusions of Law and Order on Appeal of Administrator Decision

Recommendation and Summary

Staff is recommending the council adopt the following motion:

I move to adopt the attached Findings of Fact, Conclusions of Law and Order on the Appeal of the Administrator Decision

The reasons include:

- The City Council conducted an administrative hearing on the Planning and Zoning Commission determination and upheld the Zoning Administrator's decision based on the information in Attachment A.

Analysis

On August 17, 2020, the City Council conducted an administrative hearing on the appeal of the Planning and Zoning Commission's decision to modify the determination of the Zoning Administrator's decision related to 201 Garnet Street. The City Council must adopt findings of fact to document the decision (Attachment A).

Financial Impact

There is no financial impact associated with adoption of the findings.

Attachments:

Attachment A:

**BEFORE THE CITY COUNCIL
OF THE CITY OF KETCHUM**

In the Matter of the)
Application of:) **Appeal #20-063**
)
Craig A. Nalen) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW, AND**
For Appeal of Planning and Zoning) **ORDER ON APPEAL OF**
Commission Decision) **ADMINISTRATOR DECISION**
)
_____)

This matter having come for an administrative appeal hearing before the Planning and Zoning Commission, pursuant to Ketchum Municipal Code 17.144.010, on June 8, 2020, and June 22, 2020, and then for adoption of findings of fact on July 13th, 2020. The decision of the Planning and Zoning Commission was administratively appealed on July 23, 2020, pursuant to Ketchum Municipal Code 17.144.020, and an appeal hearing was conducted on August 17, 2020 by the Ketchum City Council. The Council does hereby make and set forth their Findings of Fact, Conclusions of Law, and Order on Appeal as follows:

I. FINDINGS OF FACT

1. The City of Ketchum is a duly formed municipal corporation organized and existing by virtue of the laws of the State of Idaho, and is organized, existing, and functioning pursuant to Title 50, Idaho Code.
2. That the Subject Real Property is as follows: 201 Garnet Street, Ketchum, Idaho.
3. That the Subject Real Property is located in the Limited Residential (LR) zoning district.
4. The owner of Subject Real Property is Craig A. Nalen
5. The attorney for the Applicant is Fritz X. Haemmerle, Haemmerle Law, P.L.L.C.

6. The architect for the Applicant is Janet Jarvis, The Jarvis Group Architects, AIA, P.L.L.C.
7. The Subject Real Property does not have frontage along a dedicated public right-of-way. Instead, the Subject Real Property contains a 15' public access easement, governed by the Garnet Street Agreement (Instrument #403847) through which a paved vehicular street traverses.
8. Standard front setbacks from front property lines are defined in Section 17.13.030 of Ketchum Municipal Code.
9. Minimum standards required for one-family dwellings are set forth in Section 14.124.170 of the Ketchum Municipal Code.
10. Construction of one-family dwellings must comply with all Ketchum Municipal Code standards.
11. The Applicant's architect met with the City regarding the proposed location for a new single-family residence with respect to front yard setback requirements because the access easement traverses the Subject Real Property.
12. Citing Minimum Standards for One-Family Dwellings contained in Sections 17.124.170.A and 17.124.170.C of Ketchum Municipal Code, and based on calculations by the City Engineer for minimum swale and snow storage widths needed along the Subject Real Property's front property line to accommodate snow storage and drainage, the Planning and Building Director (Administrator) sent a determination letter dated March 9, 2020 (Administrator's Determination) regarding the minimum setback needed for structures and vertical impediments from front property line to the Applicant's architect, Janet Jarvis, via certified mail postmarked March 12, 2020.

13. The Administrator's Determination letter refers to the site plan submitted by Janet Jarvis and analyzed by the City Engineer and the City Engineer's snow storage calculations and found:

- a. The proposed snow storage area west of the driveway to be generally adequate for the storage of snow for the two driveway parking stalls and front door exterior entry area.
- b. The proposed 111.17' (132.17' of frontage minus the 21'-0" for the new 12" culvert under the driveway) borrow ditch recontour area along the Subject Real Property's Garnet Street frontage to be too narrow as shown. As noted by the City Engineer, the proposed 2' to 3' wide drainage ditch is insufficient and needs to be improved to 15' in width (8' permeable material and 7' grasses) based on city standards and unique characteristics of the site.
- c. A new snow storage area needs to be added to the proposed site plan. Subject designated snow storage area may be co-located with the revised 15' wide borrow ditch required for drainage and toward the Applicant's proposed home along the entire length of his Garnet Street frontage, excepting the driveway and front entry. Based upon evidence provided by the Ketchum Street Department, City Engineer drainage and snow storage calculations, the aforementioned ordinance provisions, the need to maintain 20' of free clear and unobstructed fire access along Garnet Street for safety reasons, and the minimum requirement provisions set forth in KMC §17.04.040.B, it is the Administrator's finding that 15', as measured from edge of asphalt, is necessary for drainage and snow storage purposes.

- d. Vertical improvements, such as trees and fences, are not allowed within subject 15' wide drainage swale and snow storage area adjacent the Garnet Street edge of asphalt on the Subject Real Property.
14. The Applicant appealed the Administrator's decision to the Planning and Zoning Commission (Commission) on March 23, 2020 pursuant to Ketchum Municipal Code 17.144.010.
15. Administrative appeal hearings were held before the Commission on June 8, 2020 and June 22, 2020 at 5:30 p.m.
16. At the June 8, 2020 hearing the Commission requested the Applicant submit a revised site plan for consideration by the City Engineer. The revised site plan, dated June 9, 2020, indicates the proposed new structure to be located as close as 11'-8" from the edge of the Garnet Street asphalt. The revised site plan, dated June 9, 2020, did not reflect additional vertical impediments, such as a fence within 2'-7" of the edge of the pavement, that were indicated previously on the site plan dated March 6, 2020.
17. The City Engineer's calculations for swale and snow storage sizing are based on roadway widths. Adjustments made to the proposed encroachments by the Applicant do not influence the swale and snow storage calculations.
18. At the June 22, 2020 continued hearing, the Commission modified the determination of the Administrator and on July 13, 2020 adopted their Findings of Fact, Conclusions of Law, and Order on the appeal.
19. On July 23, 2020 the decision of the Planning and Zoning Commission was appealed to the Ketchum City Council by the Administrator. The Ketchum City Council conducted

an appeal hearing on August 17, 2020, reversed the decision of the Planning and Zoning Commission, and upheld the determination of the Administrator.

20. On September 8, 2020, the City Council adopted these Findings of Fact, Conclusions of Law, and Order.

II. CONCLUSIONS OF LAW

1. The City shall exercise the powers conferred upon it by the State of Idaho in the “Local Land Use Planning Act”, codified at Chapter 65 Title 67 Idaho Code .
2. The Planning and Building Director (Administrator) has the authority to administer and enforce the City zoning regulations pursuant to Title 17 of Ketchum Municipal Code.
3. A decision of the Administrator may be appealed to the Planning and Zoning Commission pursuant to Ketchum Municipal Code 17.144.010. The Commission may affirm, reverse, or modify, in whole or in part, a determination of the Administrator.
4. A decision of the Planning and Zoning Commission may be appealed to the City Council pursuant to Ketchum Municipal Code Section 17.144.020. The City Council may affirm, reverse, or modify, in whole or in part, a determination of the Planning and Zoning Commission.

III. ORDER

Based upon the above Findings of Fact, Conclusions of Law, and good cause appearing from the record, the City Council makes the following Orders:

1. The City Council upholds and affirms the March 9, 2020 determination and findings of the Administrator as appropriately consistent with application of the provisions of KMC stated in the Findings of Fact above, and reverses the decision and any modification of the Administrator decision by the Commission.

A majority of the City Council hereby adopts these Findings of Fact, Conclusions of Law, and Order and authorizes the Mayor to execute the same with the record of the August 17, 2020 appeal hearing.

Mayor,
Neil Bradshaw

A copy of these Findings of Fact, Conclusions of Law, and Order has been provided to the Applicant and the City Attorney, and the original has been retained in the records of this City.

By: _____
Robin Crotty, City Clerk



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve The Leone/Goldman Lot Line Shift Final Plat

Recommendation and Summary

Staff recommends the Ketchum City Council approve the Leone/Goldman Lot Line Shift Final Plat with Waiver Request to move to lot line shared by 425 N. Bigwood Dr. (Leone property) and 115 Griffin Ct. (Goldman property) eastward, to amend the building envelope for 425 N. Bigwood Dr., and to allow the building envelope to encroach into the area of 25% slope as proposed. Approval includes signing the draft Findings of Fact, Conclusions of Law, and Decision (Attachment B).

Recommended Motion: "I move to approve the Leone/Goldman Lot Line Shift Final Plat application, including the waiver request to amend the building envelope for 425 N. Bigwood to encroach into a small, isolated area exceeding 25% in slope."

The reasons for the recommendation are as follows:

- The Planning and Zoning Commission and City Council held public hearings for the Preliminary Plat and recommended approval and approved the application, respectively (Planning and Zoning Commission May 19, 2020, City Council June 15, 2020).
- The subdivision code governs Lot Line Shift applications and while the code requires building envelopes to be located outside of areas of $\geq 25\%$ slope the code also specifically allows the opportunity to request a waiver from this standard in order to accommodate "small, isolated pockets of 25% or greater slope" provided the encroachment into $\geq 25\%$ sloped area complies with the purpose and standards of the subdivision code and Mountain Overlay code. (KMC §16.04.040.F.2)
- The proposed building envelope amendment is the minimum necessary to accommodate 911 square feet of a proposed 2,398 square foot addition to the Leone residence (425 N. Bigwood Drive). The existing residence is harmoniously integrated into the site, with the existing garage and an existing storage area partially buried into the slope of the hillside.
- The existing building envelope, including an existing encroachment into an area of 25% or greater slope, facilitated harmonious development of the existing residence: the residence is located on the flattest portion of the lot, closest to the street. This siting of the residence maximizes the upslope open space of the parcel and minimized cut and fill needed for the foundation.

Financial Impact

None

Attachments

- A. Final Plat
- B. Draft Findings of Fact, Conclusions of Law, and Decision

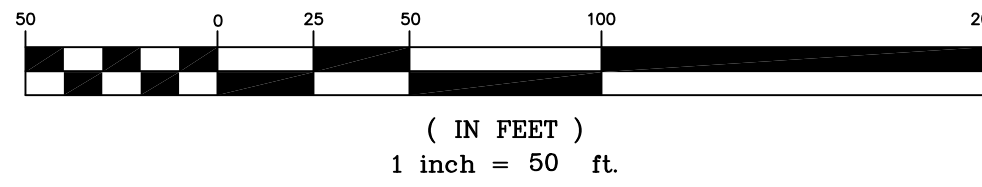
Attachment A.

Final Plat

A REPLAT SHOWING
LOT 14A & 12AAA, BLOCK 3, BIGWOOD SUBD. NO 2 & 3
 WHEREIN THE BOUNDARY BETWEEN LOTS 14 AND 12AA IS AMENDED CREATING LOT 14A & LOT 12AAA
 LOCATED WITHIN
 SECTION 1, T.4 N., R.17 E. & SECTION 6, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

JULY 2020

GRAPHIC SCALE



LEGEND

- Property Boundary
- Previous Lot Line
- Adjoiners Lot Line
- Section Line
- Centerline Bigwood Drive
- Amended Building Envelope
- Blaine County GIS Control and Ties
- Found 1/2" Rebar as Shown
- Found 5/8" Rebar as Shown
- Found Brass Cap as Shown
- Set 1/2" Rebar by PLS 7048
- Set 5/8" Rebar by PLS 7048
- NC No Cap
- IC Illegible Cap
- () Record Bearing and Distance per Inst. No. 395888
- [] Record Bearing and Distance per Inst. No. 328943

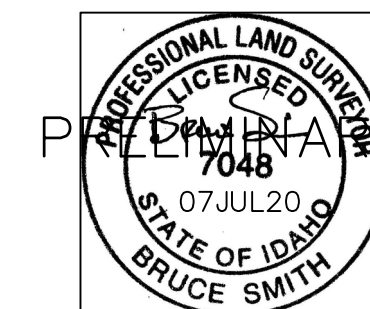
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	161.63	370.00	160.35	S 86°57'54" E
[RECORD c1]	[161.63]	[370.00]	[160.35]	[N 87°13'14" W]
C2	50.16	180.00	50.00	S 88°30'24" W
[RECORD c2]	[50.16]	[180.00]	[50.00]	[N 88°15'04" E]
C3	19.61	180.00	19.60	S 80°23'27" E
C4	201.56	180.00	191.19	S 45°11'31" E
C5	32.48	25.00	30.24	S 50°19'51" E
[RECORD c5]	[32.48]	[25.00]	[30.24]	[N 88°15'04" E]
C6	91.61	140.38	89.99	N 73°45'18" E
[RECORD c6]	[91.61]	[140.38]	[89.99]	[N 73°29'58" W]
C7	21.68	25.00	21.01	N 30°13'08" E
[RECORD c7]	[21.68]	[25.00]	[21.01]	[N 29°57'48" E]
C8	62.58	60.00	59.78	N 34°59'49" E
[RECORD 8]	[62.58]	[60.00]	[59.78]	[S 35°00'27" W]

NOTES

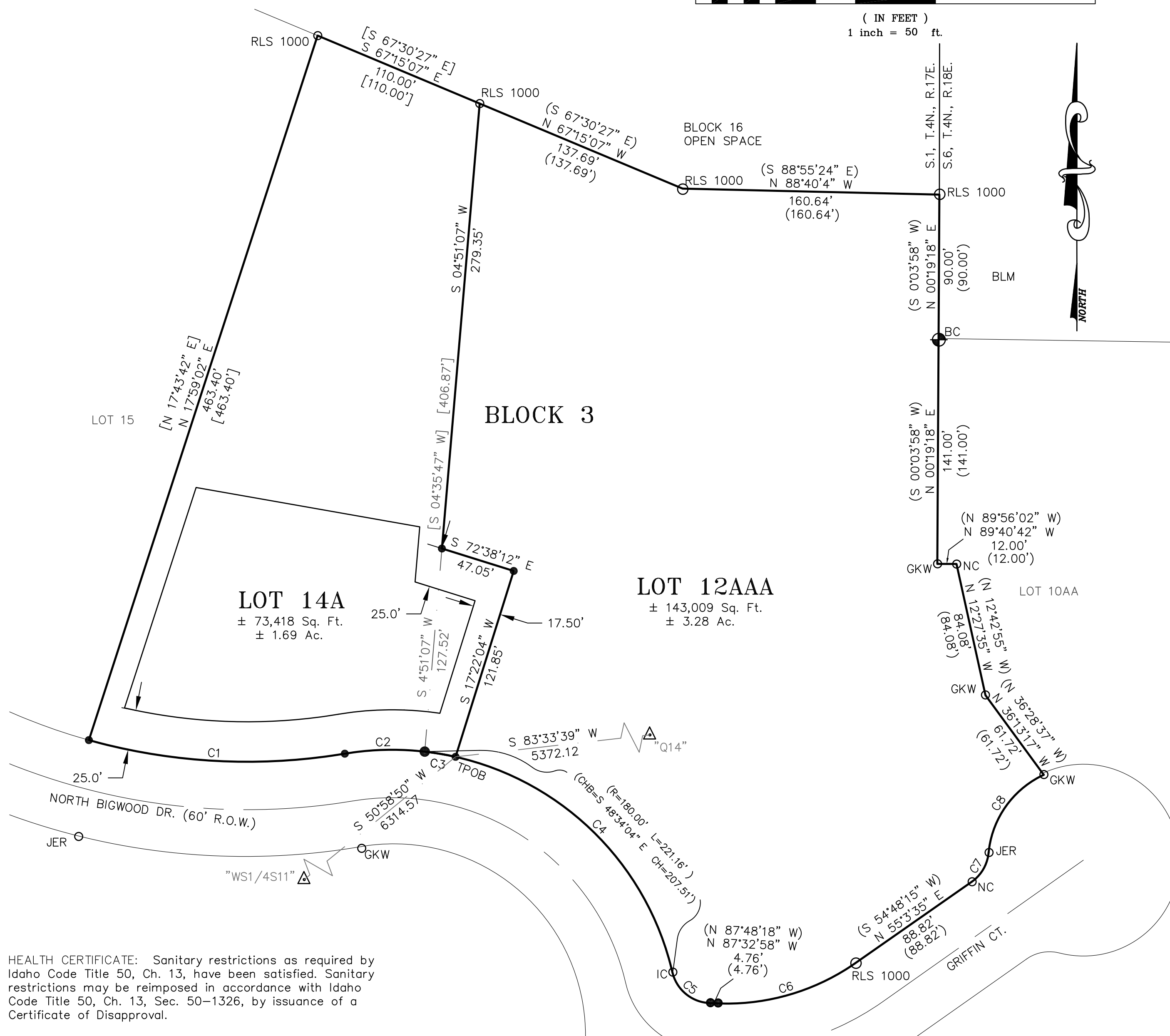
- 1) Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, at Grid, in U.S. Survey Feet.
- 2) Documents used or considered are Bigwood Subdivision No. 2 & 3, Instrument Number 280214, (Plat); Bigwood Subdivision No. 2 & 3, Replat of Lots 12A & 10A, Inst. No. 395888, (Plat); Replat of Lot 14, Block 3, Bigwood Subdivision No. 2 & 3, Inst. No. 328943, (Plat); Replat of Lots 15 & 16, Bigwood Subdivision No. 2 & 3, Inst. No. 304834, (Plat); Records of Blaine County, Idaho.
- 3) Refer to the Plat Notes, Conditions, Covenants, and Restrictions on Said Plats.

SURVEYOR NARRATIVE:

The purpose of this Plat is to add a Strip of Land Purchased from Lot 12AA to Lot 14 creating Amended Lots 14A and 12AAA. this Plat also expands the Building Envelope on Lot 14A. While conducting this Survey it was discovered that some Monuments on Lot 14 were missing or needing to be Reset. This was done based on Previously Found Locations, Record Bearings and Distances and Proportioning from other Found Monuments. All other Found Monuments were accepted.



REPLAT LOT 14 & LOT 12AA, BLK. 3
 BIGWOOD SUBD. NO. 2 & 3
 ALPINE ENTERPRISES INC.
 KETCHUM, IDAHO
 SHEET 1 OF 2



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

Date _____ South Central Public Health District, EHS

Attachment B.

Draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum
Planning & Building

IN RE:)	
)	
Leone/Goldman Lot Line Shift	)	KETCHUM CITY COUNCIL
Lot Line Shift Final Plat	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: September 8, 2020	)	DECISION
)	
File Number: P20-059)	

Findings Regarding Application Filed

PROJECT: Leone/Goldman Lot Line Shift

APPLICATION TYPE: Lot Line Shift Final Plat

FILE NUMBER: P20-059

ASSOCIATED PERMITS: Preliminary Plat P20-029

OWNERS: Douglas M. Leone, Leone Trustees (425 N. Bigwood Dr.) and Andrew and Lisa Goldman, Trustees (115 Griffin Ct.)

REPRESENTATIVE: Bruce Smith, Alpine Enterprises Inc.

REQUEST: Readjustment of lot lines, building envelope amendment for 425 N. Bigwood Drive, and waiver for building envelope encroachment into area of 25% slope

LOCATION: 425 N. Bigwood Drive (BIGWOOD SUB #2-3 LOT 14 BLK 3) and 115 Griffin Court (BIGWOOD SUB #2-3 AM LOT 12AA BLK 3)

NOTICE: No noticing is required for Final Plats

ZONING: Short Term Occupancy - One Acre District (STO-1)

OVERLAY: None

Background Findings of Fact

1. On May 19th, 2020, the Planning and Zoning Commission considered the readjustment of lot lines, building envelope amendment, and waiver request and recommended approval to City Council. On June 15, 2020 City Council held a public hearing and approved the application.
2. The subject properties are located in the STO-1 zoning district.
3. The proposed readjusted lots will meet all required zoning and dimensional standards. The request to amend the building envelope to encroach into additional area of 25% slope is warranted due to Findings of Fact detailed in Tables 1 and 2.

Table 1: Findings Regarding Final Plat Requirements

Final Plat Requirements			
Compliant			Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K</p> <p>Contents Of Final Plat: The final plat shall be drawn at such a scale and contain such lettering as to enable same to be placed upon sheets of eighteen inch by twenty four inch (18" x 24") Mylar paper with no part of the drawing nearer to the edge than one-half inch (1/2"), and shall be in conformance with the provisions of title 50, chapter 13, Idaho Code. The reverse side of such sheet shall not be used for any portion of the drawing, but may contain written matter as to dedications, certificates, signatures, and other information. The contents of the final plat shall include all items required under title 50, chapter 13, Idaho Code, and also shall include the following:</p> <p><i>Staff Comments</i> The mylar paper shall be prepared following Ketchum City Council review and approval of the Final Plat application and shall meet these standards.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.1</p> <p>Point of beginning of subdivision description tied to at least two (2) governmental survey corners, or in lieu of government survey corners, to monuments recognized by the city engineer.</p> <p><i>Staff Comments</i> This standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.2</p> <p>Location and description of monuments.</p> <p><i>Staff Comments</i> This standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.3</p> <p>Tract boundary lines, property lines, lot lines, street right of way lines and centerlines, other rights of way and easement lines, building envelopes as required on the preliminary plat, lot area of each lot, boundaries of floodplain and floodway and avalanche district, all with bearings, accurate dimensions in feet and decimals, in degrees and minutes and radii, arcs, central angles, tangents and chord lengths of all curves to the above accuracy.</p> <p><i>Staff Comments</i> This standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.4</p> <p>Names and locations of all adjoining subdivisions.</p> <p><i>Staff Comments</i> Both lots acted upon are lots within the same existing subdivision.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.5</p> <p>Name and right of way width of each street and other public rights of way.</p> <p><i>Staff Comments</i> This standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.6</p> <p>Location, dimension and purpose of all easements, public or private.</p> <p><i>Staff Comments</i> Plat note #2 references the prior documents related to the subdivision that Lot 14A and Lot 12AAA are located within, Bigwood Sub No. 2 and 3.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.030.K.7</p> <p>The blocks numbered consecutively throughout each block.</p> <p><i>Staff Comments</i> This standard does not apply as no new blocks are proposed.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.030.K.8</p> <p>The outline of any property, other than a street, alley or easement, which is offered for dedication to public use, fully dimensioned by distances and bearings with the area marked "Dedicated to the City of Ketchum for Public Use", together with any other descriptive language with regard to the precise nature of the use of the land so dedicated.</p> <p><i>Staff Comments</i> N/A as no dedications have been proposed or were required.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.9</p> <p>The title, which shall include the name of the subdivision, the name of the city, if appropriate, county and state, and the location and description of the subdivision referenced to section, township, range.</p> <p><i>Staff Comments</i> This standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K.10</p> <p>Scale, north arrow and date.</p> <p><i>Staff Comments</i> This standard has been met.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.11	Location, width, and names of all existing or dedicated streets and other public ways within or adjacent to the proposed subdivision
				<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.12	A provision in the owner's certificate referencing the county recorder's instrument number where the condominium declaration(s) and/or articles of incorporation of homeowners' association governing the subdivision are recorded.
				<i>Plat note #2 references the prior documents related to the subdivision that Lot 14A and Lot 12AAA are located within, Bigwood Sub No. 2 and 3.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.13	Certificate by registered engineer or surveyor preparing the map certifying to the accuracy of surveying plat.
				<i>As conditioned, this standard will be met prior to recordation of the Final Plat. The signature block page shall include the surveyor's certification.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.14	A current title report of all property contained within the plat.
				<i>This standard has been met. A title report and warranty deed were submitted with the Preliminary Plat and both are current.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.15	Certification of owner(s) of record and all holders of security interest(s) of record with regard to such property.
				<i>As conditioned, this standard will be met prior to recordation of the Final Plat. The signature block page shall include a certificate of ownership and associated acknowledgement from all owners and holders of security interest with regard to the subject property, which shall be signed following Ketchum City Council review and approval of the application and prior to recordation of the Final Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.16	Certification and signature of engineer (surveyor) verifying that the subdivision and design standards meet all city requirements.
				<i>As conditioned, this standard will be met prior to recordation of the Final Plat. The signature block page shall include the certification and signature of the surveyor verifying that the subdivision and design standards meet all City requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.17	Certification and signature of the city engineer verifying that the subdivision and design standards meet all city requirements.
				<i>As conditioned, this standard will be met prior to recordation of the Final Plat. The signature block page shall include the City Engineer's approval and verification that the subdivision and design standards meet all City requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K.18	Certification and signature of the city clerk of the city of Ketchum verifying that the subdivision has been approved by the council.
				<i>As conditioned, this standard will be met prior to recordation of the Final Plat. The signature block page shall include the certification and signature of the City Clerk verifying the subdivision has been approved by City Council.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.K.19	Notation of any additional restrictions imposed by the council on the development of such subdivision to provide for the public health, safety and welfare.
				<i>N/A as no restrictions were imposed by the Ketchum City Council during review of the Preliminary Plat application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.L	Final Plat Copies: Both a hard copy and a digital copy of the final plat shall be filed with the administrator prior to being placed upon the Council's agenda. A digital copy of the final plat as approved by the council and signed by the city clerk shall be filed with the administrator and retained by the city. The Applicant shall also provide the city with a digital copy of the recorded document with its assigned legal instrument number.
				<i>This standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.
				<i>N/A this Lot Line Shift application did not necessitate further improvements.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the Council, 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.
				<i>N/A this Lot Line Shift application did not necessitate further improvements.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.C	<p>Performance Bond: 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, factors beyond the control of the subdivider, or other conditions as determined acceptable at the sole discretion of the city, 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 two years 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>
				N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	<p>As Built Drawing: 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.</p>
				<i>N/A as no improvements requiring as built drawings were constructed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	<p>Monumentation: 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:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
				<i>This standard has been met. See Surveyor Narrative on page 1 of the Final Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 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. 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"> 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.

				<p>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.</p> <p>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.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>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.</p> <p>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. Minimum lot sizes in all cases shall be reversed frontage lot(s).</p>
				<p>#1. This standard has been met.</p> <p>#2. A waiver to allow an isolated pocket of 25% or greater slope to be located within the building envelope is approved by this application. The proposed building envelope amendment is to accommodate 911 square feet of the proposed 2,398 square foot addition. The existing residence is harmoniously integrated into the site, with the existing garage and an existing storage area partially buried into the slope of the hillside.</p> <p>Included with the waiver request (see project file P20-029 and associated Findings of Fact, Conclusions of Law, and Decision) were design drawings for the proposed addition, including the site plan and landscaping plans. The proposed addition will be integrated into the site topography with the roof of the addition covered by earth and landscaped.</p> <p>The proposed building envelope amendment allows the expansion of the existing residence to occur by integrating the addition deeper into the site rather than expanding the mass of the building laterally/horizontally. Although the site is not located within the Mountain Overlay district, the proposed envelope amendment meets the standards of Mountain Overlay Design Review because visual impact is mitigated.</p> <p>Key purposes of the Mountain Overlay district are to ensure preservation of hills, ridges, ridgelines and their natural features which are visible from the valley floor from obstruction by development; to direct building away from the higher elevations; and to assure the property owner is not deprived of economically viable use of his/her property. The design of the proposed addition accomplishes the first two purposes referenced which facilitates the latter purpose.</p> <p>#6. This standard has been met. #3, #4, #5 – N/A</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <p>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.</p> <p>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</p> <p>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.</p> <p>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.</p>
				<i>This application does not create a new block. This requirement is not applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H	<p>Street Improvement Requirements:</p> <p>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</p>

			<p>relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</p> <p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 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;</p> <p>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;</p> <p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p> <p>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;</p> <p>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;</p> <p>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;</p> <p>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;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>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;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>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;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>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;</p> <p>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;</p> <p>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;</p> <p>18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;</p> <p>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 chapter 12.04 of this code;</p>
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				<p>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;</p> <p>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;</p> <p>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;</p> <p>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</p> <p>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.</p>
				<i>This proposal does not create new street, private road, or bridge.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	<p>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.</p>
				<i>This proposal does not create a new alley. Alley improvements were not applicable to this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>

				<p>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.</p> <p><i>No new easements were required.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.K	<p>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.</p> <p><i>This standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.L	<p>Water System Improvements: 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.</p> <p><i>This standard has been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>Planting Strip Improvements: 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.</p> <p><i>This standard is not applicable.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N	<p>Cuts, Fills, And Grading Improvements: 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:</p> <ol style="list-style-type: none"> 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. 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: <ol style="list-style-type: none"> 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. 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. 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. 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

				<p>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.</p> <p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>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).</p> <p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>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.</p> <p>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.</p>
				N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.O	<p>Drainage Improvements: 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.</p>
				N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	<p>Utilities: 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.</p>
				<i>N/A both lots acted upon are currently developed and are connected to applicable utilities.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	<p>Off Site Improvements: 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.</p>
				<i>No off-site improvements are required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.R	<p>Avalanche And Mountain Overlay: 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.</p>
				N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.S	<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>
				N/A

Table 2: Waiver Standards

16.04.130.A and 16.04.130.B					
Compliant			Standards and Findings		
Yes	No	N/A	City Code	City Standards and Findings	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.130.A	<p>A. General Requirements: Waiver of any of the requirements of this chapter may be granted by the council on a case by case basis upon the recommendation of the commission. Application for such waiver(s) must be in writing and must show that there are special physical characteristics or conditions affecting the property in question where literal enforcement of this chapter would result in undue hardship not the result of actions by the subdivider, and that the waiver would not be detrimental to the public welfare, health and safety, nor injurious to property owners in the immediate area.</p>	
			Findings	<p>The applicant requested the waiver in writing, see narrative from Brenda Moczygemba, Williams Partners Architects, dated April 13, 2020, included in the project record for the Preliminary Plat (P20-029).</p> <p>The waiver request is not detrimental to the public welfare, health or safety and is not injurious to property owners in the immediate area; the adjacent property owner to the east is co-applicant because the proposal also includes an adjustment of the property line shared by the two parcels.</p> <p>The waiver was requested because the majority of the subject property contains slope of 25% or greater. The rear 300' of depth of the lot is unbuildable due to the city's hillside protection standards and as a result the property owners have only the flattest portion of the site, which is closest to the street, to utilize. The existing residence was constructed to respect the original 25' setback imposed by the building envelope, which is more restrictive than the usual 15' front setback required in the STO-1 zone. The proposed addition is harmonious with the existing structure and in order to accomplish keeping the addition and existing residence in a similar street-facing plane (rather than the addition projecting further toward the street) the addition is designed to burrow into the hillside to the rear.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.130.B	<p>B. Application For Waiver: Applications shall be made to the administrator in writing at the time of subdivision application. Such waiver, together with such related data and maps as are necessary to fully illustrate the relief sought, shall be filed at that time. Such application shall be processed and considered with the preliminary plat application.</p>	
			Findings	<p>The applicant requested the waiver in writing, see narrative from Brenda Moczygemba, Williams Partners Architects, dated April 13, 2020, included in the project record for the Preliminary Plat (P20-029).</p>	

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 Council has authority to hear the applicant’s Lot Line Shift (Readjustment of Lot Lines) and Waiver Request 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 proposed Lot Line Shift Final Plat for Lots 14A and 12AAA, Block 3, Bigwood Subdivision No. 2 & 3 meets the standards for Preliminary Plats under Title 16 of Ketchum Municipal Code subject to conditions of approval.

DECISION

THEREFORE, the Ketchum City Council **approves** this Lot Line Shift Final Plat application this Tuesday, September 8th, 2020 subject to the following conditions:

CONDITIONS OF APPROVAL

1. 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.
2. 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,
 - d. 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.
5. The applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department for the official file on the application.
6. The Final Plat mylar shall contain all items required under Title 50, Chapter 13, Idaho Code as well as all items required pursuant to KMC §16.04.030J including certificates and signatures.
7. All governing ordinances and department conditions pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met.

Findings of Fact **adopted** this 8th day of September, 2020

Neil Bradshaw, Mayor

Robin Crotty, City Clerk



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Purchase Order 20512 With Roberts Electric for Variable Frequency Drive Relocation

Recommendation and Summary

Staff is recommending the council approve Purchase Order 20512 and adopt the following motion:

"I move to approve Purchase Order 20512 with Roberts Electric for the relocation of Variable Frequency Drives at the influent pumping station of the wastewater treatment plant in the amount of \$7,487.00 and authorize the mayor to sign the purchase order."

The reasons for the recommendation are as follows:

- Existing influent pump Variable Frequency Drives (VFDs) need to be replaced and relocated to the same building as the pumps they are running.
- Temporary wiring of VFDs needs to be made permanent.
- VFD upgrade will improve energy efficiency of the wastewater treatment plant.

Introduction and History

Influent pump VFDs were intended to be moved from their current location to the new headworks building when it was built in 2018. Instead of incurring the cost of moving old VFDs, which we expected to need replacing in the near future, it was decided to temporarily wire the existing VFDs in their current location and incur only one installation/relocation cost when they were replaced.

Analysis

This VFD relocation will coincide with the replacement of existing VFDs which are becoming more and more unreliable and costly to repair. The temporary wiring and connections used during the construction of the headworks building needs to be made permanent.

Sustainability

The recommended action will further the goals of the 2020 Ketchum Sustainability Action Plan in the following ways:

- Variable frequency drives adjust power consumption as the load requirement changes allowing pumps to use less energy when flows decrease.
- Technological advances in VFDs have improved their energy efficiency capabilities.

Financial Impact

This is a budgeted expense with funds coming from the Professional Services line item of Wastewater Expenditures. This expense will be shared with the Sun Valley Water and Sewer District.

Attachments:

Purchase Order 20512
Roberts Electric Proposal



City of Ketchum
City Hall

Purchase Order

Number: 20512
Date: 9/8/2020

Vendor: Roberts Electric
710 N Main Street
Bellevue, ID 83313

Quote Ref: Ketchum Wastewater dated 9/2/2020

Quantity	Item # / SKU	Description	Item Cost	Total Cost
		Labor and Material to install conduit and run wiring for relocation of VFD and Filter units.		7,487.00
			Total	7,487.00

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with expected delivery to Mick Mummert, Wastewater Dept. Supervisor, at mmummert@ketchumidaho.org or (208) 726-7825.

Please Ship Above Listed Items to:

City of Ketchum WWTP
Attn: Mick Mummert
110 River Ranch Rd
Ketchum, ID 83340

Billing Address:

City of Ketchum
P.O. Box 2315
Ketchum, ID 83340

Order Submitted By:

Neil Bradshaw, Mayor



710 N Main St.
Bellevue, Idaho 83313
Phone 208-788-3238
Fax 208-788-3273

PROPOSAL SUBMITTED TO:

Ketchum Wastewater

PREPARED BY PATRICK
STATE ELECTRICAL INSPECTION AND WIRING AS PER NATIONAL AND LOCAL
ELECTRICAL CODE.
ELECTRICAL CONTRACTOR WILL NOT TAKE RESPONSIBILITY FOR MANUFACTURER
DEFECTS IN ANY EQUIPMENT SUPPLIED BY SAID CONTRACTOR EXCEPT FOR THE
LABOR TO REMOVE AND REINSTALL AS PER MANUFACTURERS INSTRUCTIONS FOR
THE PERIOD OF ONE YEAR FROM COMPLETION OF PROJECT.

THE PROPOSAL INCLUDES:

Install Conduit and run wiring for relocation of VFD and Filter units. Mount units.
Run wiring from new VFD location to motor pit
Run Wiring for Low Voltage and Control

TOTAL LABOR AND MATERIAL \$7,487.00

ROBERTS ELECTRIC, INC.
 P.O. Box 3869
 804 4th Ave. South
 Hailey, Idaho 83333
 Phone 208-788-3238
 Fax 208-788-3273

Ketchum Wastewater
 Run Conduit and power to relocate 3 VFD
 units

DESCRIPTION	QUANTITY.
=====	

BID INCLUDES:	
2" EMT	40
2" EMT 90	2
2" EMT Set Screw Connector	2
2" EMT Coupling	5
2" Ground Bushing	2
2" Strap	8
1" EMT	40
1" EMT Set Screw Connector	30
1" EMT Coupling	8
1" T Conduit Body	2
1" LL Conduit Body	1
1" LB Conduit Body	3
1" Conduit Body Cover	3
1" Conduit Body Gasket	3
1" Chase Nipple	3
1" Strap	10
6x6x72" Hinged Wireway	1
6x6 End Cap	2
1-5/8" Strut	10
Ground distribution Block	1
#6 THHN Wire	1400
#12 THHN	1260
Shielded Cat-5e	90
Anchor Package	1
TOTAL BID:	\$7,487.00
TOTAL RETAIL	\$4,079.22
INSP.	\$208.00
FREIGHT	
RENTAL FEES	
LABOR	\$3,200.00
BID	\$7,487.22



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Enter into Mutual Assistance Agreement 20513 for Fire and other Emergencies

Recommendation and Summary

Staff is recommending the council provide authorization to the Mayor to sign Contract 20513 outlining mutual assistance responsibilities for fire response with the following motion:

“I move to approve Contract 20513 outlining mutual assistance responsibilities and authorize the Mayor to sign the contract.”

The reasons for the recommendation are as follows:

- The cities and fire districts of Blaine County had a mutual assistance agreement effective from 2011 through 2016. The City subsequently moved to an automatic aid agreement with Sun Valley and the Ketchum Rural Fire District.
- This agreement was re-written to clarify that assistance need only be provided to the extent that any agency can manage at a given time

Introduction and History

The cities and fire districts of Blaine County had a mutual assistance agreement effective from 2011 through 2016. That agreement had a clause to allow it to be renewed by mutual assent. Unfortunately, the agreement was never renewed and the fire agencies have been assisting each other without an agreement since 2016.

This agreement was re-written to clarify that assistance need only be provided to the extent that any agency can manage at a given time. No liability exists for any agency to provide assistance when, for example, they are already on another call; or for any other reason.

The agreement is for five years, but any agency may opt out with 30-days notice. As such it does not bind future councils to its terms.

Analysis

This request is for the City of Ketchum to approve and enter into this mutual assistance agreement.

Sustainability Impact

There is no sustainability impact arising from this agreement.

Financial Impact

Mutual Assistance reduces costs for fire protection by agreeing to help each other out. Without this agreement, costs could potentially rise if the city were to be forced to provide adequate staffing and equipment for all foreseeable emergencies.

Attachments

Attachment A: Contract 20513

**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

THIS BLAINE COUNTY MUTUAL ASSISTANCE AGREEMENT (“Agreement”) is made and entered into by and among the Cities of Ketchum, Sun Valley and Hailey, municipal corporations in the State of Idaho; the City of Bellevue, a chartered city, organized under the laws of the State of Idaho; the Friedman Memorial Airport Authority, an agency organized under the laws of the State of Idaho; Ketchum Rural Fire Protection District, Wood River Fire & Rescue Rural Fire Protection District, Carey Fire Protection District, West Magic Fire Protection District, and Smiley Creek Fire Protection District, fire protection districts organized under the laws of the State of Idaho.

WITNESSETH:

WHEREAS, each of the Parties maintain equipment and personnel who are trained to provide various levels of service in control of fire, fire prevention, emergency medical services, hazardous materials response and/or other emergency support; and

WHEREAS, in the event of a major fire, disaster or other emergency, each of the Parties may need the assistance of another Party or Parties to provide supplemental fire suppression, emergency medical service equipment and personnel, hazardous materials response and/or other emergency support; and

WHEREAS, the geographical area of each Party is located in such a manner as to enable each Party to render assistance to the other,

WHEREAS, an Agreement of this nature is authorized under Idaho Code § 67-2332;

THEREFORE, Subject to the terms of this Agreement to carry out the purposes and functions described above and in consideration of the benefits to be received and the covenants exchanged herein by the Parties, it is hereby agreed as follows:

1. Definitions:

- a. “Assisting Party” means a Party providing or requested to provide mutual aid within the jurisdictional boundaries of a Requesting Party.
- b. “Automatic Aid” means the assistance provided by an Assisting Party to a Requesting Party that is pre-authorized by the Assisting Party.
- c. “Emergency Incident” means any reported fire, emergency medical call, service call, rescue or hazardous materials incident requiring emergency response by a Party.
- d. “Mutual Aid” means the assistance provided by an Assisting Party to a Requesting Party on direct request of the Requesting Party.
- e. “Requesting Party” means a Party within whose jurisdiction an emergency incident has been reported and who has requested assistance of an Assisting Party.

2. **Mutual Aid.** Each Party agrees to provide Mutual Aid to another Party or Parties when requested; provided however that an Assisting Party shall provide Mutual Aid at its sole discretion and shall be excused from making equipment and personnel available in the event of a pre-existing or contemporaneous need within the Assisting Party's jurisdiction, or when insufficient resources are available to provide Mutual Aid. The decision to provide Mutual Aid shall be made by the Assisting Party at its sole discretion, which decision shall be final and conclusive.
3. **No Liability for Failure to Provide Mutual Aid.** No liability of any kind or nature, whether express or implied shall attributed or to be assumed by a Party, its duly authorized agents or personnel, for failure or refusal to provide Mutual Aid; nor shall there be any liability of any Party for withdrawal of Mutual Aid once provided, pursuant to the terms of this Agreement.
4. **Pre-Approval.** By signing this Agreement, the governing body of a Party is hereby deemed to have approved the provision of Mutual Aid beyond its political boundaries, and any Mutual Aid provided pursuant to this Agreement shall not require any further approval by the governing body of the Party.
5. **Mutual aid Period.** The extent of the Mutual Aid Period shall be twenty-four (24) consecutive hours from the time of initial dispatch of the emergency incident, unless extended by an additional agreement between the Parties. The initial dispatch shall be the first notification of any Party. A requesting Party may not circumvent the limitation on Mutual Aid by using the time of notification of any Assisting Party.
6. **Cost.** Each Party shall be responsible for all normal costs incurred in the performance of this Agreement through the end of the Mutual Aid period. Normal costs shall include wages, benefits, worker's compensation insurance, fuel, potable water, oxygen, medical supplies and similar consumable supplies. The Requesting Party shall be responsible for reimbursement or replacement of firefighting foam, or special extinguishing agents when such use is requested by the Requesting Party. Nothing in this Agreement shall prevent any or all of the Parties to this Agreement from recovering the costs of emergency services provided by the Parties of this Agreement from a private citizen, business or other entity, where such entity is deemed to be responsible for such costs. Funds recovered will be distributed in proportion to the Party's on-scene resources, by dividing the costs submitted by each Party by the total costs submitted by all parties multiplied by the total funds available.
7. **Personnel Status.** Nothing contained in this Agreement, and no performance of this Agreement by any agent or personnel of the Parties shall in any respect alter or modify the status of agent or personnel of the Parties for the purpose of employment, benefits, worker's compensation, or for any purposes or conditions of employment.
8. **Damages** Each Party assumes all liability and responsibility for damage to its own apparatus and equipment, except when such damage is directly caused by another Party to this Agreement. Each Party also assumes all liability and responsibility for any damage caused by its own apparatus and personnel while en-route to, or returning from, an Emergency Incident. No Party shall be liable or responsible for the personal property of any Party's personnel which may be lost, stolen or damaged while performing their duties under this Agreement.
9. **Incident Command System.** In order to facilitate a cooperative and organized effort on an incident, the National Incident Management System (NIMS) Incident Command

System (ICS) shall be used. The responding resources shall operate within the Incident Command System as assigned, provided that all personnel shall remain under the direct supervision of the officer in charge of their responding unit. If the Requesting party requests an Assisting Party to assume command, the requesting party shall not, by relinquishing command, be relieved of the responsibility for the incident.

10. Safety Turn Down. All personnel retain the right to decline assignments for reasons of safety, to include unsafe work practices, environmental conditions, inadequate training or experience, or inadequate or defective equipment. When feasible, the person or persons declining the assignment may identify safer alternatives or state the reasons for declining an assignment. The Assisting Party has the right to recall resources at any time to appropriately manage risk.

11. Not Exclusive. This Agreement is not intended to be exclusive between the Parties hereto. Any of the Parties may, as they deem necessary or expedient, enter into separate mutual assistance or mutual aid agreements with any other party or parties. Entry into such separate agreement shall not, unless specifically stated therein, affect any relationship or covenant herein contained. No such separate agreement shall terminate any responsibility hereunder unless notice shall be given pursuant to Section 11 of this Agreement.

12. Duration and Termination. This Agreement shall be in full force and effect for five (5) years from the date hereof, unless sooner terminated. No Party may modify this Agreement without the written consent of all current Parties to this Agreement. However, any Party may terminate its participation in this Agreement prior to expiration as follows:

a. Written notice shall be served by any Party hereto upon all other Parties of its intention to terminate its participation in this Agreement. Such notice shall be served not less than thirty (30) days prior to the termination date set forth therein and a copy shall be forwarded to each Party hereto. Said notice shall automatically terminate the Agreement as to the Party giving notice on the date set.

b. Termination of the Agreement between the Parties affected by such initiation shall not affect the continuation of the Agreement as to any Party hereto not indicating intention to withdraw as provided herein

13. Miscellaneous Provisions.

a. Paragraph Headings. The headings in this Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any of the provisions of the Agreement.

b. Provision Severable. Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the Agreement.

c. Rights and Remedies are Cumulative. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude nor waive its rights to use any or all other remedies. Any rights provided to the parties under this Agreement are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

- d. Entire Agreement. This Agreement contains the entire agreement between the Parties respecting the matters herein set forth and supersedes all prior agreements between the Parties hereto respecting such matters.
- e. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Idaho.
- f. Preparation of Agreement. No presumption shall exist in favor of or against any Party to this Agreement as a result of the drafting and preparation of the document.
- g. No Waiver. No waiver of any breach by any Party of the terms of this Agreement shall be deemed a waiver of any subsequent breach of the Agreement.
- h. Effective Date. This Agreement is effective as to each party as to the date of the signature of each Party who have signed this Agreement regardless whether all the Parties listed herein have executed this Agreement.
- i. Counterparts. This agreement may be executed in counterparts, and each counterpart shall be deemed an original.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties hereto as of the date below written.

**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Neil Bradshaw	Mayor, City of Ketchum	Date
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Robin Crotty	Clerk, City of Ketchum	Date
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Bill McLaughlin	Chief, Ketchum Fire Department	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Peter Hendricks	Mayor, City of Sun Valley	Date
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Nancy Flannigan	Clerk, City of Sun Valley	Date
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Chief Taan Robrahn	Chief, Sun Valley Fire Department	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

_____ Jay Bailet	Chair, Wood River Fire Protection District	Date
_____ Stephany Jaskowski	Clerk, Wood River Fire Protection District	Date
_____ Chief Ron Bateman	Chief, Wood River Fire Protection District	Date

**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Fritz Haemmerle	Mayor, City of Hailey	Date
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Mary Cone	Clerk, City of Hailey	Date
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Chief Mike Baledge	Chief, Hailey Fire Department	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Christopher Koch	Mayor City of Bellevue	Date
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Amanda C. Karst	City Clerk/Administrator, City of Bellevue	Date
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Greg Beaver	Chief, City of Bellevue Fire Department	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Jed Gray	Chair Ketchum Rural Fire District	Date
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Trish Smith	Clerk, Ketchum Rural Fire District	Date
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Rich Bauer	Chief, Ketchum Rural Fire District	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Dale Stocking	Chair, Carey Rural Fire Protection District	Date
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Richard Kimball	Chief, Carey Rural Fire Protection District	Date
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**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Chair, Smiley Creek Fire District Date

Scott Williams Chief, Smiley Creek Fire District Date

**BLAINE COUNTY
MUTUAL ASSISTANCE AGREEMENT**

This Mutual Assistance Agreement is to address fire and other emergencies that are within the lands of Blaine County Idaho. This agreement shall be executed by the parties as of the date of the signing.

APPROVED BY:

Friedman Memorial Airport Authority Date

Friedman Memorial Airport Authority Date



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation To Approve Agreement 20514 Between Blaine County School District and the City of Ketchum

Recommendation and Summary

Staff is recommending the Council approve Agreement 20514 and adopt the following motion:

I move to authorize the Mayor to sign Agreement 20514

The reasons for the recommendation are as follows:

- Blaine County School District requires this Agreement to be signed as a condition of the City using the School District facilities and fields for City recreation programs.

Introduction and History

The attached agreement is required for all users of School District facilities and fields. The City recreation programs take place on School District facilities and fields at Atkinson Park. In order for the City programs to continue using the facilities, this agreement must be signed.

Financial Impact

There is no financial impact associated with this recommendation.

Attachments:

Agreement 20514

CONTRACT FOR USE OF BLAINE COUNTY SCHOOL DISTRICT NO. 61
FACILITIES AND FIELDS

BUILDINGS AND FACILITIES WAIVER OF LIABILITY AND INDEMNITY
AGREEMENT

READ THIS DOCUMENT CAREFULLY – BY SIGNING THIS AGREEMENT, YOU
GIVE UP CERTAIN RIGHTS AND ASSUME CERTAIN RESPONSIBILITIES:

I, _____, an agent or officer, acting for and on behalf of _____ for and in consideration of the use of the facilities and fields of the Blaine County School District No. 61 scheduled through the Community Campus located at 1050 Fox Acre Road, do by this document agree, on behalf of myself and the organization which I represent, to indemnify and hold harmless any employee, officer, servant, or agent of the Blaine County School District, including elected or appointed officials, and persons acting on behalf of the Blaine County School District in any official capacity, temporarily or permanently in the service of the Blaine County School District, whether with or without compensation, from any and all manner of action or actions, cause or causes of action, suits, injuries, or any other claim or demands arising out of the use of any facility of the Blaine County School District No. 61.

THE UNDERSIGNED FURTHER AGREES:

1. To indemnify and hold harmless the Blaine County School District, its agents, employees and assigns from all manner, action or actions, cause or causes of actions, suits, injuries or any other claims or demands that may arise from any act or omission by an employee, agent, representative or any person acting for or on behalf of Blaine County School District concerning any claim, cause of action, suit, injury or demand arising out of the organization's use of the facilities of the Blaine County School District.
2. To provide the Blaine County School District with proof of insurance in the form of a Certificate of Insurance. The Certificate of Insurance must show a minimum limit of liability coverage of \$1,000,000 per occurrence. The Certificate of Insurance must also evidence coverage for this agreement in the form of Blanket Contractual Coverage or name the Blaine County School District as an Additional Insured. A copy of the Certificate of Insurance must be attached to this agreement prior to using or occupying the premises.
3. Neither the undersigned nor the organization which it represents shall be entitled to contribution or indemnification, or reimbursement for legal fees and/or expenses from the Blaine County School District for any action, cause, suit, claims or demands brought against the organization arising out of the use of the facilities of the Blaine County School District.

4. To immediately notify the Blaine County School District of any conduct or circumstances which bring about an injury to persons or tangible property, describing the injury or damage to tangible property, stating the time and place the injury or damage which occurred, and stating the names of all persons involved.
5. To reimburse the Blaine County School District for any damages or losses caused by the organization's use of the school facilities, and agrees to promptly pay for said damages.
6. To obtain an individual waiver of liability from each participant in any program that involves the use of any facility of the Blaine County School District if said waiver of liability is required by the Blaine County School District.
7. Lessee's decision use or continue to use the premises in conformance with the purposes of its Lease Agreement with the Blaine County School District, despite the presence of known or suspected risks of injury or harm caused by third person actions and/or environmental conditions, including but not limited to infection of employees and/or customers and/or clients as a result of exposure to COVID-19, is solely and exclusively Lessee's decision, and the Blaine County School District shall be defended, indemnified and held harmless in the event of any legal action or other proceeding seeking damages as a result of exposure to such risks of harm. All such use is at Lessee's own risk.
8. By Lessee's agreement to Lease, occupy and offer for the use of the premises to the public, the Blaine County School District in no way, makes any representation or warranty, whether express or implied, that the use contemplated by Lessee is safe, nor does the Blaine County School District represent or warrant, whether express or implied, that such use does not carry with it the risk of harm or disease caused by third person actions and/or environmental conditions, including but not limited to infection of employees and/or customers and/or clients as a result of exposure to COVID-19. All such use is at Lessee's own risk.
9. In the event the Blaine County School District shall be required to initiate legal action to enforce any and all terms of this agreement, the undersigned, on behalf of its organization, agrees to reimburse the Blaine County School District for all legal expenses and costs reasonably incurred.
10. This agreement may not be changed orally, but only by an agreement in writing and signed by the party against whom enforcement of any waiver, change, modification or discharge is sought.
11. This agreement shall be governed by the laws of the State of Idaho.

12. In the event any provision of this agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this agreement.

This agreement shall be binding on the heirs, personal representatives, successors and assigns of the parties to this agreement.

DATED this _____ day of _____, 20____, at _____, Idaho.

School Official Representing
Blaine County School District

Signature of Person Responsible

Organization



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Consideration and Approval of 2020 Special Events and Park Reservations

Recommendation and Summary

On May 18, City Council agreed to review and approve park reservation and special event applications and require them to submit a COVID plan. This report provides the required information for the Spika wedding welcome party, Wood River Jewish Community Sunday School, Todd Rippo Memorial and Muller/Will wedding ceremony. All three of the park reservations are for small events with a maximum of 25 participants. The street party (special event) is in a space that can accommodate a much larger socially distanced group. It is recommended the council approve or deny the following applications and adopt the following motions:

"I move to approve/deny the park reservations and special event application for the Spika wedding welcome party, Wood River Jewish Community Sunday School, Todd Rippo Memorial and the Muller/Will wedding ceremony."

The reasons for the recommendation are as follows:

- Ketchum City Council requested the authority to review and approve all 2020 Special Events and Park Reservations.
- All applicants have developed and submitted a COVID plan.

Introduction and History

Currently under the Stage 4 of Idaho Rebounds, non-essential travel is permitted to locations that allow it and do not have ongoing transmission. **Idaho public health experts recommend that organizers postpone or cancel mass gatherings and public events if the event will draw participants from communities, states, or countries that are currently experiencing confirmed substantial community spread of COVID-19 disease.**

On May 26, the State of Idaho issued interim guidance for safe gatherings and public events, with planning recommendations during and after Stage 4. Idaho is currently in Stage 4 due to the Governor's extension of those protocols and guidelines. The protocols direct event planners to use the practices outlined in the previous stages, which include allowing for groups larger than 50 people where physical distancing of six feet can be maintained for employees and attendees, wearing cloth face coverings in public places, providing adequate sanitation services, ensuring frequent disinfection of event location and regular cleaning of high-touch surfaces, limiting close interactions with attendees, among others. Planners should also know the level of disease transmission in

the local community and the level of transmission in the areas from which the attendees will travel from. This report provides details for each park reservation for Council's consideration.

Analysis

Spika Wedding Welcome Party

The Spika wedding welcome party is scheduled for Sunday, September 13, 2020 at Lucy Loken Park from 4pm to 6pm (including setup and cleanup). The expected number of participants is 25 and guests are all local residents.

As of August 31, the Idaho Division of Public Health reported 1,741 new cases of COVID in the last 7 days statewide. Blaine County reported 10 new cases in the week ending August 29. Total cases of COVID in Idaho have reached 31,867.

Using a 3-foot radius per person to establish social distancing, each individual occupies 28 square feet, allowing for 35 people per 1000 square feet. Using this formula, the maximum capacity for the proposed venue, assuming all attendees are socially distanced and not members of the same household/family unit, the capacity for the venue is 210 people.

Wood River Jewish Community Sunday School

The Wood River Jewish Community Sunday School is scheduled for the following Sundays at Rotary Park from 3:15pm to 5:45pm (including setup and cleanup):

- September 13, 2020
- October 4, 2020
- October 18, 2020

The expected number of participants is 25. All participants are residents of the Wood River Valley.

As of August 31, the Idaho Division of Public Health reported 1,741 new cases of COVID in the last 7 days statewide. Blaine County reported 10 new cases in the week ending August 29. Total cases of COVID in Idaho have reached 31,867.

Using a 3-foot radius per person to establish social distancing, each individual potentially occupies 28 square feet, allowing for 35 people per 1000 square feet. Using this formula, the maximum capacity for the proposed Rotary park venue is 108 people, assuming all attendees are socially distanced and not members of the same household/family unit.

Todd Rippo Memorial

The Todd Rippo Memorial is a street party scheduled for Saturday, September 19th from 1pm to 7pm (including setup and cleanup) on 4th Street between Washington and 1st Avenue. The expected number of participants is 150. All participants are residents of the state of Idaho.

As of August 31, the Idaho Division of Public Health reported 1,741 new cases of COVID in the last 7 days statewide. Blaine County reported 10 new cases in the week ending August 29. Total cases of COVID in Idaho have reached 31,867.

Using a 3-foot radius per person to establish social distancing, each individual potentially occupies 28 square feet, allowing for 35 people per 1000 square feet. Using this formula, the maximum capacity for the proposed 4th Street

venue is 439 people, assuming all attendees are socially distanced and not members of the same household/family unit.

Muller/Will Wedding Ceremony

The Muller/Will wedding ceremony is scheduled for Saturday, October 17, 2020 at Lucy Loken Park from 2pm to 7pm (including setup and cleanup). The expected number of participants will be 25 maximum and will include local residents and out of state guests arriving from Portland, Oregon.

As of August 22, the Oregon Health Authority reported 1,704 new cases of COVID in the last 7 days statewide. In that same week, 58 new cases were reported in Multnomah County. Total cases of COVID in Oregon have reached 26,713.

As of August 31, the Idaho Division of Public Health reported 1,741 new cases of COVID in the last 7 days statewide. Blaine County reported 10 new cases in the week ending August 29. Total cases of COVID in Idaho have reached 31,867.

Using a 3-foot radius per person to establish social distancing, each individual occupies 28 square feet, allowing for 35 people per 1000 square feet. Using this formula, the maximum capacity for the proposed venue, assuming all attendees are socially distanced and not members of the same household/family unit, the capacity for the venue is 210 people.

Sustainability Impact

There is no sustainability impact.

Financial Impact

There is no financial impact.

Attachments:

Idaho Rebounds Interim Guidance for Safe Gatherings & Public Events
Spika Wedding Welcome Party COVID Plan
Wood River Jewish Community Sunday School COVID Plan
Todd Rippo Memorial COVID Plan & Site Plan
Muller/Will Wedding Ceremony COVID Plan

The Idaho Department of Health and Welfare (DHW) and the seven local public health districts have developed guidance to assist with decisions regarding gatherings and public events during the COVID-19 pandemic and stages of the Rebound Idaho plan. We understand that events must be planned well in advance and some event timelines extend beyond the current Stage 4 of the Rebound Idaho plan. Idaho's ability to advance from one stage to the next is dependent on gating criteria (<https://rebound.idaho.gov/stages-of-reopening/>) being met, which requires control of the spread of COVID-19.

There is currently no vaccine to prevent COVID-19. Until such time as a vaccine is available or there is sufficient population immunity to the virus, community mitigation and personal accountability measures must be taken. Mass gatherings highly influence virus activity. It is recommended that all future plans for gatherings beyond the stages of the Rebound Idaho plan should be planned with cancellation or postponement contingencies. Idaho public health experts, DHW and all local Public Health Districts, will support any decision to postpone or cancel gatherings and public events in order to protect Idahoans and those who visit Idaho.

For the purpose of this guidance, mass gatherings and events are defined as a public gathering for business, social, academic or recreational activities including, but not limited to, community, civic, public, educational, leisure, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities. Specific examples may include, but are not limited to, weddings, graduations, large theater performances, rallies, car shows, reunions, races, holiday celebrations, rodeo championships, adult and youth sports tournaments.

ALL STAGES

Everyone Should:

- Engage in physical distancing of at least six feet
- Wear cloth face coverings in public places
- Stay home if sick
- Practice good hand hygiene
- Cover coughs and sneezes
- Disinfect commonly touched surfaces and objects regularly

Event Planners & Organizers Should:

- Check in with their local public health district periodically leading up to the event to understand the current community risk for exposure to COVID-19
- Host events outdoors, if possible
- Maintain the six-foot physical distancing requirements for employees and attendees
- Provide adequate sanitation and personal hygiene for employees, vendors, and attendees
- Ensure frequent disinfection of the event location as well as regular cleaning, especially of high-touch surfaces
- Identify how personal use items such as masks, cloth face coverings, and gloves may be required by employees, vendors, and/or attendees
- Provide services and event activities while limiting close interactions with attendees

CONTINUES ON NEXT PAGE

Event Planners & Organizers Should:

- Identify strategies for addressing ill employees, such as the following:
 - Require COVID-19 positive employees to stay at home while infectious
 - Symptoms of COVID-19 include muscle aches, a fever of 100.4 °F or higher, cough, sore throat, and shortness of breath
 - Keep employees who were directly exposed to the COVID-19 positive employee away from the workplace
 - Closure of the event location until the location can be properly disinfected
- On a case-by-case basis, include other practices appropriate for specific types of events, such as screening of employees for illness and exposures upon work entry, requiring non-cash transactions, etc.
- Identify and address potential language, cultural, and disability barriers associated with communicating COVID-19 information to event staff and participants.

Idaho public health experts recommend that organizers (whether groups or individuals) postpone or cancel mass gatherings and public events in any of the following situations:

- The event will draw audiences or participants from communities, states, or countries that are currently experiencing confirmed substantial community spread of COVID-19 disease. Your local public health district can assist you in making this determination.
 - Refer to the county map provided by the Centers for Disease Control and Prevention (CDC) to see if an area (county) they are from has higher rates than the overall rate for Idaho: <https://www.cdc.gov/covid-data-tracker/index.html>
- The event’s primary audience includes or may expose high-risk populations, including adults over the age of 65 years and people with underlying chronic medical conditions like heart or lung disease or diabetes, regardless of the number of attendees.

STAGE 2 (first stage allowing gatherings):

In addition to the above guidance,

- Use technology (e.g., webinar, video conferencing, live stream, etc.) as a way to gather people or a way to augment a gathering to minimize the risk of COVID-19 exposure when possible
- Allow for groups of 10 people or less where physical distancing of six feet can be maintained
- Consider directing attendees to seating or standing areas that are already properly distanced
 - Use signage and barrier protection to limit movement and maintain distancing and direct the flow of traffic
 - Limit tables to groups of six
 - Space tables appropriately to keep patrons six feet apart while seated and moving in and out of chairs
 - If stadium seating is being used, use barriers or signage to appropriately physically distance families
- Limit entrances and exits to the event to control the flow of attendees
 - Consider separate entrances and exits to the event
 - Mark where people line up to keep attendees six feet apart while waiting
 - Open gates or doors to events early to allow for orderly entrance to event

- Post signs at entrance stating that if attendees have a fever or other COVID-19 symptoms, they are prohibited from entering
- Utilize on-line ticket sales, required sign-ups and/or RSVPs for crowd management
- Provide COVID-19 prevention supplies to event staff and participants
 - Make sure that events have supplies for event staff and participants, such as hand sanitizer that contains at least 60 percent alcohol, tissues, trash baskets, disposable facemasks, cleaners and disinfectants
- Dedicate staff members to disinfect high contact surfaces throughout the establishment and disinfect tables between parties
- If food is being served at an event, refer to Stage 2 Restaurant Protocols

STAGE 3:

In addition to the above guidance:

- Allow for groups between 10 – 50 people where physical distancing of six feet can be maintained

STAGE 4:

In addition to the above guidance:

- Allow for groups larger than 50 where physical distancing of six feet can be maintained
- If concession services are provided, prohibit in-stand concession sales and buffet-style serving areas
 - Concession services should be limited to vending and walk-up services that can provide for appropriate physical distancing while patrons wait in line

PLANNING FOR AFTER STAGE 4:

Idaho's public health officials cannot predict what the threat of COVID-19 will be across the state in July, August, September, and beyond or make recommendations many weeks or months in advance on attendee size, postponing, or canceling of events. For event planners who choose to move forward with planning events over the summer and fall of 2020, events should be planned using the practices outlined above in this guidance. In addition to the above:

- Be aware of any legal orders in place, which will be posted at <https://coronavirus.idaho.gov>
- Know the level of disease transmission in your local community and the level of transmission in the areas from which your attendees will travel (consult with your local public health district)
 - Refer to the county map provided by the Centers for Disease Control and Prevention (CDC) to see if an area (county) they are from has higher rates than the overall rate for Idaho: <https://www.cdc.gov/covid-data-tracker/index.html>
- Stay in regular communication with your potential patrons about the status of COVID-19 in the state and in your area and any cancellation or change in the venue
- Identify and address potential language, cultural, and disability barriers associated with communicating COVID-19 information to event staff and participants
- Develop a contingency plan that addresses scenarios you may encounter during the COVID-19 outbreak
 - Identify actions to take if you need to postpone or cancel events
 - Develop flexible refund policies for participants
 - Determine if the event can be convened in a different manner such as a virtual event

Resources

Event Planning and COVID-19: Questions and Answers. <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/event-planners-and-attendees-faq.html>

Get Your Mass Gatherings or Large Community Events Ready. <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>

Centers for Disease Control and Prevention Guidance on Mass Gatherings. <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>

Centers for Disease Control and Prevention. Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplace, Businesses, Schools and Homes: <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>

Centers for Disease Control and Prevention. Guidance on Disinfecting: <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

EPA list of COVID-19 effective disinfectants: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

Submission information

Form: [COVID-19 Plan for Events & Park Reservations](#) [1]
Submitted by Visitor (not verified)
Fri, 08/14/2020 - 10:54am
174.247.147.29

Idaho Rebounds Guidance

Acknowledgement

By checking this box, I confirm that I have reviewed the Idaho Rebounds Guidance for Safe Gatherings and Public Events in Idaho.

Event/Reservation Information

What is the name of your event/reservation?

Private gathering [Spika Wedding Welcome Party](#)

Where will the event/reservation take place?

Lucy Loken Park

How many participants will attend?

25

From which states/regions will participants be arriving from?

Sun Valley only

What are your protocols for participants arriving from COVID hotspots?

Social distance

Where will participants be staying if they are non-residents?

All live in town.

Will you allow participants to attend who are experiencing COVID symptoms?

No

Will you provide face masks, hand sanitizer, hand washing stations or gloves for participants?

Yes, or attendees will bring their own.

Who will provide food/beverage at your event/reservation (if applicable)?

We will provide dessert and drinks.

Have your food/beverage providers issued assurance that they will follow state-issued and CDC protocols that are in place during your event/reservation (if applicable)?

N/A

Have your event contractors (tents, tables, chairs, portable toilets, florists, band/dj, etc.) provided assurance they will be following state-issued and CDC protocols that are in place during your event?

N/A

Site Plan

Upload Site Plan Here

Terms & Conditions

Signature

Mallory Spika

Acknowledgement

By checking this box, I understand and agree to the above terms.

Submission information

Form: [COVID-19 Plan for Events & Park Reservations](#) [1]
Submitted by Visitor (not verified)
Wed, 08/26/2020 - 5:19pm
68.105.212.40

Idaho Rebounds Guidance

Acknowledgement

By checking this box, I confirm that I have reviewed the Idaho Rebounds Guidance for Safe Gatherings and Public Events in Idaho.

Event/Reservation Information

What is the name of your event/reservation?

WOOD RIVER JEWISH COMMUNITY

Where will the event/reservation take place?

ROTARY PARK

How many participants will attend?

25

From which states/regions will participants be arriving from?

WOOD RIVER VALLEY

What are your protocols for participants arriving from COVID hotspots?

MASKS- SOCIAL DISTANCING- HANDS WASHING

Where will participants be staying if they are non-residents?

ALL ARE RESIDENTS

Will you allow participants to attend who are experiencing COVID symptoms?

NO

Will you provide face masks, hand sanitizer, hand washing stations or gloves for participants?

YES

Who will provide food/beverage at your event/reservation (if applicable)?

NO

Have your food/beverage providers issued assurance that they will follow state-issued and CDC protocols that are in place during your event/reservation (if applicable)?

N/A

Have your event contractors (tents, tables, chairs, portable toilets, florists, band/dj, etc.) provided assurance they will be following state-issued and CDC protocols that are in place during your event?

N/A

Site Plan

Upload Site Plan Here

Terms & Conditions

Signature

CLAUDIE GOLDSTEIN

Acknowledgement

By checking this box, I understand and agree to the above terms.

Submission information

Form: [COVID-19 Plan for Events & Park Reservations](#) [1]
Submitted by Visitor (not verified)
Wed, 09/02/2020 - 12:47pm
174.27.82.105

Idaho Rebounds Guidance

Acknowledgement

By checking this box, I confirm that I have reviewed the Idaho Rebounds Guidance for Safe Gatherings and Public Events in Idaho.

Event/Reservation Information

What is the name of your event/reservation?

Todd Rippo's Memorial

Where will the event/reservation take place?

Java on Forth, outside with 6' social distancing

How many participants will attend?

150

From which states/regions will participants be arriving from?

Locals only, residents of Idaho

What are your protocols for participants arriving from COVID hotspots?

All guests will be advised not to attend if they have any Covid symptoms or have been exposed to anyone who has Covid. Signs will be posted at the event as well as posted in the Mountain Express 3 days prior.

Where will participants be staying if they are non-residents?

N/A

Will you allow participants to attend who are experiencing COVID symptoms?

Absolutely not! Everyone will be informed not to attend if they are experiencing any symptoms.

Will you provide face masks, hand sanitizer, hand washing stations or gloves for participants?

Yes, face masks, gloves and hand sanitizer will be provided for all guests. Also signs will be posted to encourage 6' social distancing. In addition the DJ will make announcements on the PA system to remind guests of social distancing and masks must be worn.

Who will provide food/beverage at your event/reservation (if applicable)?

Java on Forth

Have your food/beverage providers issued assurance that they will follow state-issued and CDC protocols that are in place during your event/reservation (if applicable)?

Yes. Currently Java is following all necessary protocols for serving food and beverages. This event will be on the property of Java business and all CDC protocols are in place.

Have your event contractors (tents, tables, chairs, portable toilets, florists, band/dj, etc.) provided assurance they will be following state-issued and CDC protocols that are in place during your event?

Absolutely! We will be diligent in following all CDC protocols

Site Plan

Upload Site Plan Here

Terms & Conditions

Signature

Jan Haagen

Acknowledgement

By checking this box, I understand and agree to the above terms.

Source URL: <https://www.ketchumidaho.org/node/40911/submission/4781>


Links

[1] <https://www.ketchumidaho.org/administration/webform/covid-19-plan-events-park-reservations>




✕

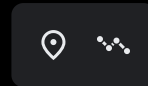
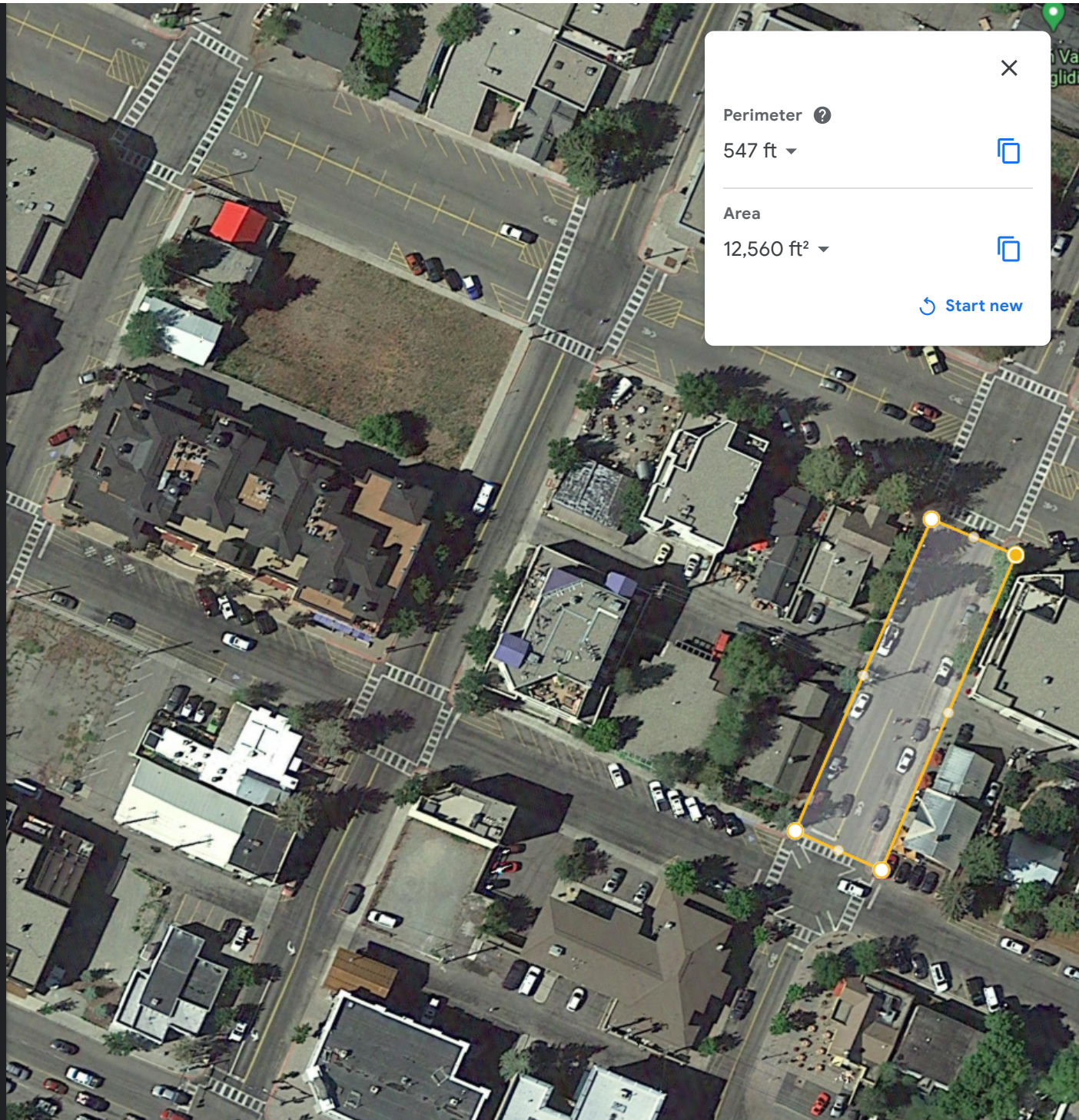
Perimeter [?]

547 ft ▾ 

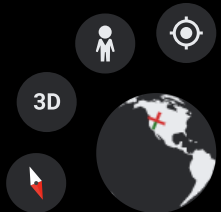
Area

12,560 ft² ▾ 

[↻ Start new](#)



Google  100%



Camera: 2,117 m 43°40'50"N 114°22'02"W 1,7

Memorial: Todd Ripppo, Sat, Sept 19th
2-6 pm

← First Ave →

← ALLEY →



PORTO POTTY
TRASH TRASH

TABLE
TABLE

TABLE

TABLE

TABLE

6 apart
with food
and beverages

JAVA ON FOURTH

DIS SET-UP
ON DECK
with microphone

HANDWASHING
STATION
MASKS, GLOVES, SANITIZER

PARKING

Street

SHADE
TENT

SHADE
TENT

Street



← Fourth St →
Closure



← Washington St →

Submission information

Form: [COVID-19 Plan for Events & Park Reservations](#) [1]
Submitted by Visitor (not verified)
Wed, 08/26/2020 - 4:16pm
66.210.44.59

Idaho Rebounds Guidance

Acknowledgement

By checking this box, I confirm that I have reviewed the Idaho Rebounds Guidance for Safe Gatherings and Public Events in Idaho.

Event/Reservation Information

What is the name of your event/reservation?

Muller/Will Wedding Ceremony

Where will the event/reservation take place?

Lucy Loken Park

How many participants will attend?

12 (original application stated 25 participants max)

From which states/regions will participants be arriving from?

Ketchum and Portland, Oregon

What are your protocols for participants arriving from COVID hotspots?

Two people are coming in to town from Portland and they will be tested when they arrive in Ketchum and will quarantine until they get their results

Where will participants be staying if they are non-residents?

In a hotel

Will you allow participants to attend who are experiencing COVID symptoms?

Absolutely not

Will you provide face masks, hand sanitizer, hand washing stations or gloves for participants?

Yes

Who will provide food/beverage at your event/reservation (if applicable)?

N/A

Have your food/beverage providers issued assurance that they will follow state-issued and CDC protocols that are in place during your event/reservation (if applicable)?

N/A

Have your event contractors (tents, tables, chairs, portable toilets, florists, band/dj, etc.) provided assurance they will be following state-issued and CDC protocols that are in place during your event?

Yes

Site Plan

Upload Site Plan Here

Terms & Conditions

Signature

Allyson Will

Acknowledgement

By checking this box, I understand and agree to the above terms.



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Restrictive Covenants for Properties with Work/Live Conditional Use Permits

Recommendation and Summary

Staff recommends the Ketchum City Council accept the Findings of Fact, Conclusions of Law, and Decision associated with each Conditional Use Permit that has been issued for Work/Live use in the city's light industrial zoning districts as the required restrictive covenant. Each covenant will then be recorded with the County Assessor.

Recommended Motion: "I move to approve use of the Findings of Fact, Conclusions of Law, and Decisions associated with Work/Live Conditional Use Permits P19-094, P19-096, P19-120, P19-134, P19-135, P20-001, P20-011 and P20-033 as restrictive covenants required by Ketchum Municipal Code, Title 17, Zoning, to be recorded for Work/Live uses."

The reasons for the recommendation are as follows:

- Work/Live as a Conditional Use, and associated development standards, were adopted by the City via Ordinance #1192 in 2019. Prior to ordinance #1192, there were no clear standards work Work/Live in the city's light industrial zones.
- The circumstances by which residential dwelling units can be offered for sale in the light industrial zones are limited; this is one of several intentional policy decision by Mayor and Council to mitigate the impact of residential use on light industrial uses in the LI zones. Work/Live units are permitted to be sold (either as condominium units or stand-alone buildings) provided a restrictive covenant is recorded against the property.
- The zoning code defines work/live unit as follow: Work/live units incorporate residential living space in a non-residential building. Work/live units are held jointly in common ownership and the work and live spaces cannot be sold or platted as separate condominiums, as documented with a City-approved restrictive covenant recorded against the property.
- Since the adoption of Work/Live standards the Planning and Zoning Commission has approved eight (8) Conditional Use Permits (CUPs) for Work/Live use. Each CUP issued is for a specific property and requires the residential occupant named in the permit to operate his or her business from the subject property in order for the CUP to remain valid. The "work" component of a Work/Live unit must also be a permitted use in the zoning district. Each CUP issued is also based on a specific floorplan, which delineates the "live" and "work" spaces; each floorplan is included with the Conditional Use Permit as an exhibit.
- Recording the Findings of Fact, Conclusions of Law, and Decision for each CUP will ensure the current owner, as well as any future potential buyer of the property, is aware of the conditions of approval for

the Work/Live CUP and is aware that the CUP is not transferrable to another owner or residential occupant/business. This will aid in compliance with the Conditional Use Permit.

- If the residential occupant or commercial operation within a unit or building that has a Work/Live Conditional Use Permit is proposed to change a new Work/Live Conditional Use Permit is required.
- Currently, Conditional Use Permits issued for residential apartment use in the LI are not required by the zoning ordinance to have a restrictive covenant recorded.

Financial Impact

None

Attachments

A. Findings of Fact, Conclusions of Law, and Decisions associated with:

CUP File Number	Project Name	Property Address	RPK
P19-094	Cerutti	471 E. 10th Street B9	RPK095300B0090
P19-096	Webb	251 Northwood Way Unit J	RPK0876000007A
P19-120	Glenn	491 E. 10th Street A12	RPK095300A0120
P19-134	Dean	471 E. 10th Street B2	RPK095300B0020
P19-135	Duval	491 E. 10th A17	RPK095300A0170
P20-001	10th Street Ventures, LLC	471 E. 10th Street B13	RPK095300B0130
P20-011	Loomis	100 Bell Drive	RPK04750000020
P20-033	Cherp	270 Northwood Way #201	RPK08840000201

Attachment A.

Findings of Fact, Conclusions of Law, and Decisions associated with:

CUP File Number	Project Name	Property Address	RPK
P19-094	Cerutti	471 E. 10th Street B9	RPK095300B0090
P19-096	Webb	251 Northwood Way Unit J	RPK0876000007A
P19-120	Glenn	491 E. 10th Street A12	RPK095300A0120
P19-134	Dean	471 E. 10th Street B2	RPK095300B0020
P19-135	Duval	491 E. 10th A17	RPK095300A0170
P20-001	10th Street Ventures, LLC	471 E. 10th Street B13	RPK095300B0130
P20-011	Loomis	100 Bell Drive	RPK04750000020
P20-033	Cherp	270 Northwood Way #201	RPK08840000201



**City of Ketchum
Planning & Building**

IN RE:)	
)	
Cerutti Work/Live	)	KETCHUM PLANNING AND ZONING COMMISSION
Conditional Use Permit	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: October 14, 2019	)	DECISION
)	
File Number: 19-094)	

PROJECT: Cerutti Work/Live Conditional Use Permit

FILE NUMBER: P19-006

APPLICANT: Dean Cerutti

REQUEST: Conditional Use Permit (CUP) for a work/live unit

LOCATION: 471 E. Tenth Street, Unit B-9 (Tenth St Light Industrial Complex, Building B, Unit 9)

ZONING: Light Industrial District No. 2 (LI-2)

OVERLAY: None

NOTICE: Notice was mailed to property owners within a 300-foot radius and was published in the Idaho Mountain Express on September 25, 2019. Notice was posted at the subject location and on the city website on October 7, 2019.

ATTACHMENTS: A. Floorplans

FINDINGS OF FACT

1. On October 14, 2019, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. This work/live unit consists of 815 square feet of residential dwelling use on the upper floor, 179 square feet of office space on the upper floor, and 1,558 square feet of light industrial use on the lower floor. The 815 square foot dwelling area is classified as the 'live' component and the office and light industrial floor area is classified as the 'work' component; see attached floor plans for reference.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a woodworking business being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant is applying for work/live approval under the provisions of the newly amended light industrial residential standards.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2: City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building: No comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3: Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.
			Staff Comments	<i>The application is for a work/live unit with the living area and working area (office space related to the business) located on the upper (lofted) floor and workspace located on the ground floor.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			<i>Staff Comments</i>	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			<i>Staff Comments</i>	<i>There are 13 units in Building B of the Tenth Street Light Industrial Complex consisting of 24,279 square feet (per Blaine County Assessor records).</i> <i>One additional Conditional Use Permit for the B building has been issued (P19-045, Good Medicine Pottery) for a work/live unit with 420.88 square feet of residential living area. This work/live unit proposes an 815 square foot living unit. Adding this 815 square foot residential area would result in 1,235 total residential square footage, equal to 5% of the square footage of the development.</i> <i>Within this particular work/live unit, 815 square feet of living area represents 32% of the total square footage of the wok/live unit (815 square feet of 2552 total square feet).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.
			<i>Staff Comments</i>	<i>This individually owned condominium is eligible for ownership because it is a work/live unit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	5. Work/Live Units: In the approval of work/live units, the City shall also find that: a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant; b. The work unit is: (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to

				<p>the work space shall be based on measurable findings, including but not limited to:</p> <p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</p> <p>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</p> <p>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			<p>Staff Comments</p> <p><i>Criteria 5b 1-5 and 5c 1-3 are met:</i></p> <p><i>B1. The property is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes.</i></p> <p><i>B2. Staff has spoken with the applicant the hours of operation will be posted.</i></p> <p><i>B3. The work area is served by a prominent means of access (front door)</i></p> <p><i>B4. The applicant has a valid business license with the City of Ketchum for a permitted use.</i></p> <p><i>C1. The size of the live component is less than 1,000 square feet (it is 815 square feet), and is less than the work component, which is 1,737 square feet (1558 square feet lower level, 179 square feet upper level; the 179 square foot office space is accessed from the stairwell that provides egress to the 815 square foot dwelling unit).</i></p> <p><i>C2. The means of access to the residential portion of the unit is not prominent (it is within the interior).</i></p> <p><i>C3. Parking requirements are met (1 space allocated for the residential use and 1 space for the light industrial operation). No concerns have been expressed by adjacent property owners regarding the work/live unit interfering with snow removal operations or the operation of other nearby businesses.</i></p> <p><i>The Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.124.090 A (6)</p>	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			<p>Staff Comments</p>	<p><i>N/A, this is a work/live unit.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>17.124.090 A (7)</p>	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p>

				<p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <p>a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;</p> <p>b. Separation of residential and light industrial parking on the site to minimize conflicts;</p> <p>c. Restrictions on exterior storage of personal property of tenants;</p>

				<p>d. Certificate of occupancy required prior to occupancy of units;</p> <p>e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;</p> <p>f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;</p> <p>g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;</p> <p>h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;</p> <p>i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,</p> <p>j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.</p>
			Staff Comments	<i>Conditions of approval are as noted in the decision section of this permit.</i>

Table 4: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>Staff Comments</i> The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is to, "provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public."</p> <p>The proposed work/live unit includes a permitted use, wood working, and the conditionally permitted residential use. The 10th Street Light Industrial Complex is comprised of individually owned condominium units, several of which have been converted to work/live uses in the past.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>Staff Comments</i> The building inspector and Fire Marshal have conducted a walk-through of this unit and found that it currently meets all life safety codes. The proposed light industrial use is an existing use within the unit and does not pose health, safety, or welfare concerns to the community.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>Staff Comments</i> The Tenth Street Light Industrial Complex has an adequately sized parking lot for the development. This unit is allocated two dedicated parking spaces. The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	<p>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</p> <p><i>Staff Comments</i> The work/live unit is within an existing development that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 2 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant’s Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission’s October 14th, 2019 public hearing and consideration of the applicant’s Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit on this 12th day of November, 2019 subject to the following conditions 1 - 10:

1. Hours of operation for the business shall be posted and remain posted;
2. The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms;
3. No residential use shall occur on the ground level (first floor);
4. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirement that residential dwellings do not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
5. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
6. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
7. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
8. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.

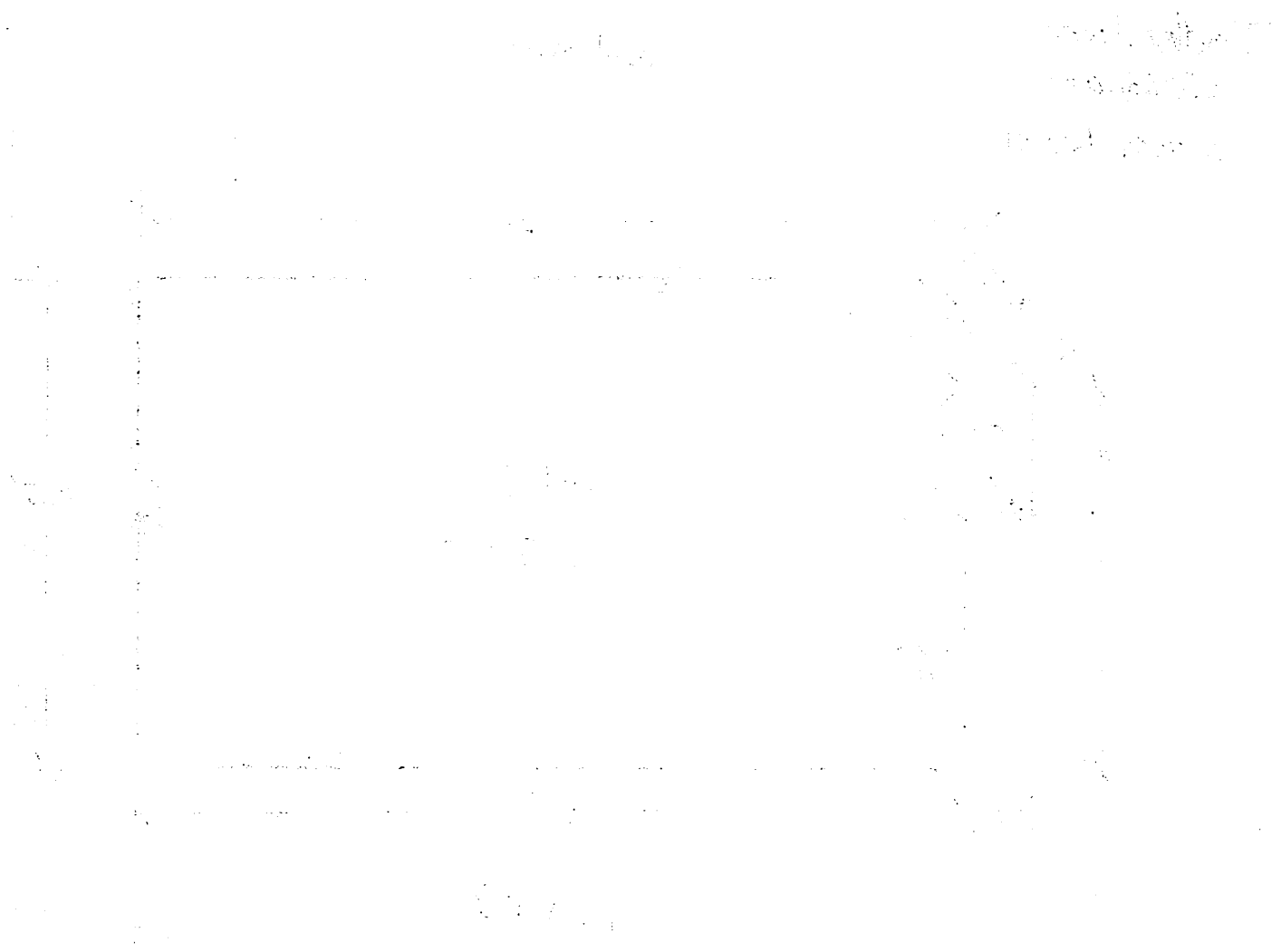
9. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.
10. The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Dean Cerutti, for the duration that Wood River Joiners is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.

Findings of Fact **adopted** this 12th day of November, 2019.

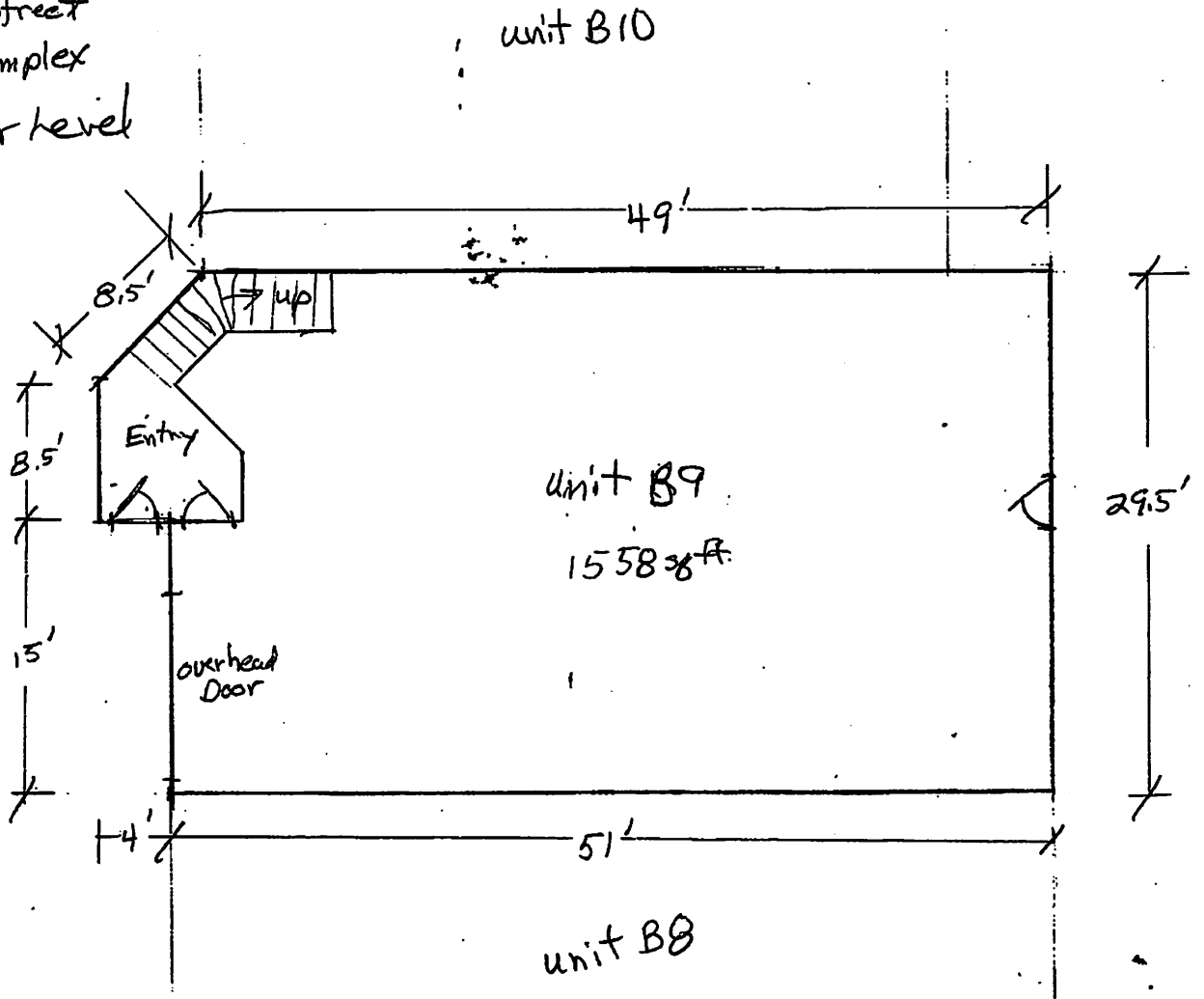


Neil Morrow
Chair
Planning and Zoning Commission

Attachment A.
Floorplans

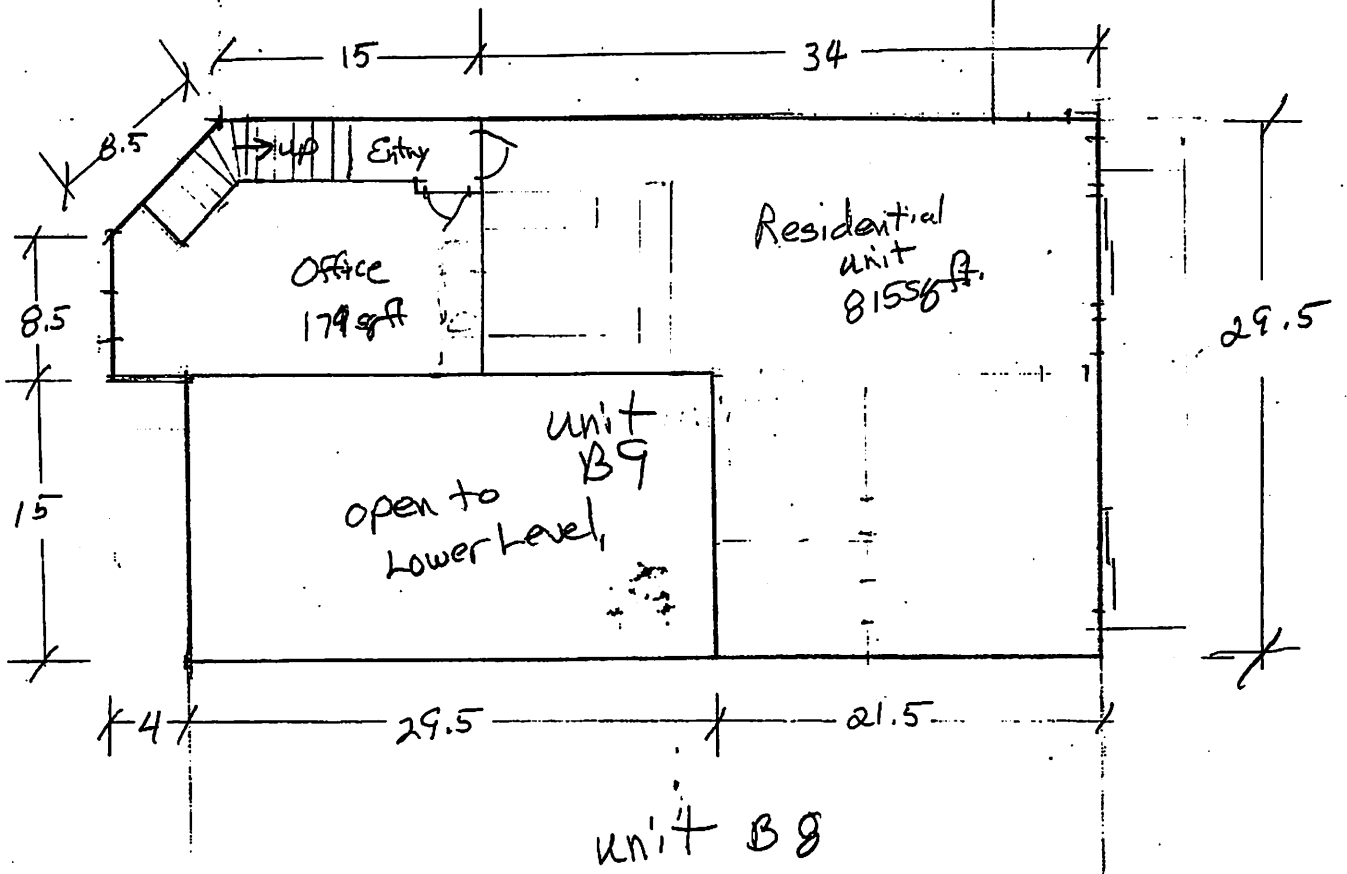


Tenth Street
LI Complex
Lower level



Tenth Street
LI Complex
upper Level

unit B10





**City of Ketchum
Planning & Building**

IN RE:)
)
 Webb Work/Live) **KETCHUM PLANNING AND ZONING COMMISSION**
 Conditional Use Permit) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
 Date: October 14, 2019) **DECISION**
)
 File Number: 19-096)

PROJECT: Webb Work/Live Conditional Use Permit

FILE NUMBER: P19-096

APPLICANT: Rob Webb

REQUEST: Conditional Use Permit (CUP) for a work/live unit

LOCATION: 251 Northwood Way, Unit J (Redwood Industrial Condo, Unit 7)

ZONING: Light Industrial District No. 2 (LI-2)

OVERLAY: None

NOTICE: Notice was mailed to property owners within a 300-foot radius and was published in the Idaho Mountain Express on September 25, 2019. Notice was posted at the subject location and on the city website on October 7, 2019.

ATTACHMENT: Floorplans

FINDINGS OF FACT

1. On October 14, 2019, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. The work/live unit consists of 1,000 square feet of residential dwelling use on the upper floor, 642 square feet of office use associated with the business on the upper floor, and 1,492 square feet of light industrial use on the ground floor.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The proposed use, a work/live unit with a bicycle repair/maintenance business being the work component, meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The proposed use is work/live.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2: City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fire: Owner has applied for a building permit to install required fire separation between the work and live spaces. Work has not yet started. Upon Certificate of Occupancy for completion of the work the unit will be in compliance.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: This is an existing building that is not being substantially improved. No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: No comments at this time.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building: Owner has applied for a building permit to install required fire separation between the work and live spaces. Work has not yet started. Upon Certificate of Occupancy for completion of the work the unit will be in compliance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3: Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	<p>Dwelling units shall not occupy the ground floor.</p> <p><i>Staff Comments</i> The application is for a work/live unit with the living area and part of the work area (office space related to the business) located on the upper floor and work space/storage related to the mobile bicycle repair business located on the ground floor.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	<p>Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.</p> <p><i>Staff Comments</i> Design Review is not required as this application does not change the exterior of the building.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	<p>Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.</p> <p><i>Staff Comments</i> This standard is primary for the Commission's attention and is intended to be met along with 17.124.090 A (5) c.1, which states the "live" square footage cannot exceed 1,000 square feet.</p> <p>The total square footage of the condominium unit, per the Blaine County Assessor records, is 3135 square feet with 1,492 square feet on the ground floor (48% of the unit's square footage) and 1,642 square feet on the upper floor (52%) of the unit's square footage.</p> <p>The owner/applicant has expressed that a portion of the upper story's floor area is used for office work related to the business. However, the upper story's floorplan does not clearly define (physically, with separation such as a wall) the boundaries between "working" and "living".</p> <p>When the new work/live standards for work/live in the light industrial standards were developed it was not specified that there shall be physical separation between work and live spaces. However, the topic of physical separation has been discussed in the context of other light industrial residential proposals reviewed by the Commission with previous permits.</p> <p>As such, the Commission has the discretion to require physical separation or not. For this work/live unit physical separation between the work and live areas on the upper floor was not required. Although physical separation was not required, the code regulation that no more than 1,000 square feet of the upper floor be used for residential use remains in effect.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	<p>Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:</p> <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section;

				<p>d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965;</p> <p>e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.</p>
			Staff Comments	<i>This unit is eligible for individual ownership because it is a work/live unit.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	<p>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</p> <p>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</p> <p>b. The work unit is:</p> <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <ul style="list-style-type: none"> (1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet; (2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and (3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.
			Staff Comments	<p><i>Although physical separation delineating 1,000 square feet of residential use on the upper floor from work use on the upper floor was not required, the regulation remains in effect. No more than 1,000 square feet of the upper floor shall be used for residential use.</i></p> <p><i>17.124.090.A.5.b.4 – The owner has maintained a sales tax permit with the City of Ketchum for a number of years but during this process it was discovered that the owner did not have a business license with the city. Rob Webb has applied for a Ketchum business license and the license is pending approval at the time of this staff report due to an employee with the clerk's office being out of the office.</i></p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	<i>See 17.124.090 A (3) and A (5) for findings related to the 1,000 square foot living area regulation.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted</p>

				<p>community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			<i>Staff Comments</i>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			<i>Staff Comments</i>	<i>The applicant currently works and lives within the unit, is aware of the nature of the light industrial zone and is aware of the other standards within this section.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			<i>Staff Comments</i>	<i>The applicant is required one parking space for the residential unit and two parking spaces for the work square footage. There are two interior parking spaces and several exterior parking spaces allocated to the unit.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			<i>Staff Comments</i>	<i>Conditions of approval are as noted in the decision section of this permit.</i>

Table 4: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>Staff Comments</i></p> <p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is to, "provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public."</i></p> <p><i>Many permitted light industrial uses, such as manufacturing, maintenance service facilities, repair shops, and motor vehicle service, may not occur elsewhere within the City of Ketchum, and these uses are largely permitted by-right in this district by right. In contrast, residential dwellings are permitted by Conditional Use Permit only – in order to both mitigate the impact of residential uses on light industrial operations and to ensure the proposed residential will be located and constructed in such a manner that existing light industrial has limited negative externalities on it.</i></p> <p><i>The proposed work/live unit includes a use that aligns with the LI zoning districts, a bicycle repair/maintenance business, and the conditionally permitted residential use.</i></p> <p><i>The Redwood Industrial Condominium building is a fully-sprinklered, modern condominium building (built 1990) that has adequate indoor and outdoor parking for owners/tenant and business patrons. The building has one other work/live unit (Unit 8,</i></p>

				<p>which was permitted under a prior version of the zoning code in 2011) and residential occupancy and commercial occupancy on the same floor and ground floor have co-existed since that time.</p> <p>The proposed live/work use is not unreasonably incompatible with the types of uses permitted in this district.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>Staff Comments</i> The building inspector and Fire Marshal have conducted a walk-through of this unit and identified the lack of adequate fire separation between the work and live spaces. The unit owner has applied for a building permit (B19-089) to install two self-closing fire rated doors and additional drywall that will provide adequate fire separation. This building permit has been approved but construction has not yet commenced.</p> <p>As a condition of approval staff recommends requiring that the scope of work approved with the building permit be complete by January 1, 2020 and that all building and fire code requirements, including the installation of a handrail on the stairway, are met. Upon receipt of the Certificate of Occupancy or Certification of Completion the work/live unit will not endanger the health, safety, and welfare of the public.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>Staff Comments</i> The Redwood Industrial building has an adequately sized parking lot, defined curb cuts providing ingress and egress to the parking lot and has sidewalk along the street frontage. The work/live use is not anticipated to generate a high volume of trips as an integral part of the business model is traveling to clients' homes and performing bicycle maintenance off-site. As such, hazards to pedestrian and vehicular traffic will not be generated by this proposal.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	<p>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</p> <p><i>Staff Comments</i> The existing building and this unit are adequately served by public facilities and services. Use of this unit for the proposed live/work will not adversely affect the delivery of public services to the surrounding area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	<p>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.</p> <p><i>Staff Comments</i> As described in Table 2 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</p>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant's Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission's October 14th, 2019 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;

5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit on this 12th day of November 2019 subject to the following conditions 1 - 11:

1. The Conditional Use Permit is non-transferable;
2. Hours of operation for the business shall be posted and remain posted;
3. The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms;
4. No residential use shall occur on the ground level (first floor);
5. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirement that residential dwellings do not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
6. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
7. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
8. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
9. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
10. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.
11. The unit, as evidenced by a Certificate of Occupancy or Completion, shall meet all building and fire codes, including the requirement that handrail(s) for the staircase providing access to the upper floor be installed. Work shall be complete by January 1, 2020.

Findings of Fact **adopted** this 12th day of November 2019.

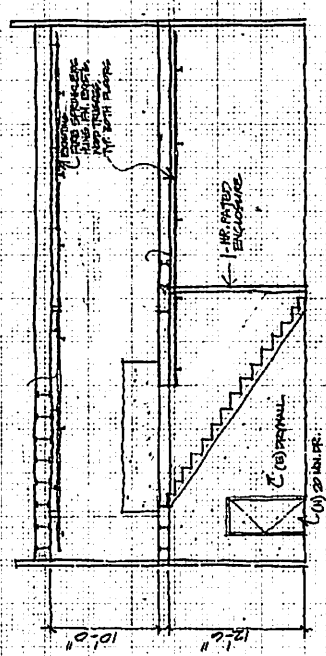


Neil Morrow
Chair
Planning and Zoning Commission

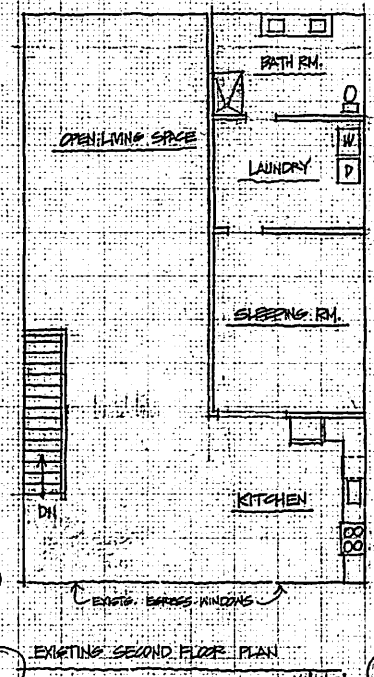
Attachment A.

Floorplans

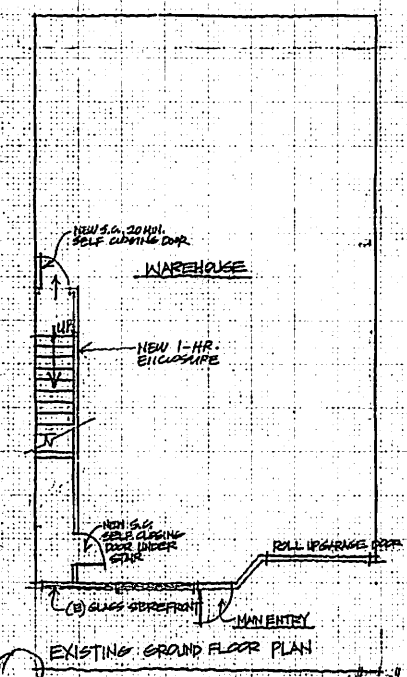
NO.	DESCRIPTION	DATE
1	AS SHOWN	
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	



BUILDING SECTION



EXISTING SECOND FLOOR PLAN



EXISTING GROUND FLOOR PLAN

221 NORTHROAD WAY, UNIT 7
CITY OF KETCHIKAN

10/27/17
10/27/17
T.B.M.
1/18



City of Ketchum
Planning & Building

IN RE:)	
)	
Scott Glenn Acting Studio Work/Live Unit	)	KETCHUM PLANNING AND ZONING COMMISSION
Conditional Use Permit	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: December 9, 2019	)	DECISION
)	
File Number: 19-120)	

Findings Regarding Application Filed

PROJECT: Scott Glenn Acting Studio Work/Live Conditional Use Permit

FILE NUMBER: P19-120

OWNER: Scott & Carol Glenn

REPRESENTATIVE: Rio Glenn

REQUEST: Conditional Use Permit (CUP) for a Work/Live Unit

LOCATION: 491 E 10th Street A12 (Tenth Street Light Industrial Complex: Building A: Unit 12)

ZONING: Light Industrial Number 2 (LI-2) Zoning District

OVERLAY: None

NOTICE: Notice was mailed to property owners within a 300-foot radius and was published in the Idaho Mountain Express on October 23, 2019. Notice was posted at the subject location and on the city website on November 5, 2019. As of the publication of this Staff Report, the Planning & Building Department has received no public comment regarding this application.

Findings Regarding Existing Use & Work/Live Unit

1. Scott and Carol Glenn have applied for a Conditional Use Permit to bring into compliance an existing work/live unit within the LI-2 Zoning District. An actor starring in movies including Urban Cowboy and the Right Stuff, Scott Glenn has utilized the unit as an artist studio to rehearse, train, and write poetry for over 20 years. The use is classified as a commercial studio and is permitted within all three of the light industrial zoning districts.
2. Commercial Studios are defined by Ketchum Municipal Code §17.08.020 as follows:

Work space within an enclosed structure for artists and artisans, including individuals practicing, teaching, or demonstrating in one of the fine arts or performing arts, or skilled in an applied art or craft. Also includes recording studios. Incidental retail sales of items produced on

the premises is allowed. A commercial studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the commercial studio. The events shall be subordinate in nature to the commercial studio and subject to the standards of section 17.124.150 of this title (KMC §17.08.020).

3. Work/live units are a new category of residential use permitted in the light Industrial zoning districts, made possible through the light industrial zone amendments considered by the Planning and Zoning Commission and City Council in 2018 and 2019. Work/live units are permitted in the LI-2 zone provided a Conditional Use Permit for the live component is approved by the Planning and Zoning Commission.

4. Work/Live units are defined by Ketchum Municipal Code §17.08.020 as follows:

Work/Live units incorporate residential living space in a non-residential building. Work/live units are held jointly in common ownership and the work and live spaces cannot be sold or platted as separate condominiums, as documented with a City-approved restrictive covenant recorded against the property (KMC §17.08.020).

5. The existence of the work/live use was discovered during the City's publicized efforts to locate and bring non-conforming and unpermitted residential living spaces in the LI zones into compliance with building, fire, and zoning codes. The Building and Fire departments have inspected the subject unit and identified that the existing guardrails and handrails were noncompliant with International Building Code Sections 1011.5.2 and 1011.11, no egress window was provided within the sleeping area, and smoke detectors needed to be installed within the residential space. The applicant is remedying these code compliance issues identified by the Fire and Building departments.
6. Introduction of the new work/live category gives the Commission discretion to consider new site-specific characteristics of proposed work/live units on a case by case basis. Unlike other Conditional Use Permit applications for dwelling units or work/live units in the light industrial districts, this application is unique as the live space is not classified as a dwelling unit pursuant to Ketchum Municipal Code §17.08.020, which requires that dwelling units include a kitchen. The primary component of the live space is a bedroom within the upstairs loft, which is used for naps and occasionally as a bedroom for guests. The one bathroom that serves the unit is located on the ground floor within the commercial studio. As opposed to other Conditional Use Permits issued for residential spaces in the light industrial zoning district, this application would not conditionally permit a dwelling unit, but rather would conditionally permit the residential components associated with the existing commercial studio. The subject CUP will memorialize that the actor or occasional guests may sleep within the commercial studio, which will flag the subject unit A12 for residential occupancy for emergency services.
7. The Scott Glenn Acting Studio is a private commercial studio used by the property owner to practice the performing arts, which is a permitted use in the LI-2 Zone. The private practice of the fine and performing arts is expressly permitted in the definition of commercial studio pursuant to KMC §17.08.020. The work component associated with this Conditional Use Permit is for private use and not associated with a business that will be open to the public.
8. The residential or "live" areas include the bedroom within the upstairs loft and the ground floor bathroom. No physical separation is provided between the live and work components of the unit. As the live portion does not include a kitchen, the residential area is not classified as a dwelling unit pursuant to KMC §17.08.020. The bathroom on the ground floor serves both the commercial studio

work component and the live component. IF approved by the Planning & Zoning Commission, the subject CUP will not permit a distinct dwelling unit, but rather the CUP will permit a work/live configuration memorializing that the actor and occasional guests may sleep within the commercial studio.

Table 1. Findings Regarding Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The proposed use, a work/live unit with a commercial studio being the work component, meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The proposed use is work/live.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates a sleeping area into the light industrial area of an existing mixed-use building.</p>

Table 2. Findings Regarding City Department Comments

City Department Comments			
Compliant			City Department Comments
Yes	No	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fire: The sleeping area within Unit A12 requires the installation of an egress window and smoke detector. The property owner is currently working to remedy these code compliance issues.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: As the project does not qualify as a substantial improvement, no right-of-way improvements are required.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: As the project does not qualify as a substantial improvement, no utility improvements are required.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building: The existing guardrails and handrails were noncompliant with International Building Code Sections 1011.5.2 and 1011.11. The property owner is currently working to remedy these code compliance issues.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning:

Table 3. Findings Regarding Residential Units in Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.
			<i>Commission Findings</i>	<i>As the live component does not include a kitchen, the live space does not qualify as a dwelling unit as defined by Ketchum Municipal Code §17.08.020.</i> <i>The sleeping area is located within the upstairs loft. The living space is used for naps and occasionally as a room for guests who visit the area. The work/live unit includes one bathroom, which is located within the ground floor.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			<i>Commission Findings</i>	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			<i>Commission Findings</i>	<i>N/A</i> <i>As the live component does not include a kitchen, the live space does not qualify as a dwelling unit as defined by Ketchum Municipal Code §17.08.020.</i> <i>The total square footage of the condominium unit, per the Blaine County Assessor records, is 1,407 square feet. The bedroom is located within the upstairs loft. The bathroom is within the commercial studio on the ground floor.</i> <i>The Tenth Street Light Industrial Complex consists of two buildings A and B. The application does not add an additional dwelling unit to building A, but rather memorializes that the actor and guests may occasionally sleep within the commercial studio.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:
				<ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid

				residential conditional use permit prior to the adoption of this section as published.
			Commission Findings	<i>N/A as the Conditional Use Permit application does not include a discrete dwelling unit. The CUP memorializes a bedroom within an existing commercial studio. The Tenth Street Light Industrial Complex was developed and condominiumized as individually-owned units. Scott and Carol Glenn have owned the subject unit for over 20 years.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	<p>Work/Live Units: In the approval of work/live units, the City shall also find that:</p> <p>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</p> <p>b. The work unit is:</p> <p>(1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes;</p> <p>(2) Signed and posted with regular hours of operation;</p> <p>(3) Served by the prominent means of access for the work/live unit; and,</p> <p>(4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</p> <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</p> <p>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</p> <p>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			Commission Findings	<p>a) Scott Glenn's acting studio meetings the definition of a work/live unit as residential living areas, which include the bedroom, is located within the upstairs loft of his commercial studio or the work component.</p> <p>b) The work component of the live/work unit is Scott Glenn's private commercial studio, which is a permitted use in the LI-2 Zone. The commercial studio is not served by on-site employees and does not include customers. The work space is solely for Scott Glenn to practice the fine and performing arts, which is expressly permitted as a use in the LI-2 Zone. As conditioned, the unit will meet all Building and Fire codes as the property owner is currently addressing and remedying any outstanding code compliance issues.</p> <p>2. N/A as the work component is a commercial studio used solely by the property owner to practice the fine and performance arts.</p> <p>3. The commercial studio is served by the prominent means of access for the work/live unit.</p> <p>4. N/A the work component is a commercial studio used solely by the property owner practicing performance arts.</p> <p>c) The living area, which includes the bedroom within the upstairs loft, is secondary to the commercial studio.</p> <p>1. The size of the upstairs loft, which contains the bedroom, as well as the downstairs bathroom are less than 1,000 gross sq ft.</p>

				<p>2. The residential portion of the unit is accessed from stairs located on the side of the unit.</p> <p>3. Adequate parking is provided within the Tenth Street Light Industrial complex for the existing commercial studio.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (6)	<p>Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			<i>Commission Findings</i>	<i>N/A. As the live component does not include a kitchen, the live space does not qualify as a dwelling unit as defined by Ketchum Municipal Code §17.08.020.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			<i>Commission Findings</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p>

				d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.
			Commission Findings	<i>Scott Glenn has owned and used the subject unit as his commercial studio for over 20 years. The property owner is aware of the nature of the light industrial zone and is aware of the other standards within this section.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.
			Commission Findings	<i>The existing commercial studio does not host events for the public and is solely used by Scott Glenn in his practice of the fine and performing arts. Pursuant to KMC §17.125.020.A.1, off-street parking standards apply to new established uses. Scott Glenn has used the subject unit as his artist studio for over 20 years.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval: <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Commission Findings	<i>Recommended conditions of approval are specified in the Staff Report below. The Planning & Zoning Commission may attach additional conditions of approval to the Conditional Use Permit as specified by KMC §17.124.090.A10.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	Ketchum Municipal Code	City Standards and <i>Commission Findings</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Commission Findings	<p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is to, “provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public.”</i></p> <p><i>Many permitted light industrial uses, such as manufacturing, maintenance service facilities, repair shops, and motor vehicle service, may not occur elsewhere within the City of Ketchum, and these uses are largely permitted by-right in this district by right. In contrast, residential dwellings are permitted by Conditional Use Permit only – in order to both mitigate the impact of residential uses on light industrial operations and to ensure the proposed residential will be located and constructed in such a manner that existing light industrial has limited negative externalities on it.</i></p> <p><i>The proposed work/live unit includes a use that aligns with the LI zoning districts, a commercial studio, and the conditionally permitted residential use. Several work/live configurations have been issued for units within the 10th Street Light Industrial building. As such, the Commission finds that the proposed live/work use is not unreasonably incompatible with the types of uses permitted in this district.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	The conditional use will not materially endanger the health, safety and welfare of the community.
			Commission Findings	<i>The Building and Fire departments have inspected the subject unit and identified that the existing guardrails and handrails were noncompliant with International Building Code Sections 1011.5.2 and 1011.11, no egress window was provided within the sleeping area, and smoke detectors needed to be installed within the residential space. The applicant is remedying these code compliance issues identified by the Fire and Building departments.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			Commission Findings	<i>The applicant intends to use the space to practice the performing arts. As such, vehicular and pedestrian traffic associated with the use will be low-volume and is not anticipated to be hazardous or conflict with existing or anticipated traffic in the vicinity.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Commission Findings	<i>The Tenth Street Light Industrial complex was developed in 1981 and is adequately served by all public services. The existing building and this unit are adequately served by public facilities and services. Use of this unit for the existing commercial studio does adversely affect the delivery of public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Commission Findings	<i>As described in Table 1 o and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

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 Conditional Use Permit Application for the development and use of the project site.
2. The Commission has authority to hear the applicant's Conditional Use Permit Application pursuant to Chapter 17.116 of Ketchum Code Title 17.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
2. The Conditional Use Permit Application is governed under Ketchum Municipal Code Chapters 17.116, 17.12, and 17.124.
3. The proposed Conditional Use Permit application for the Scott Glenn Acting Studio Work/Live Unit CUP meets the standards of approval under Title 17 of KMC subject to conditions of approval.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application this Monday, November 12th, 2019 subject to the following conditions:

CONDITIONS OF APPROVAL

1. The Conditional Use Permit is non-transferable from parcel of land or condominium unit to another.
2. The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms.
3. Because of the mixed-use nature of this space, the Fire Marshal shall conduct routine inspections of the work/live building.
4. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff.
5. The Building Official and Fire Marshall shall conduct a field inspection to verify the installation of the required egress windows, handrails, guardrails, and smoke detectors. All code violations shall be remedied to the satisfaction of the City of Ketchum Building Official and Fire Marshall.
6. No kitchen, which as defined by KMC §17.08.020 is a room used for cooking of food containing a sink, refrigerator, and cooking facilities including a range or built-in cooktop, may be installed within unit A12.
7. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
8. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
9. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light

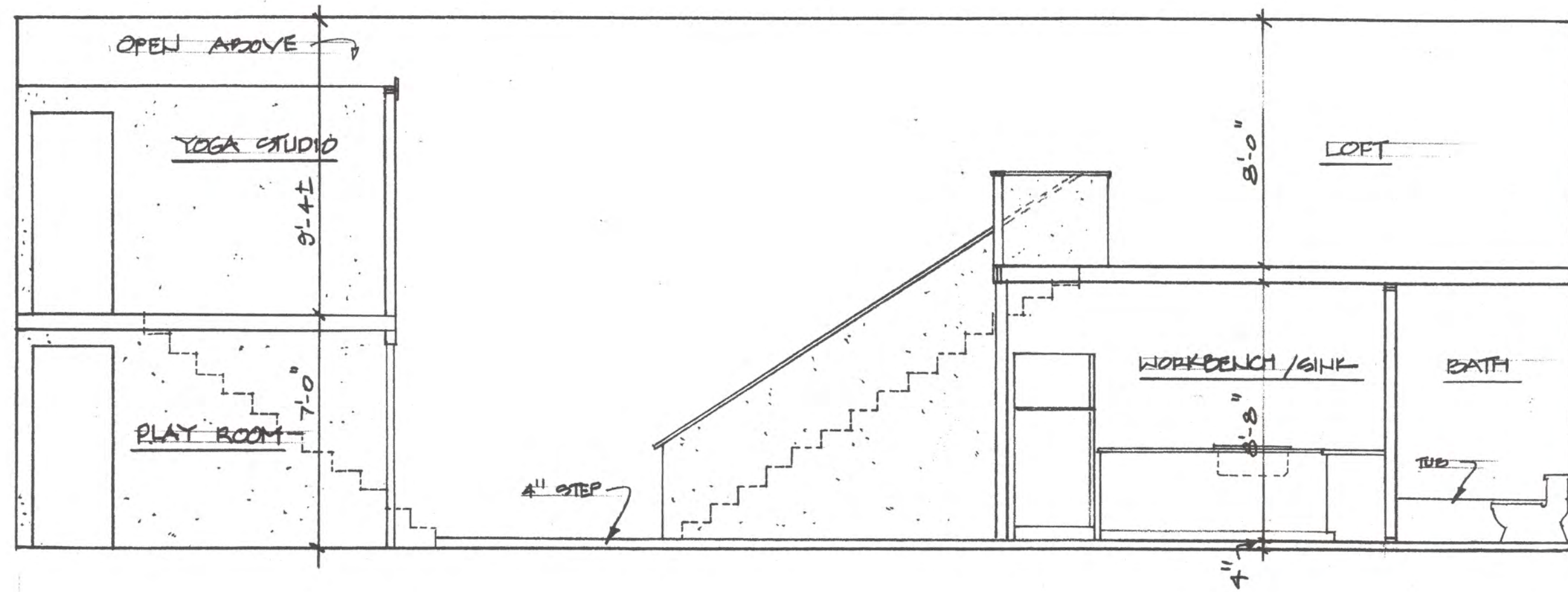
industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 9th day of December, 2019.



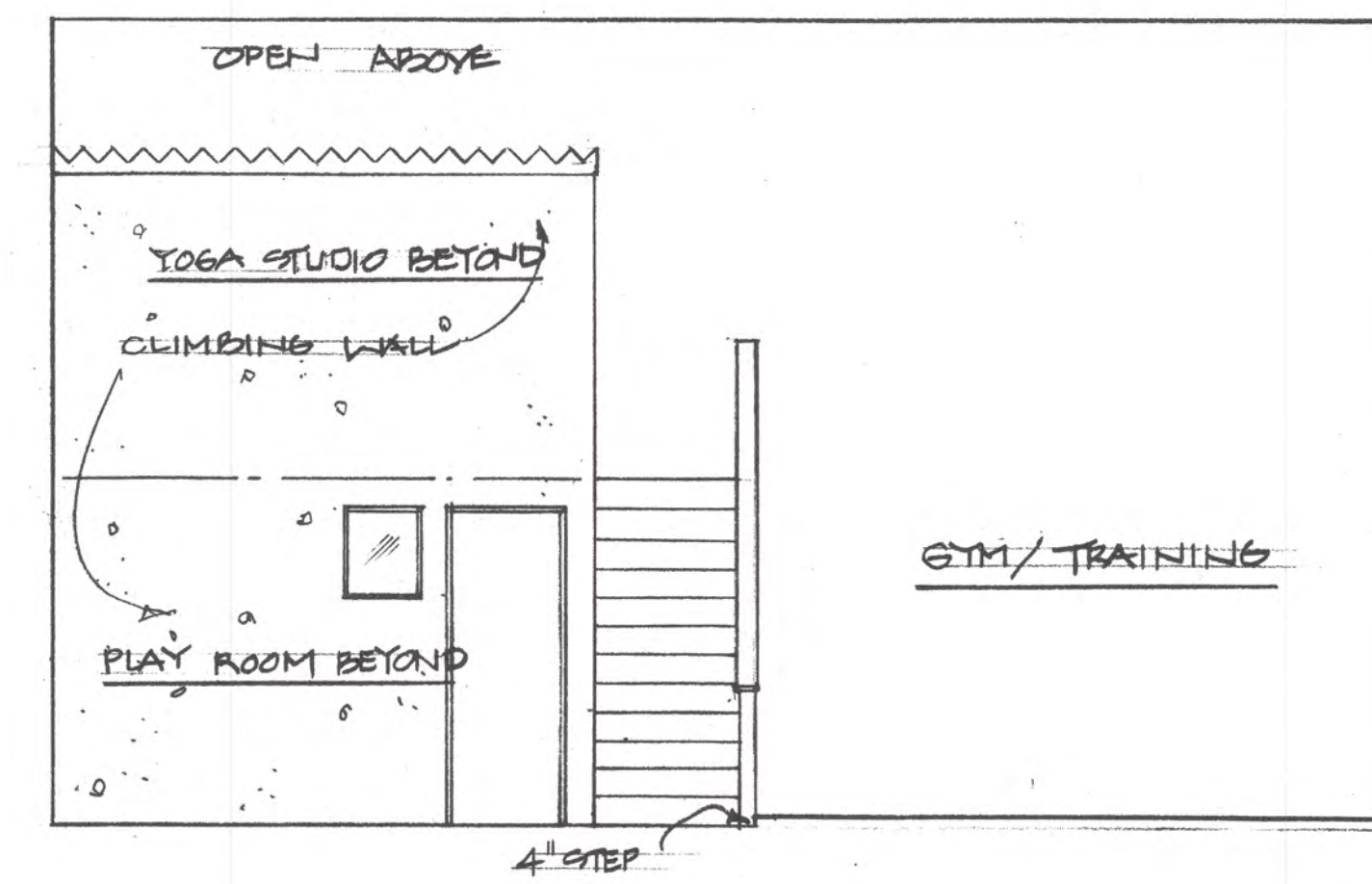
Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission

REVISIONS	BY



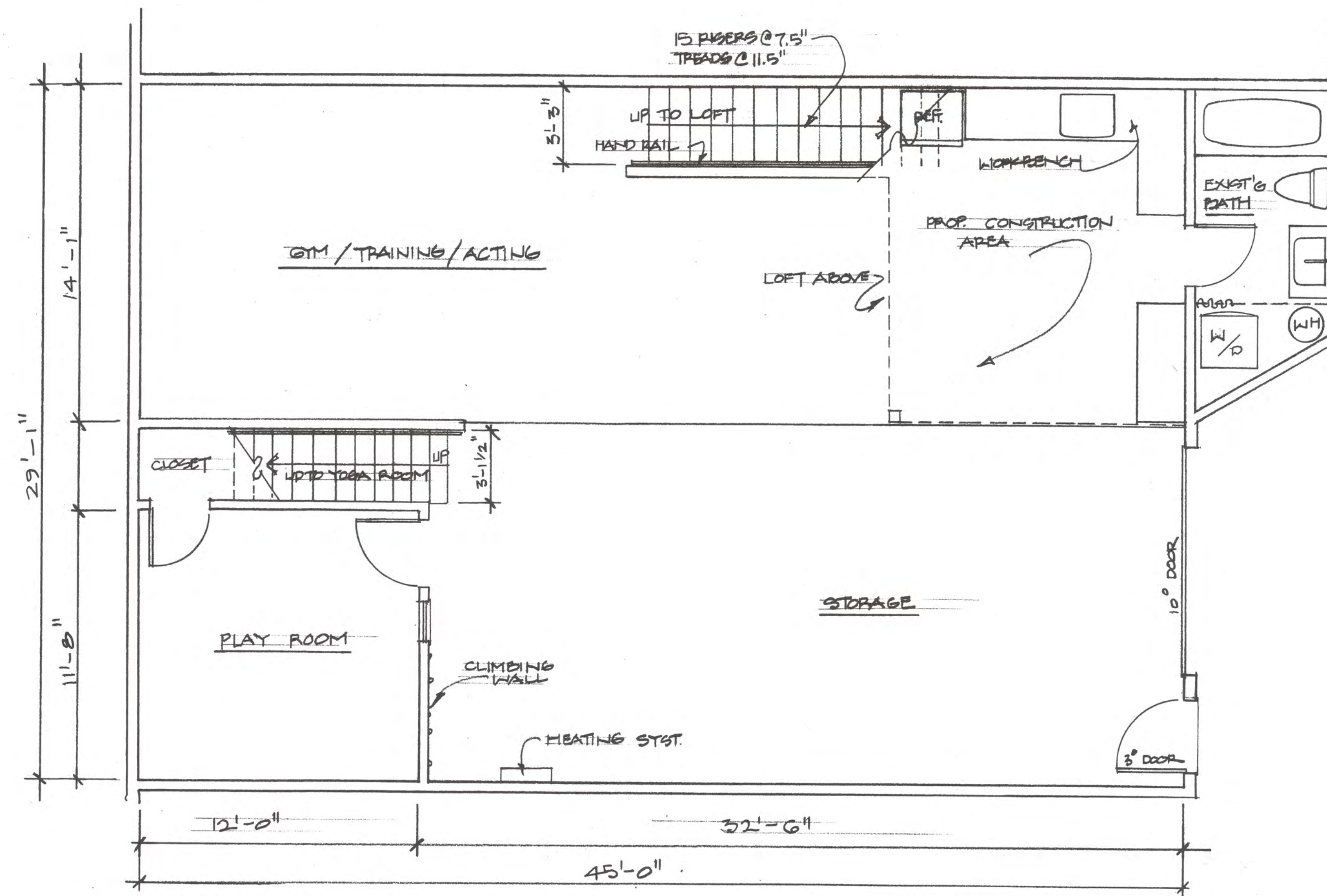
② CROSS SECTION

1/4" = 1'-0"



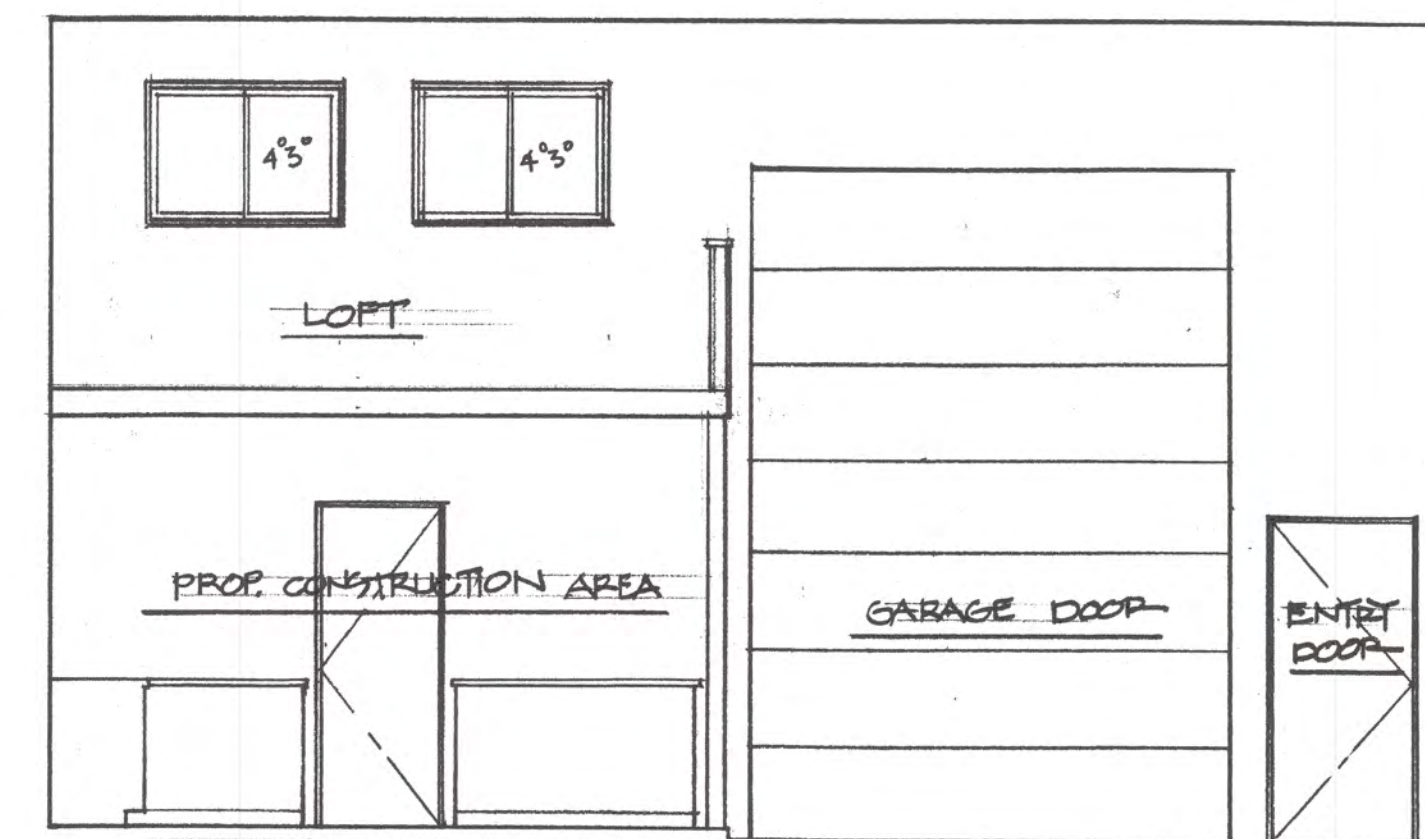
③ SECTION - (LOOKING NORTH)

1/4" = 1'-0"



① FLOOR PLAN

1/4" = 1'-0"



④ SECTION - (LOOKING SOUTH)

1/4" = 1'-0"

Susan Scovell
 SUSAN SCOVELL
 A R 1468
 Licensed
 Architect
 STATE OF IDAHO

SCOTT GLENN ACTING STUDIO
 491 EAST 10TH STREET A-12
 KETCHUM, IDAHO

Date	
Scale	
Drawn	
Job	
Sheet	
Of	
Sheets	



**City of Ketchum
Planning & Building**

IN RE:)
)
Dean Work/Live) **KETCHUM PLANNING AND ZONING COMMISSION**
Conditional Use Permit) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
Date: January 13, 2020) **DECISION**
)
File Number: 19-134)

PROJECT: Dean Work/Live Conditional Use Permit
FILE NUMBER: P19-134
OWNER: Tina Dean and Ryan Dean
APPLICANT: Tina Dean
REQUEST: Conditional Use Permit (CUP) for a work/live unit
LOCATION: 471 E. 10th Street Unit B2 (Tenth St Light Industrial Complex Bldg B Unit 2)
ZONING: Light Industrial District No. 2 (LI-2)
OVERLAY: None
NOTICE: Notice was published in the Idaho Mountain Express on December 25, 2019, was mailed to property owners within 300' on December 30, 2019, and was posted on site on January 6, 2020.
ATTACHMENT: As-built Floorplan

FINDINGS OF FACT

1. On January 13, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. The work/live unit consists of 926 square feet of residential dwelling use on the upper floor and 1,566 square feet on the ground-floor that consists of workspace and storage for the business. The total square footage of the unit is 2,492 square feet.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The proposed use, a work/live unit with a property management/cleaning business being the work component, meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The proposed use is work/live.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2. City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Fire: Living space on the second floor meets current fire code.</p> <p>There still needs to be a fire separation wall added between the garage and living space.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>City Engineer and Streets Department: This is an existing building that is not being substantially improved. N/A.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Utilities: This is an existing building that is not being substantially improved. N/A.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Building: Building has sprinkler system, but fire separation (sheetrock) between motor vehicle and residential occupancy needs to occur. Building Inspector requires sheetrock be installed no later than 12/31/2020.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Planning and Zoning: Comments are denoted throughout the Staff Report.</p>

Table 3. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.
			Staff Comments	<i>The application is for a work/live unit with the living area located on the upper floor and work space/storage related to the cleaning and property management business located on the ground floor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			Staff Comments	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			Staff Comments	<i>The unit's square footage is 37% residential (926 square feet of the 2,492 total square feet).</i> <i>There are 13 units in Building B of the Tenth Street Light Industrial Complex consisting of 24,279 square feet (per Blaine County Assessor records).</i> <i>There are two Conditional Use Permits for work/live in the complex, consisting of (P19-045, Good Medicine Pottery and P19-094, Cerutti) 1,236 square feet.</i> <i>This work/live unit would add an additional 926 square feet of residential square footage for a total of 2,162 square feet or 8.9% of the 24,279 square foot building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.
			Staff Comments	<i>This unit is eligible for individual ownership because it is a work/live unit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	5. Work/Live Units: In the approval of work/live units, the City shall also find that: <ul style="list-style-type: none"> a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant; b. The work unit is: <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation;

				<p>(3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</p> <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet; (2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and (3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			<i>Staff Comments</i>	<i>All standards have been met except 17.124.090A.5.b.2 (signing and posting of hours of operation), which has been included as a condition of approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			<i>Staff Comments</i>	<i>This standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines; b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings. (2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings. (3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due</p>

				<p>to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant currently works and lives within the unit, is aware of the nature of the light industrial zone, and is aware of the other standards within this section.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The applicant is required one parking space for the residential unit and one parking spaces for the work square footage. There is interior parking space and exterior parking space available for the unit. No concerns have been expressed by adjacent property owners regarding the work/live unit interfering with snow removal operations or the operation of other nearby businesses.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,

				j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Recommended conditions of approval are below.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>Staff Comments</i> The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is "established with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.</p> <p>The "work" use of the work/live unit, property management and cleaning, complies with the purpose of the LI-2 zoning district and is a permitted use in this zone. The combination of residential living with a permitted use, with the unit being occupied by the owner of the business, results in a use that will not be unreasonably incompatible with the other types of uses permitted in the zone.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>Staff Comments</i> The building inspector and Fire Marshal have conducted a walk-through of this unit and identified one deficiency: lack of adequate fire separation between the work and live spaces. Because the unit has a sprinkler system, the Building Inspector is okay with deferring installation of additional fire separation provided it is installed by December 31, 2020. This requirement has been included as a condition of approval of the work/live Conditional Use Permit.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>Staff Comments</i> The conditional residential use, being one residential unit, is not anticipated to be hazardous or conflict with existing and anticipated traffic in the neighborhood or the development.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	<p>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</p> <p><i>Staff Comments</i> The existing building and this unit are adequately served by public facilities and services. Use of this unit for work/live will not adversely affect the delivery of public services to the surrounding area.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 2 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant’s Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission’s January 13th, 2020 public hearing and consideration of the applicant’s Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit on this 13th day of January 2020 subject to the following conditions 1 - 11:

1. Adequate fire separation between the ground and upper floors shall be installed, as evidenced by receipt of a Building Permit and issuance of a Certificate of Completion, by December 31, 2020;
2. The Conditional Use Permit is non-transferrable to another property or property owner and the validity of the permit is dependent upon Dean & Company, or another permitted use in the LI-2 zoning district, remaining in operation;
3. Hours of operation for the business shall be posted and remain posted in accordance with KMC 17.124.090A.5.b.2;
4. The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms;
5. No residential use shall occur on the ground level (first floor);
6. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirement that residential dwellings do not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
7. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
8. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.

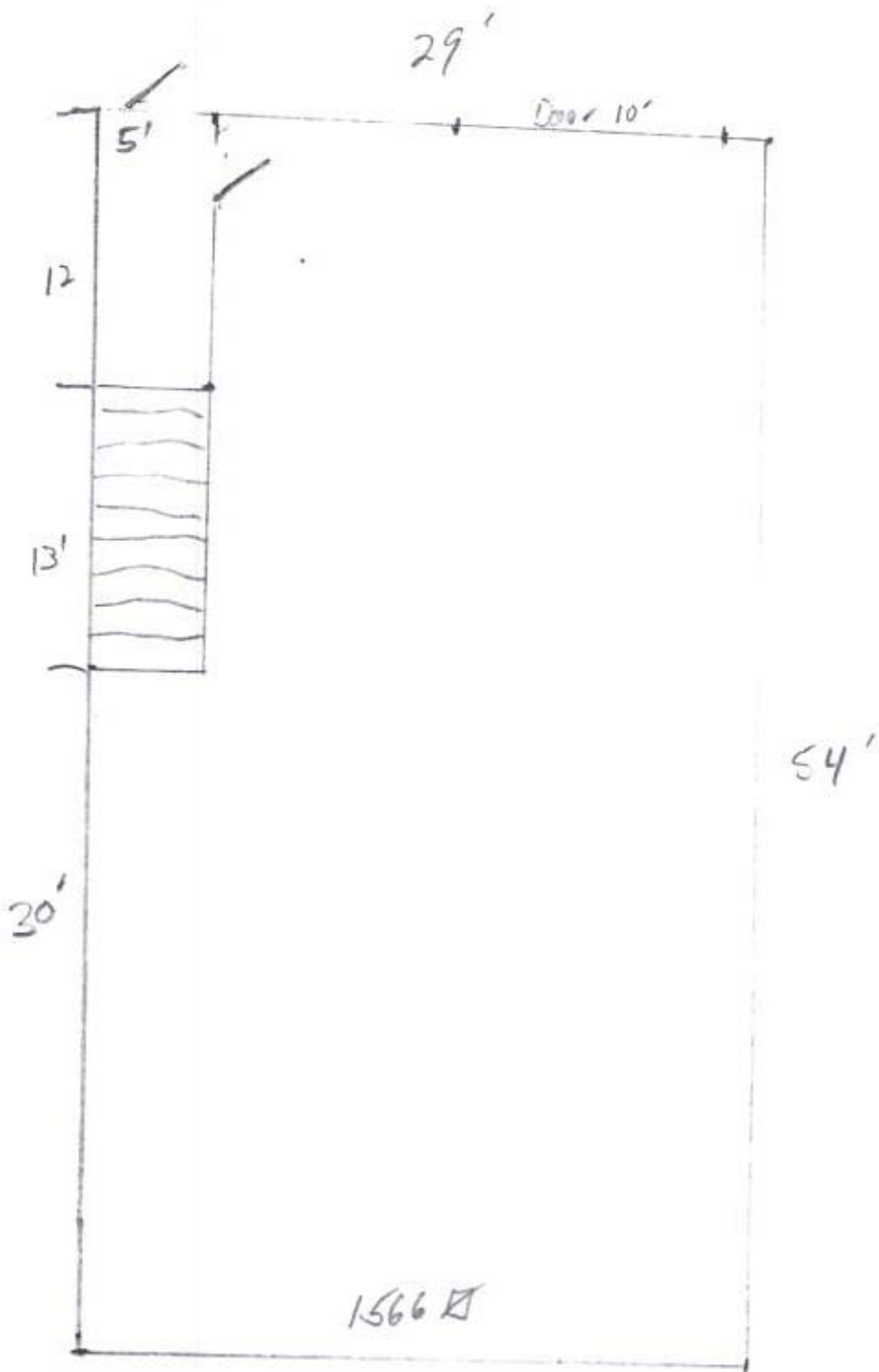
- 9.** All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
- 10.** Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
- 11.** All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 13th day of January 2020.

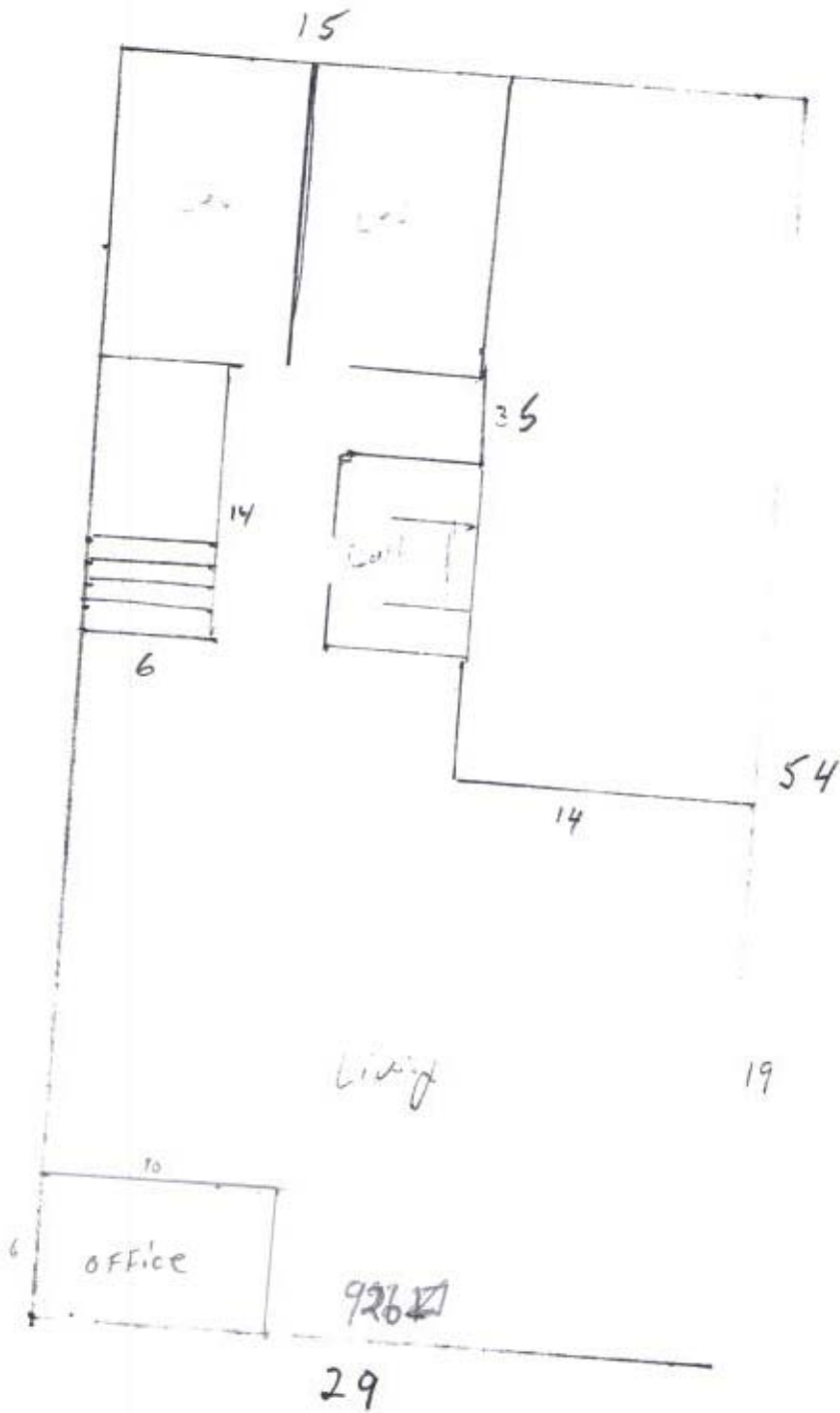


Neil Morrow
Chair
Planning and Zoning Commission

Down Stairs Industrial Area.



2nd floor Living Area





City of Ketchum
Planning & Building

IN RE:)	
)	
Duval Work/Live	)	KETCHUM PLANNING AND ZONING COMMISSION
Conditional Use Permit	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: January 13, 2020	)	DECISION
)	
File Number: 19-135)	

PROJECT: Duval Work/Live Conditional Use Permit

FILE NUMBER: P19-135

OWNER: Jon-Kristian A. Duval

APPLICANT: Jon Duval

REQUEST: Conditional Use Permit (CUP) for a work/live unit

LOCATION: 491 E. 10th Street Unit A17 (Tenth St Light Industrial Complex Bldg A Unit A17)

ZONING: Light Industrial District No. 2 (LI-2)

OVERLAY: None

NOTICE: Notice was published in the Idaho Mountain Express on December 25, 2019, was mailed to property owners within 300' on December 30, 2019 and was posted on site on January 6, 2020.

ATTACHMENT: As-built Floorplan

FINDINGS OF FACT

1. On January 13, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. The work/live unit has a 833 square foot upper-floor living space and a 950 square foot ground floor that consists of workspace and storage associated with the businesses. The total square footage of the unit is 1,783 square feet.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The proposed use, a work/live unit with commercial studio (art/graphic design) businesses being the work component, meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The proposed use is work/live.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2. City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire: No comment.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: This is an existing building that is not being substantially improved. N/A.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: This is an existing building that is not being substantially improved. N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: Unit is in compliance. No comment.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
			17.124.090 A (1)	Dwelling units shall not occupy the ground floor.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	<i>The application is for a work/live unit with the living area located on the upper floor and work space/storage located on the ground floor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			Staff Comments	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			Staff Comments	<i>46% of the work/live unit's square footage is devoted to residential use (833 of the 1,783 square feet).</i> <i>Building A of the Tenth Street Light Industrial Complex is comprised of 29,996 square feet. There is one existing Conditional Use Permit for residential use (P17-001, Knudson) in the building for a 461 square foot residential unit. Approval of this work/live CUP would result in 1,294 square feet of residential use, equal to 4.3% of the total square footage in the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.
			Staff Comments	<i>This unit is eligible for individual ownership because it is a work/live unit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	5. Work/Live Units: In the approval of work/live units, the City shall also find that: <ul style="list-style-type: none"> a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant; b. The work unit is: <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:

				<p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</p> <p>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</p> <p>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			Staff Comments	<p>Standards 17.124.090.A.5.a and c have been met. Standards 17.124.090.A.5.b.1 and 3 have been met.</p> <p>Standards 17.124.090.A.5.b.2 (signing and posting of business hours) is included as a condition of approval and compliance with 17.124.090.A.5.b.4 is pending as both businesses have applied for City of Ketchum business licenses.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	<p>This standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	<p>N/A</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p>

				<p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware of these standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The proposal is required one parking space for the residential unit and one parking space for the work square footage. There is space to accommodate one vehicle within the ground-floor of the unit and there are additional parking spaces located in the common parking area for the development.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Recommended conditions of approval are below.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code

A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:

Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is “established with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.</i></p> <p><i>The work component of the work/live unit is comprised of two businesses categorized as Commercial Studios and Commercial Studio is a permitted use in the LI-2 zoning district.</i></p> <p><i>The combination of residential living with this permitted use, and with the proposed residents being the owners of the businesses, results in a use that is not unreasonably incompatible with other types of uses permitted in the zone.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>There are no outstanding life safety code violations within the unit.</i></p> <p><i>Residential use within the unit will not materially endanger the health, safety and welfare of the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>The work/live use is not anticipated to generate a high volume of trips as both businesses are primarily design-based and on-site sales of products do not occur. As such, hazards to pedestrian and vehicular traffic will not be generated by this proposal.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	<p>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</p> <p><i>The existing building and this unit are adequately served by public facilities and services. Use of this unit for the proposed live/work will not adversely affect the delivery of public services to the surrounding area.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	<p>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.</p> <p><i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i></p>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;

2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant's Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission's January 13th, 2020 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

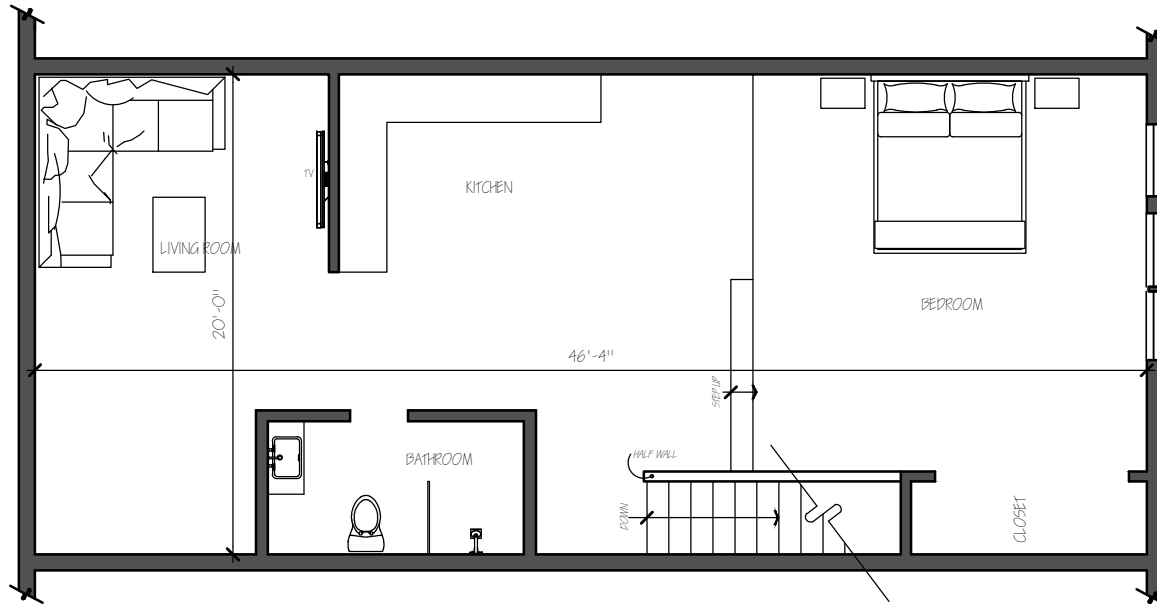
THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit on this 13th day of January 2020 subject to the following conditions 1 - 11:

1. The Conditional Use Permit is non-transferrable to another property and the validity of the permit is dependent upon Remy Road and/or 5 Atmospheres operating as a commercial studio.
2. Hours of operation for the business shall be posted and remain posted in accordance with KMC 17.124.090A.5.b.2;
3. The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms;
4. No residential use shall occur on the ground level (first floor);
5. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirement that residential dwellings do not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
6. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
7. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
8. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
9. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
10. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 13th day of January 2020.

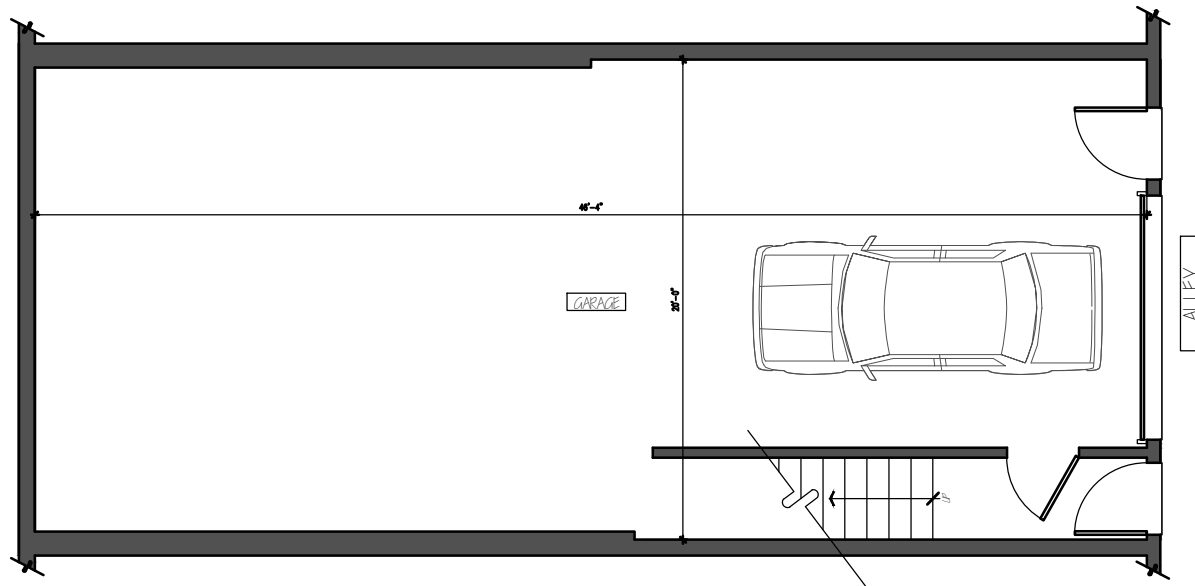


Neil Morrow
Chair
Planning and Zoning Commission



UPPER FLOOR PLAN

SCALE: 1/8" = 1'-0"



LOWER FLOOR PLAN

SCALE: 1/8" = 1'-0"

491 10TH ST. EAST UNIT A17
KETCHUM, IDAHO

SHEET:
A 1.0
PRINT ON 8X11
*Sight verify all dimintions.
NOT FOR CONSTRUCTION



**City of Ketchum
Planning & Building**

IN RE:)
)
10th Street Ventures Work/Live) **KETCHUM PLANNING AND ZONING COMMISSION**
Conditional Use Permit) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
Date: February 10, 2020) **DECISION**
)
File Number: P20-001)

PROJECT: 10th Street Ventures Work/Live Conditional Use Permit
FILE NUMBER: P20-001
OWNER: 10th Street Ventures LLC
APPLICANT: 10th Street Ventures LLC / Chris Heinz
REQUEST: Conditional Use Permit (CUP) for a work/live unit
LOCATION: 471 E. 10th Street Unit B17 (Tenth St Light Industrial Complex Bldg B Unit B13)
ZONING: Light Industrial District No. 2 (LI-2)
OVERLAY: None
NOTICE: Notice was published in the Idaho Mountain Express on January 22, 2020, was mailed to property owners within 300' on January 22, 2020, and was posted on site on January 31, 2020.
ATTACHMENT: Floorplans

FINDINGS OF FACT

1. On February 10, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district. 38% of the work/live unit's square footage is devoted to residential use (781 of the 2,047 square feet).

There are 13 units in Building B of the Tenth Street Light Industrial Complex consisting of 24,279 square feet (per Blaine County Assessor records). There are three additional Conditional Use Permits for work/live in the complex, consisting of 2,162 square feet (P19-045, Good Medicine Pottery, P19-094, Cerutti and P19-134, Dean).

This work/live unit adds an additional 781 square feet of residential square footage for a total of 2,943 square feet or 12.1% of the 24,279 square foot building.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The work/live unit represents a type of residential use envisioned by the Comprehensive Plan for the mixed-use industrial land use area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The proposed use is work/live.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2: City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: A fire extinguisher and smoke detectors need to be installed if not currently present.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: This is an existing building that is not being substantially improved. N/A.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: This is an existing building that is not being substantially improved. N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: Exit signage could help with occupant safety.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3: Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.
			<i>Staff Comments</i>	<i>The application is for a work/live unit with the living area located on the upper floor and work space located on the ground floor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			<i>Staff Comments</i>	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			<i>Staff Comments</i>	<i>38% of the work/live unit's square footage is devoted to residential use (781 of the 2,047 square feet).</i> <i>There are 13 units in Building B of the Tenth Street Light Industrial Complex consisting of 24,279 square feet (per Blaine County Assessor records).</i> <i>There are three Conditional Use Permits for work/live in the complex, consisting of (P19-045, Good Medicine Pottery, P19-094, Cerutti and P19-134, Dean) 2,162 square feet.</i> <i>This work/live unit would add an additional 781 square feet of residential square footage for a total of 2,943 square feet or 12.1% of the 24,279 square foot building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.
			<i>Staff Comments</i>	<i>This unit is eligible for individual ownership because it is a work/live unit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	5. Work/Live Units: In the approval of work/live units, the City shall also find that: a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant; b. The work unit is: (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation;

				<p>(3) Served by the prominent means of access for the work/live unit; and,</p> <p>(4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</p> <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</p> <p>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</p> <p>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			Staff Comments	<p>Standards 17.124.090.A.5.a and c have been met.</p> <p>Standards 17.124.090.A.5.b.1 and 3 have been met.</p> <p>Standards 17.124.090.A.5.b.2 (signing and posting of business hours) is included as a condition of approval and compliance with 17.124.090.A.5.b.4 is pending as the applicant has applied for a City of Ketchum business license.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	<p>This standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	<p>N/A</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p> <p><i>Staff Comments</i> <i>The applicant is aware of these standards.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p> <p><i>Staff Comments</i> <i>The proposal is required two parking spaces for the residential unit (one per bedroom) and would be required five parking spaces for the instructional service use.</i></p> <p><i>However, as the 10th Street Light Industrial Complex is an existing building, and exterior parking is common area and not designated to a specific unit, staff finds the use compliant with parking standards per KMC 17.125.040.A.5:</i></p> <p><i>5. Nonconforming Due To Lack Of Parking And Loading: No lawfully existing building shall be deemed to be a nonconforming building solely because of lack of parking and loading spaces; provided, that space being used for off street parking or loading in connection with any such building at the effective date of this chapter shall not be further reduced in area or capacity.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <p>a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;</p> <p>b. Separation of residential and light industrial parking on the site to minimize conflicts;</p> <p>c. Restrictions on exterior storage of personal property of tenants;</p> <p>d. Certificate of occupancy required prior to occupancy of units;</p> <p>e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;</p>

			<p>f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;</p> <p>g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;</p> <p>h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;</p> <p>i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,</p> <p>j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.</p>
		<i>Staff Comments</i>	<i>Recommended conditions of approval are below.</i>

Table 4: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>Staff Comments</i> <i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the purpose of the LI-2 Zone is "established with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.</i></p> <p><i>The work component of the work/live unit is instructional service and instructional service is a permitted use in the LI-2 zoning district.</i></p> <p><i>The combination of residential living with the permitted use, and with the residential occupant being the owner of the businesses, results in a use that is not unreasonably incompatible with other types of uses permitted in the zone.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>Staff Comments</i> <i>The work/live use will not materially endanger the health, safety, and welfare of the community provided the fire and building officials' conditions are met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>Staff Comments</i> <i>The work/live use is not anticipated to generate a high volume of trips as the applicant indicates no clients are seen on the premises. As such, hazards to pedestrian and vehicular traffic will not be generated by this proposal.</i></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	<i>The existing building and this unit are adequately served by public facilities and services. Use of this unit for the proposed live/work will not adversely affect the delivery of public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant's Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission's February 10th, 2020 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit on this 10th day of February 2020 subject to the following conditions 1 - 12:

- 1.** Ketchum Fire Marshal Tom Ancona has confirmed there are no major outstanding fire code violations within the unit and indicates the only potential outstanding issues are the presence of a fire extinguisher and smoke detectors. The floor plans submitted by the applicant indicate a fire extinguisher has been installed on the ground floor. If smoke detectors are not present smoke detectors shall be installed by February 21, 2020, to be confirmed by a site inspection by city staff and with compliance noted by a memo to the application file.
- 2.** An inspection by the Building Official shall occur by February 21, 2020 and shall confirm there are no outstanding building code concerns or violations within the unit. If building code violations are found to exist the violations shall be cured by March 31, 2020 as evidenced by a memo to the application file.
- 3.** The Conditional Use Permit for this work/live unit is non-transferrable to another property or property owner and the validity of the permit is dependent upon Dr. Sasha Heinz LLC remaining in operation;
- 4.** Hours of operation for the business shall be posted and remain posted in accordance with KMC 17.124.090.A.5.b.2;
- 5.** The residential living area shall not exceed one thousand (1,000) square feet total and shall contain no more than two (2) bedrooms;
- 6.** No residential use shall occur on the ground level (first floor);

7. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirement that residential dwellings do not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
8. Inspections by Planning staff to ensure requirements with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
9. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
10. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
11. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
12. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 10th day of February, 2020.

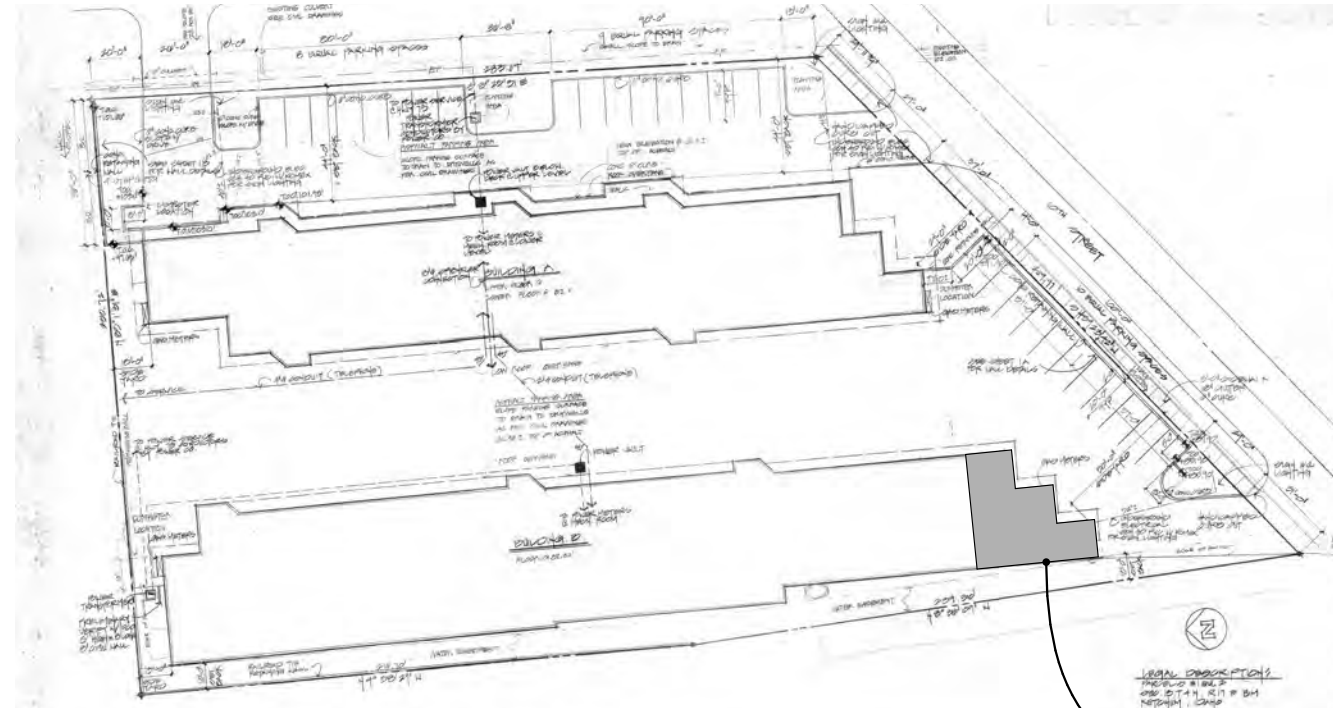


Neil Morrow
Chair
Planning and Zoning Commission

Client:
 10th Street Ventures LLC
 625 Liberty Ave., Suite 3200
 Pittsburgh, PA 15222

Architect:
 Williams | Partners Architects
 P.O. Box 4373
 Ketchum, ID 83340
 Ph. 208.726.0020
 Fax 208.726.0019

10TH ST. VENTURES LLC C.U.P.



Neighborhood Map
 Tenth St Light Industrial Complex, Ketchum, Idaho

project location



project location

Satellite View
 Tenth St Light Industrial Complex, Ketchum, Idaho



north

Drawing Index:

- A 0.0 COVER SHEET
- A1.1 SITE PLAN
- A 2.1 FLOOR PLANS
- A 2.2 GROSS SQ. FT. DIAGRAMS
- A 6.1 INTERIOR ELEVATIONS

AREA CALCULATIONS

LIVE	781.31 S.F.
WORK	1,265.64 S.F.
TOTAL:	2,045.95 S.F.

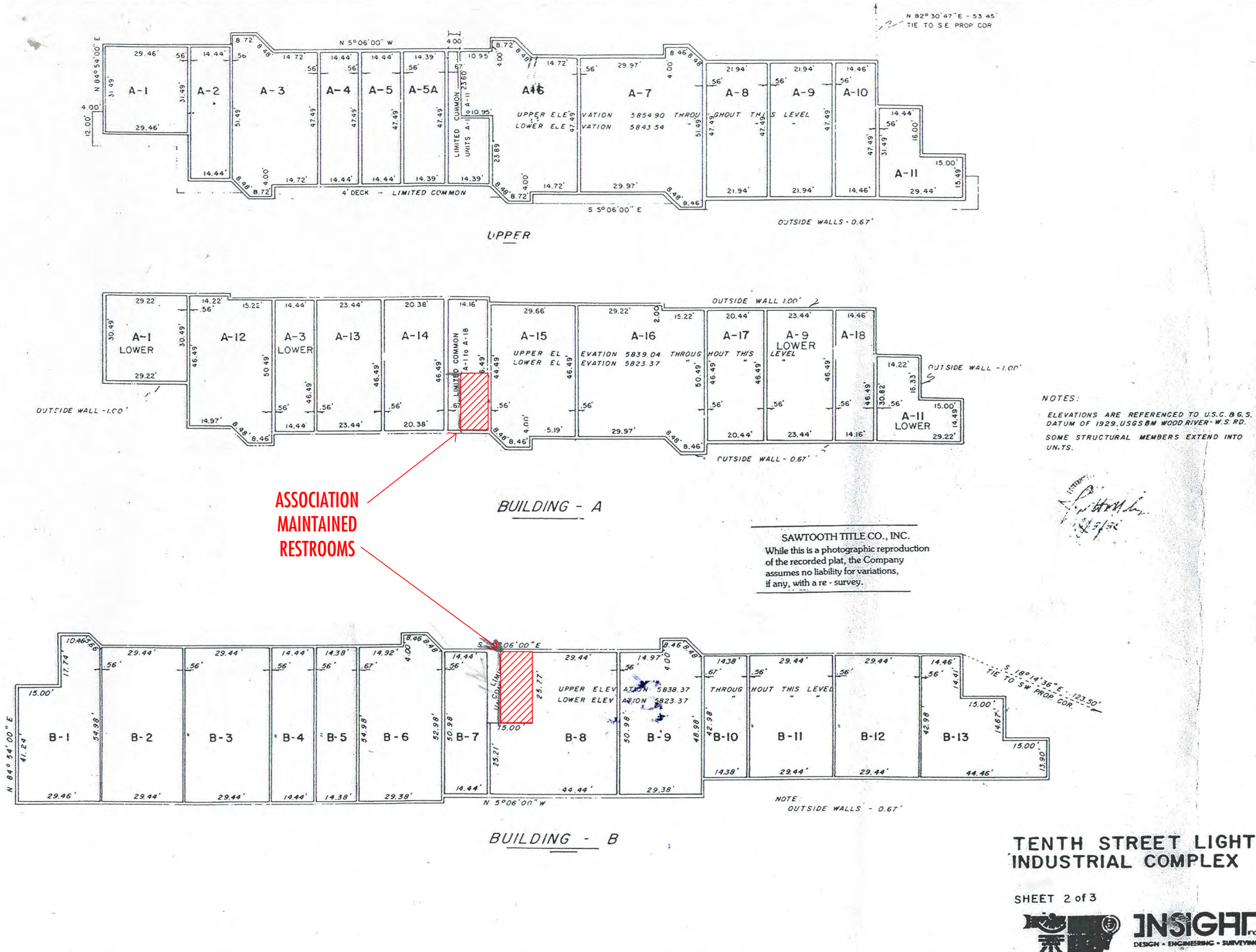
10th St. Ventures LLC

471 E 10th St., Suite B13, Ketchum, ID 83340

DATE: 12/11/2019

WILLIAMS PARTNERS
 ARCHITECTS

OWNERSHIP OF DOCUMENTS:
 THE INSTRUMENTS OF SERVICE HEREIN ARE SOLELY FOR USE WITH RESPECT TO THIS PROJECT. WILLIAMS | PARTNERS ARCHITECTS, P.C. AND THE ARCHITECT'S CONSULTANTS SHALL BE DEEMED THE AUTHORS AND OWNERS OF THEIR RESPECTIVE INSTRUMENTS OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHTS.



ASSOCIATION
MAINTAINED
RESTROOMS

TENTH STREET LIGHT
INDUSTRIAL COMPLEX

SHEET 2 of 3
INSIGHT
DESIGN - ENGINEERING - SURVEYING

SITE PLAN

NOT TO SCALE

1

10th St. Ventures LLC

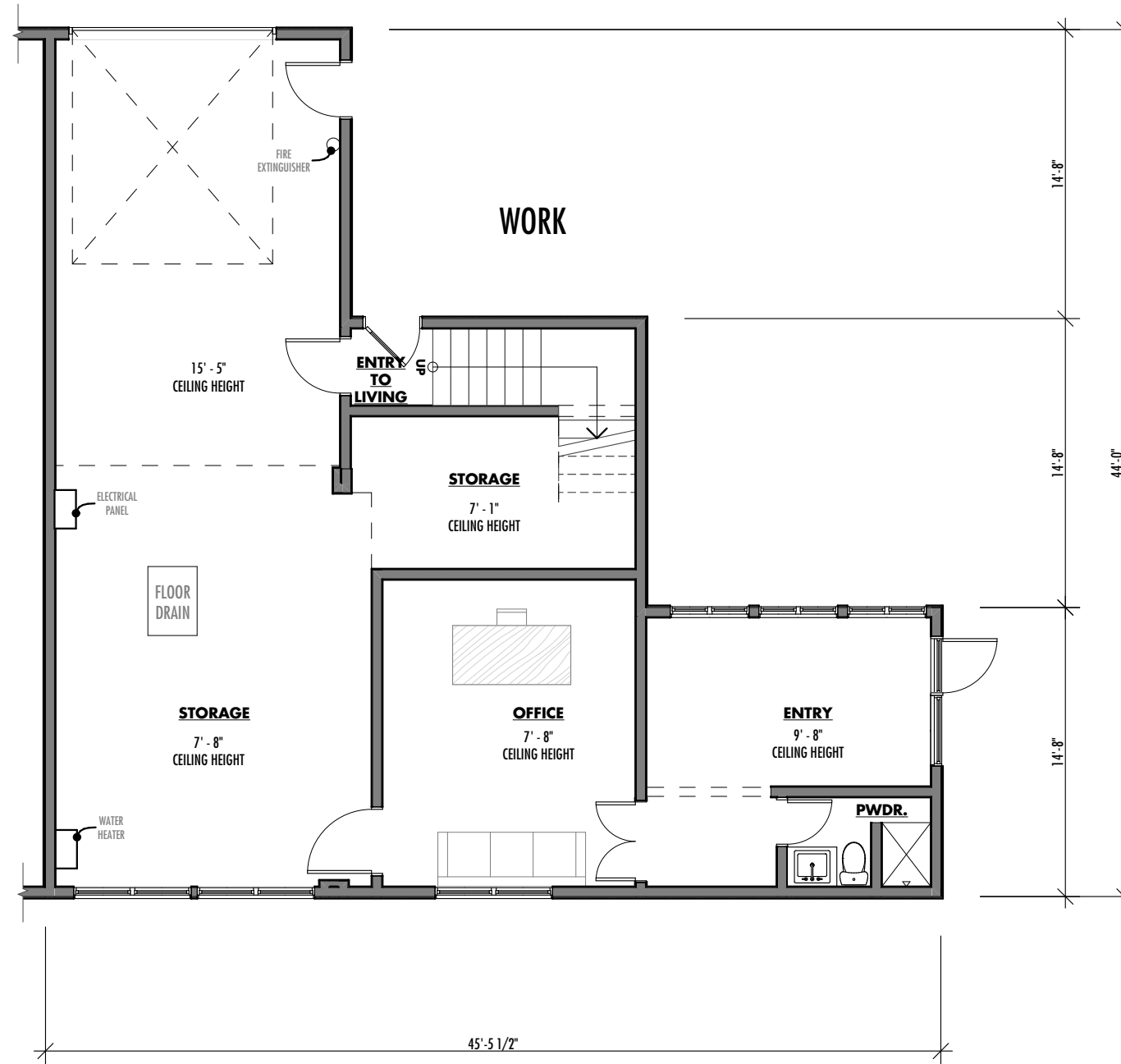
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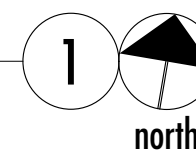


AREA CALCULATIONS

LIVE	781.31 S.F.
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TOTAL:	2,045.95 S.F.

FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



10th St. Ventures LLC

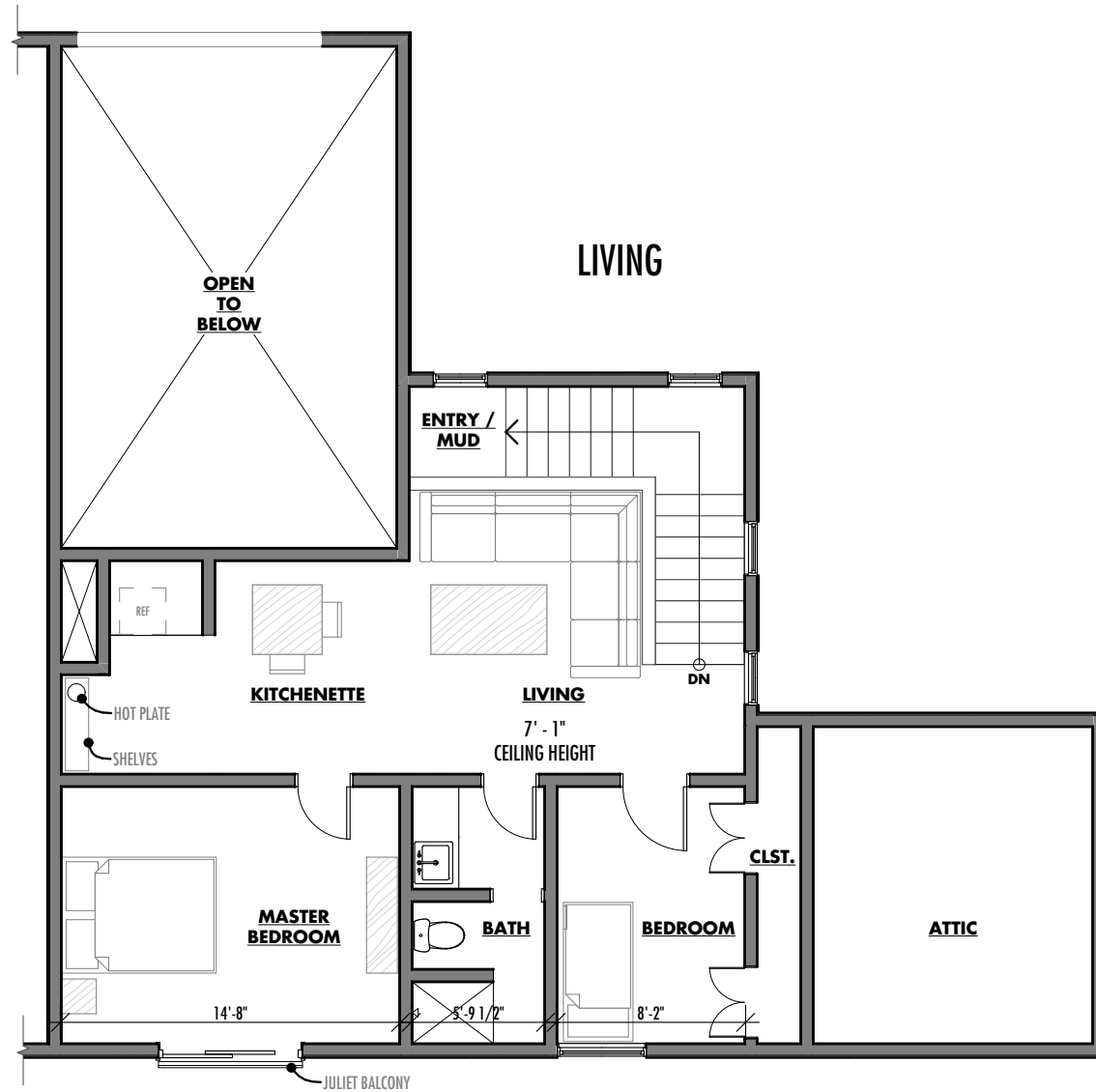
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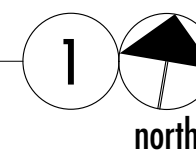


AREA CALCULATIONS

LIVE	781.31 S.F.
WORK	1,265.64 S.F.
TOTAL:	2,045.95 S.F.

SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



10th St. Ventures LLC

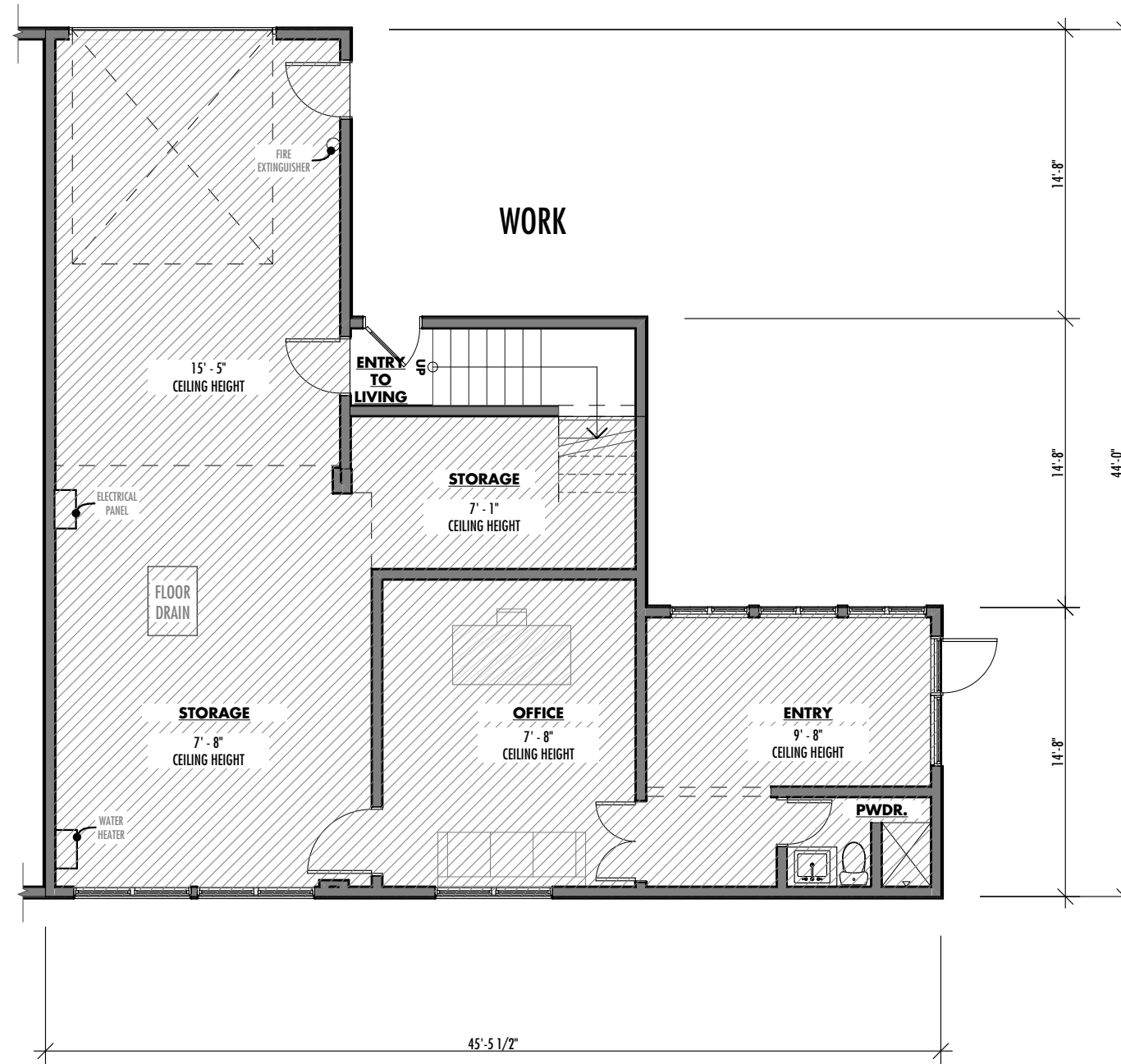
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DATE: 12/11/2019

WILLIAMS PARTNERS
ARCHITECTS

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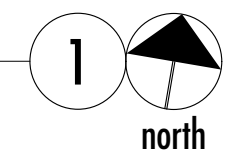
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AREA CALCULATIONS

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WORK	1,265.64 S.F.
TOTAL:	2,045.95 S.F.

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



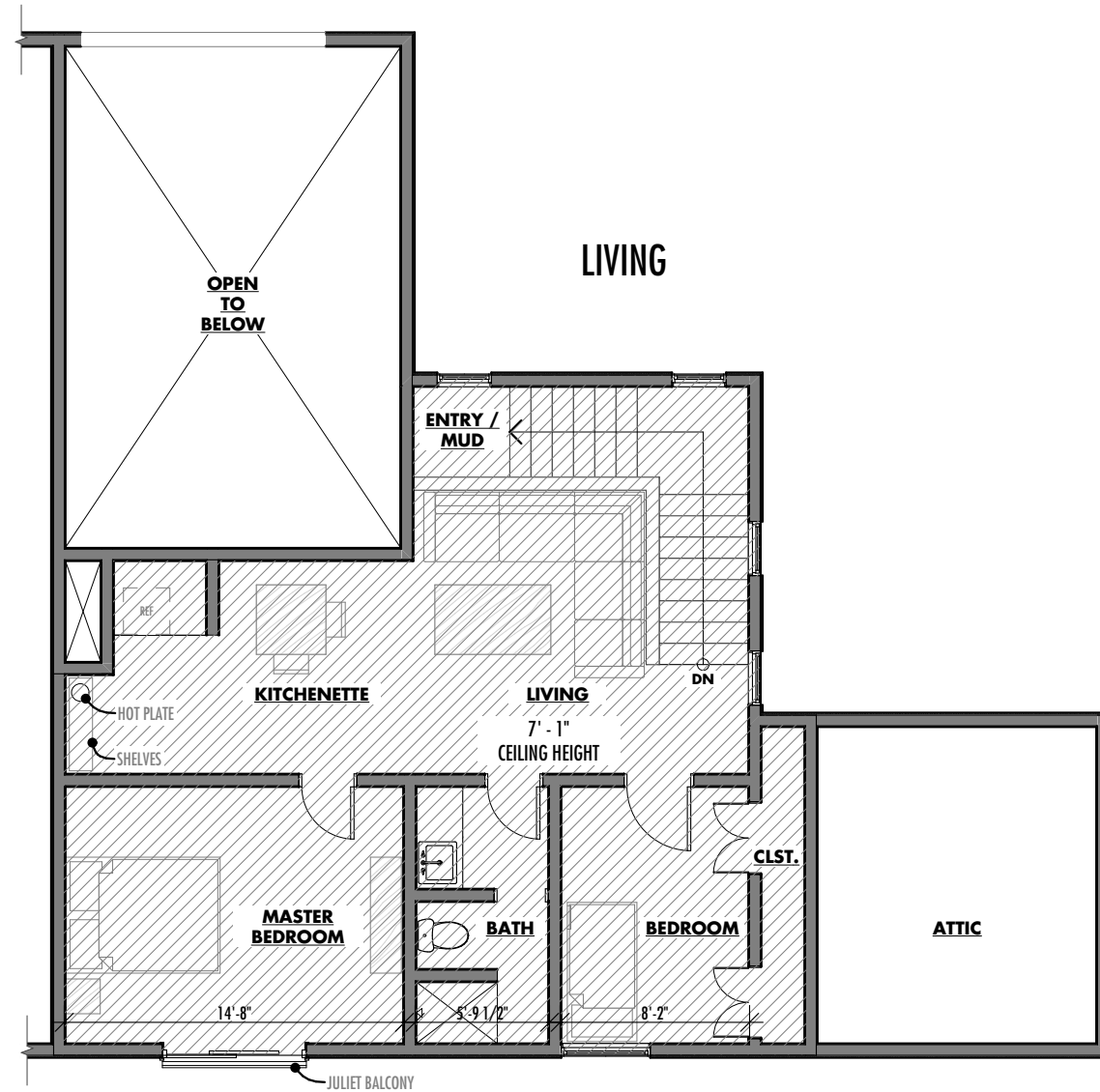
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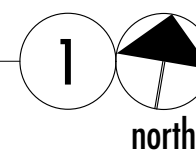


AREA CALCULATIONS

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TOTAL:	2,045.95 S.F.

SECOND FLOOR

SCALE: 1/8" = 1'-0"



10th St. Ventures LLC

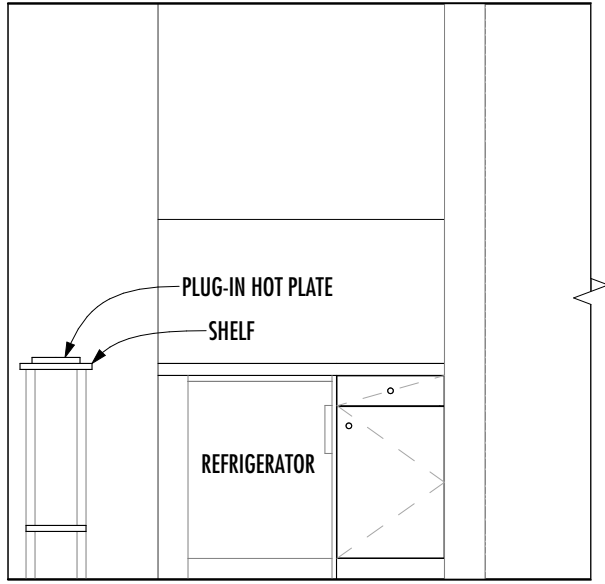
471 E 10th St., Suite B13, Ketchum, ID 83340

DATE: 12/11/2019

WILLIAMS PARTNERS
ARCHITECTS

A 2 213

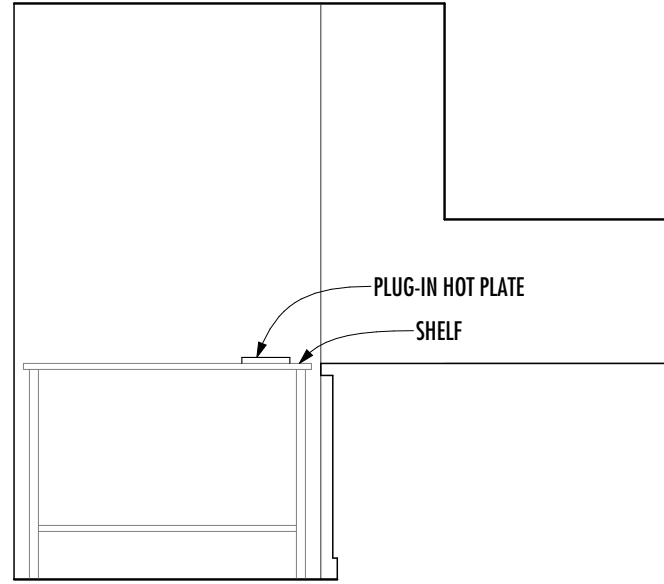
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KITCHENETTE FACING N

SCALE: 3/8" = 1'-0"

1



KITCHENETTE FACING W

SCALE: 3/8" = 1'-0"

2

10th St. Ventures LLC

471 E 10th St., Suite B13, Ketchum, ID 83340

DATE: 12/11/2019

WILLIAMS PARTNERS
ARCHITECTS

A 6 214

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**City of Ketchum
Planning & Building**

IN RE:)
)
 100 Bell Drive Residential Use) **KETCHUM PLANNING AND ZONING COMMISSION**
 Conditional Use Permit) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
 Date: February 10, 2020) **DECISION**
)
 File Number: P20-011)

PROJECT: 100 Bell Drive Residential Use Conditional Use Permit
FILE NUMBER: P20-011
OWNER: Loomis Inc.
APPLICANT: Loomis Inc. / Amy Anderson
REPRESENTATIVE: Amy Anderson
REQUEST: Conditional Use Permit (CUP) for a work/live unit and one (1) residential apartment
LOCATION: 100 Bell Drive (Lot 2, Industrial Park Subdivision)
ZONING: Light Industrial District No. 2 (LI-2)
OVERLAY: LI-48' Height
NOTICE: Notice was published in the Idaho Mountain Express on January 22, 2020, was mailed to property owners within 300' on January 22, 2020, and was posted on site on January 31, 2020.
ATTACHMENT: Floorplans

FINDINGS OF FACT

1. On February 10, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit and residential apartment unit F. An existing residential apartment, unit E, was approved via a Conditional Use Permit in 1977.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.

4. The subject building is 6,840 square feet and the total residential square footage is 1,399 square feet, which equates to 20% of the building being used for residential use. Both of the apartments and the work/live unit comply with the size requirements for residential units in the LI-2 zoning district.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>The majority of square footage in the building is used for construction/development related businesses, including the work space of the work/live unit, and these uses fit the primary purpose of the Mixed-Use Industrial land use. The two apartments are integrated into the building and fit the secondary purpose of the Mixed-Use Industrial land use.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>One of the two dwelling units proposed with this permit is a work/live unit.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2: City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: No outstanding issues identified.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City Engineer and Streets Department: N/A. This is an existing building that is not being substantially improved.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: N/A. This is an existing building that is not being substantially improved. N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: No outstanding issues identified.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3: Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.
			<i>Staff Comments</i>	<i>The application is for a one additional upper floor apartment and one work/live unit with the has living area on the upper floor and work space located on the ground floor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.
			<i>Staff Comments</i>	<i>Design Review is not required as this application does not change the exterior of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
			<i>Staff Comments</i>	<i>The total residential square footage in the building (apartment approved in 1977 and the work/live unit and additional apartment proposed by this application) equates to 20% of the building's square footage.</i> <i>The work/live unit is 917 square feet with the 263 square feet, or 29% of the unit's square footage, devoted to residential use.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published.
			<i>Staff Comments</i>	<i>The building is not condominimized, the residential units are not separate units for sale.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	5. Work/Live Units: In the approval of work/live units, the City shall also find that: <ul style="list-style-type: none"> a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant; b. The work unit is: <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and,

				<p>(4) Associated with a business license for a use allowed (either conditionally or permitted) in the district.</p> <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <p>(1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;</p> <p>(2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and</p> <p>(3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.</p>
			Staff Comments	<p>Standards 17.124.090.A.5.a and c have been met. Standards 17.124.090.A.5.b.1 and 3 have been met.</p> <p>Standards 17.124.090.A.5.b.2 (signing and posting of business hours) is included as a condition of approval and compliance with 17.124.090.A.5.b.4 is pending as both businesses have applied for City of Ketchum business licenses.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	<p>The two residential dwelling units are 570 and 566 square feet respectively. The work/live unit is 917 square feet total.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	8. Anti-Nuisance And Notice Provisions:

				<p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware of these standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>This standard has been met. There are +/- 30 parking spaces shared between the subject property and the adjacent property, 210 Lewis Street, that is held under the same ownership.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,

				j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Recommended conditions of approval are below.</i>

Table 4: Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>The purpose of the LI-2 Zone is "established with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone" (KMC §17.18.150)</i></p> <p><i>The work component of the work/live unit is comprised of two businesses that support the development/construction industry and are categorized as "office, contractor-related business". Office, contractor-related business is a permitted use in the LI-2 zoning district.</i></p> <p><i>The combination of residential living with this permitted use, and with the proposed resident of the work/live unit being an owner/operator of the businesses, results in a use that is not unreasonably incompatible with other types of uses permitted in the zone.</i></p> <p><i>Additionally, the apartment proposed by this application is subordinate in size to the commercial uses and its second-floor location mitigates interference with the commercial uses and further.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>There are no outstanding life safety code violations identified within the unit. Therefore, the building is safe to occupy and will not materially endanger the health, safety, and welfare of the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>The work/live unit and additional apartment are small in scale (less than 1,000 square feet of residential use) and do not generate a high volume of trips. Additionally, the primary business that operates from the work/live unit, A Design, interacts with only one client (or group of clients) on site at a given time. As such, hazards to pedestrian and vehicular traffic will not be generated by this proposal.</i></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	<i>The existing building is adequately served by public facilities and services. Use of this unit for the proposed live/work will not adversely affect the delivery of public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant's Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission's February 10th, 2020 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for a work/live unit and residential apartment unit F on this 10th day of February 2020 subject to the following conditions 1 - 11:

1. The non-compliant exterior lighting fixture indicated in Exhibit E shall be replaced with a compliant fixture by April 1, 2020 as evidenced by a site inspection conducted by staff and a memo to the application file confirming compliance.
2. The Conditional Use Permit approval for the work/live unit is valid only for occupant Amy Anderson and is contingent upon A Design LLC or Loomis Inc. remaining in operation; a new Conditional Use Permit approval is required for any other work/live residential or commercial occupant. The Conditional Use Permit approval for the apartment located in Unit F runs with the land.
3. Hours of operation for the work/live business shall be posted and remain posted in accordance with KMC 17.124.090.A.5.b.2;
4. Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.;
5. No residential use shall occur on the ground level (first floor);

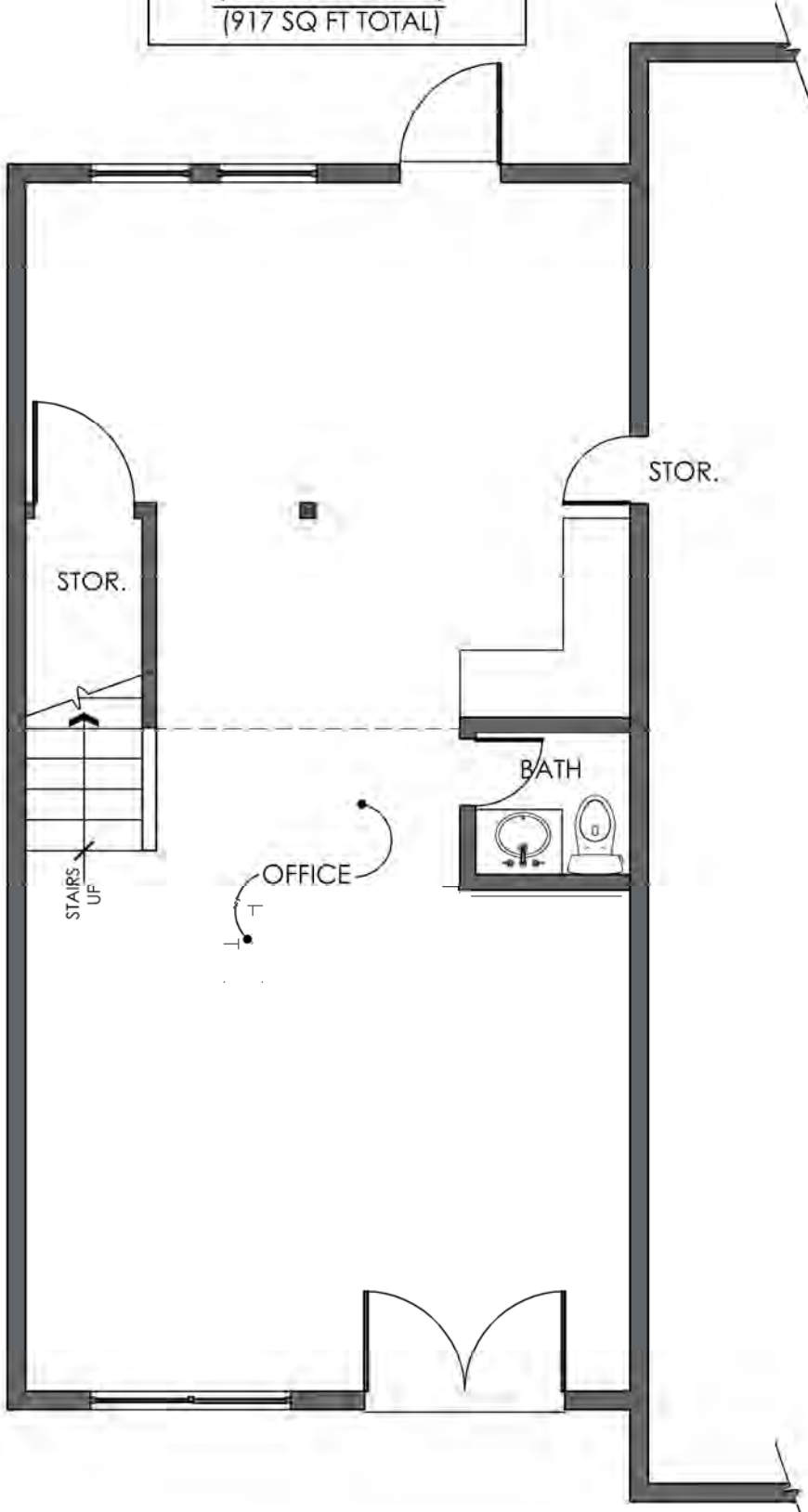
6. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements, the Fire Marshal shall conduct routine inspections of the residential units within the building concurrent with routine inspections of the commercial units;
7. Inspections by Planning staff to ensure compliance with the Conditional Use Permit conditions may be scheduled at the discretion of staff;
8. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
9. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
10. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
11. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 10th day of February, 2020.



Neil Morrow
Chair
Planning and Zoning Commission

100 BELL DR.
UNIT "A"
(654 SQ FT OFFICE)
(263 SQ FT LIVING)
(917 SQ FT TOTAL)



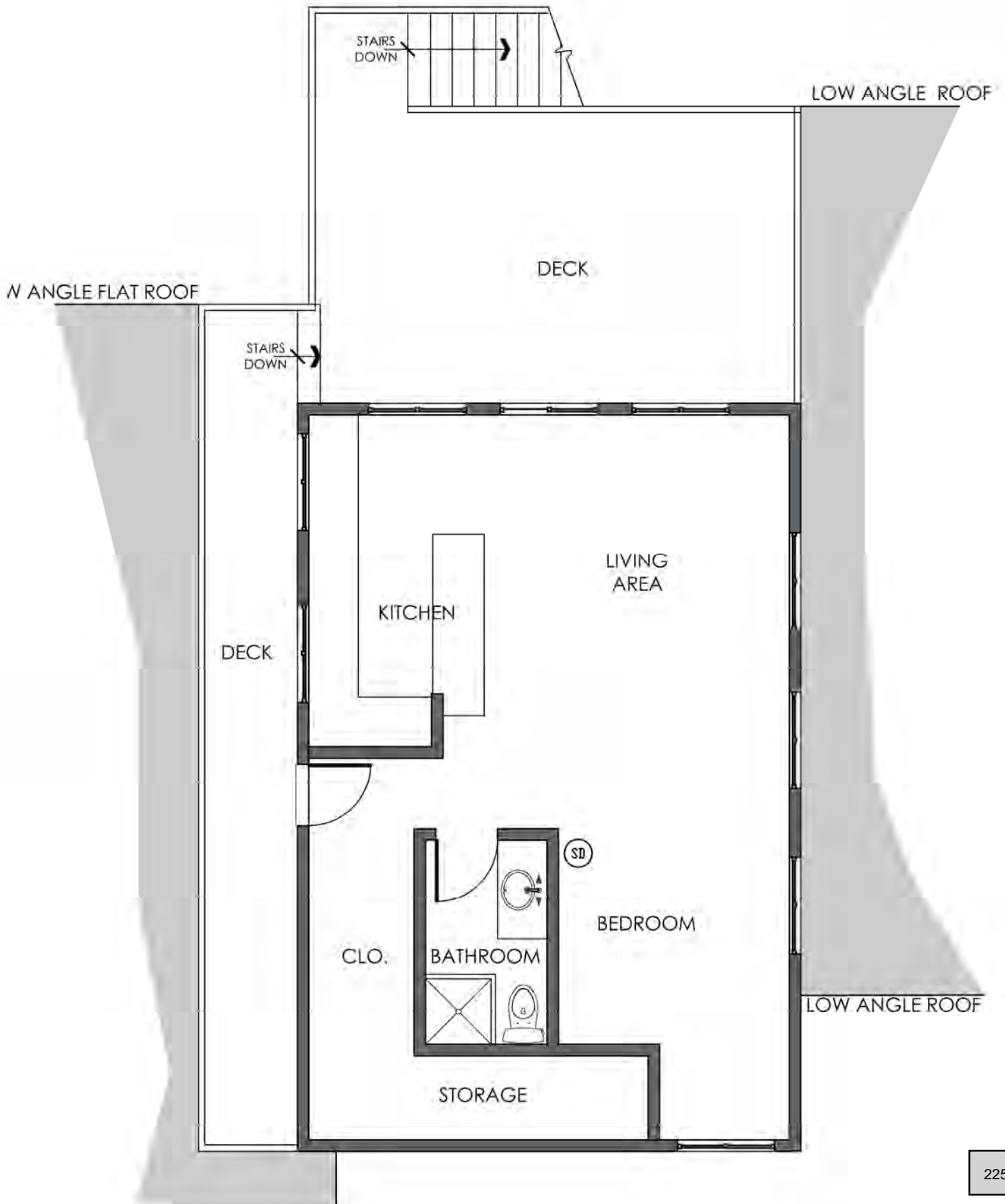
FIRST FLOOR PLAN

100 BELL DR.
UNIT "A"
(654 SQ FT OFFICE)
(263 SQ FT LIVING)
(917 SQ FT TOTAL)

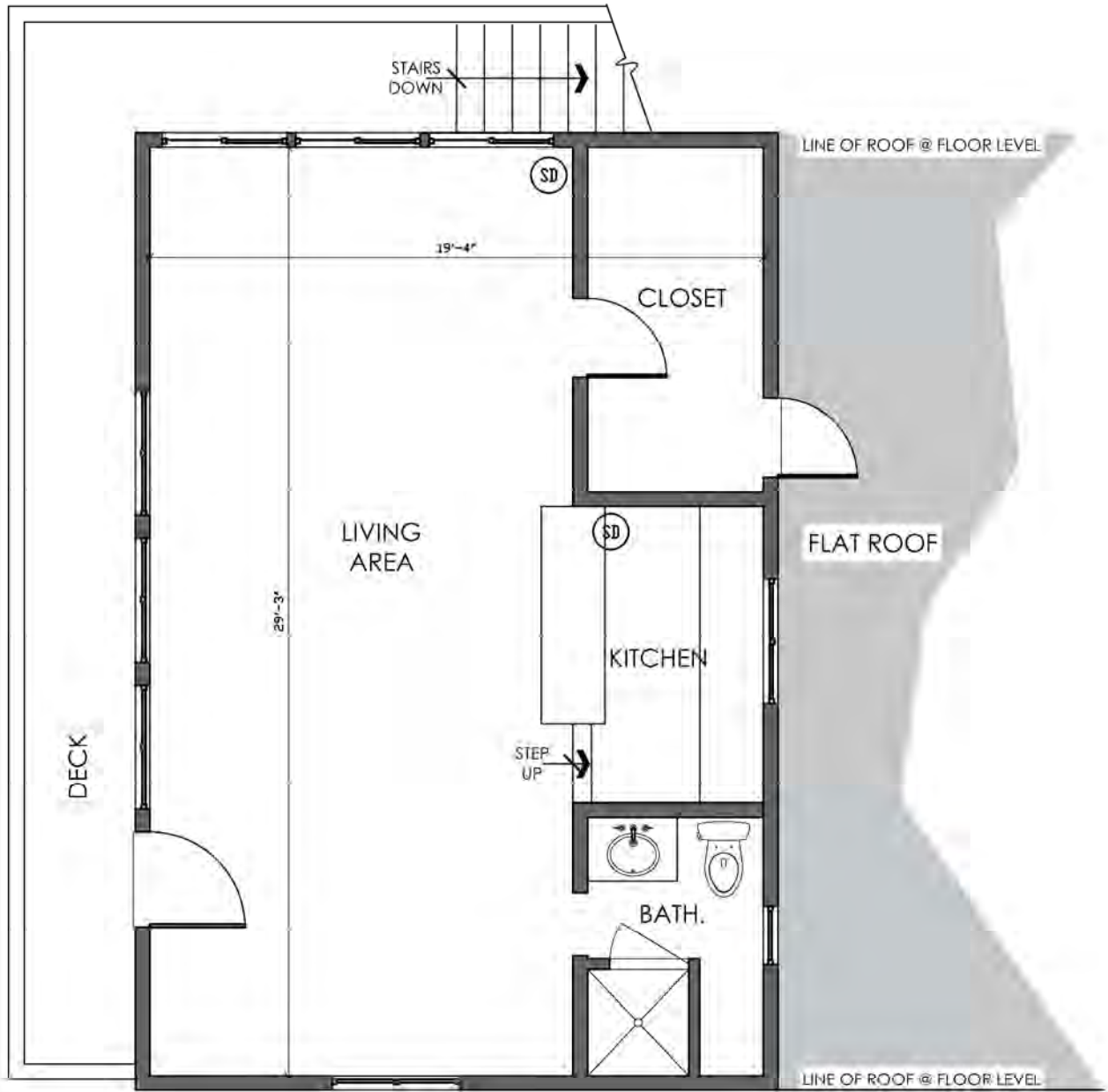


SECOND FLOOR PLAN

100 BELL DR.
UNIT "E"
(570 SQ FT)



100 BELL DR.
UNIT "F"
(566 SQ FT)





**City of Ketchum
Planning & Building**

IN RE:)
)
 Cherp Work/Live) **KETCHUM PLANNING AND ZONING COMMISSION**
 Conditional Use Permit) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
 Date: July 13, 2020) **DECISION**
)
 File Number: 20-033)

PROJECT: Cherp Work/Live Conditional Use Permit
FILE NUMBER: P20-033
APPLICANT: Mia L. Cherp
REQUEST: Conditional Use Permit (CUP) for a work/live unit
LOCATION: 270 Northwood Way #201 (Redfish Industrial Condo Unit 201 .09)
ZONING: Light Industrial District No. 2 (LI-2)
OVERLAY: 58' Height Overlay
NOTICE: Notice was published in the legal section of the Idaho Mountain Express on May 20, 2020 and was mailed to properties within 300' and political subdivisions and was posted on the city website and on the premises on May 22, 2020.
ATTACHMENTS: A. Floorplan

FINDINGS OF FACT

1. On June 8, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit and voted to approve the CUP.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. This work/live unit is located on the second floor of the Redfish Light Industrial Condominium building and consists of 579 square feet of residential dwelling use and 754 square feet of commercial craft/cottage industry space. The 579 square foot dwelling area is classified as the 'live' component and the craft/cottage industry space floor is classified as the 'work' component; see attached floor plans for reference.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum's economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a cottage industry producing locally made products being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant has applied for work/live approval under the provisions of the newly amended light industrial residential standards. The light industrial zoning code regulations were revised and modernized in part to facilitate and encourage additional work/live opportunities in Ketchum city limits.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2. City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: Unit is safe for residential occupancy. No other comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Streets Department: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: Change of use but not a change of demand, no comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: Unit is safe for residential occupancy. No other comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:														
Residential units in the light industrial districts shall comply with the following minimum criteria:														
Yes	No	N/A	City Code	City Standards and Staff Comments										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor. <i>Staff Comments</i> The entirety of the work/live unit is located on the top floor of the Redfish Building.										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building. <i>Staff Comments</i> Design Review is not required as this application does not change the exterior of the building.										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit. <i>Staff Comments</i> There are 10 units and common area in the Redfish Building consisting of 16,591 square feet (per Blaine County Assessor records). Three (3) additional residential units exist in the building with a cumulative residential square footage of 2,968 square feet: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Unit</th> <th>Residential Floor Area (sq ft)</th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td>total</td> <td>2,968 residential square footage</td> </tr> </tbody> </table> The residential share of the building's square footage is 17.8%. Approval of the 579 square feet of residential square footage for Unit 201 results in 3,547 cumulative residential square feet, equating to 21.3% of the building's square footage. Within this particular work/live unit, 579 square feet of living area represents 43% of the total square footage of the wok/live unit (579 square feet of 1,333 total square feet).	Unit	Residential Floor Area (sq ft)	202	1,000	204	973	205	995	total	2,968 residential square footage
Unit	Residential Floor Area (sq ft)													
202	1,000													
204	973													
205	995													
total	2,968 residential square footage													
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to: <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid 										

				residential conditional use permit prior to the adoption of this section as published.
			Staff Comments	<i>This unit is eligible for individual ownership in accordance with 17.124.090.A.(4).a – a work/live unit is proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	<p>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</p> <p>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</p> <p>b. The work unit is:</p> <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <ul style="list-style-type: none"> (1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet; (2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and (3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.
			Staff Comments	<p><i>5a. The proposed work/live unit meets the definition of work/live unit and the Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p> <p><i>5b.1. The unit is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes as verified by the city building official and city Fire Marshal.</i></p> <p><i>The work/live unit has been designed to provide the greatest distance from and physical separation between the bedroom/bathroom delineated for residential use, located on one end of the unit, and the two sewing/production suites and bathroom located on the other end of the unit (an ADA compliant bathroom is shared by all second-floor units in the building and is accessed from the interior hallway corridor).</i></p> <p><i>The center of the unit is comprised of both residential space, the future kitchen (range/sink to be installed) and existing island, and an open floorplan work room. The open floorplan workroom and future kitchen are designed to allow complete physical separation when the proposed partition wall is fully extended. When additional work area is needed, or to provide potential employee access to the kitchen (delineated on the floor plan as residential square footage), the partition wall can be opened.</i></p> <p><i>5b.2. The exterior of the building and interior hallway are currently signed for STITCHstudio. WindyCity Arts is producing additional signage, to be located at the interior entry to the unit, noting hours of operation which are to be by appointment</i></p>

				<p>only. Condition of approval #1 states, "Hours of operation for the business shall be posted and remain posted."</p> <p>5b.3. The work area is served by the most prominent means of access to the unit, which is the entry door accessed by the building's interior circulation corridor.</p> <p>5b.4. The applicant has a valid business license with the City of Ketchum for a permitted use, STITCH Studio, which is a craft/cottage industry.</p> <p>C1. The size of the live component is less than 1,000 square feet (it is 579 square feet), and is less than the work component, which is 754 square feet.</p> <p>C2. The means of access to the residential portion of the unit is not prominent (two secondary accesses exist for the residential unit).</p> <p>C3. Parking requirements are met as the building has forty (40) shared parking-lot spaces for the building; one parking space is required for the residential unit, which has one bedroom, and one parking space is required for the 754 square feet of light industrial craft/cottage industry floor area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			<i>Staff Comments</i>	N/A, this is a work/live unit.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			<i>Staff Comments</i>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise</p>

				<p>interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Conditions of approval have been included as noted in the last section of these Findings of Fact, Conclusions of Law, and Decision.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the LI-2 zoning district is established “with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.”</i></p> <p><i>The work/live unit includes a permitted light industrial use, craft/cottage industry, and the conditionally permitted residential use. Residential use is the secondary purpose of the LI-2 zone.</i></p> <p><i>The Redfish Building where the subject condominium unit is located is currently comprised of a mix of commercial operations and work/live uses approved by Conditional Use Permit in the past. As such, the work/live unit is compatible with the types of uses permitted in the zoning district.</i></p>
			Staff Comments	<p><i>The unit recently received a Certificate of Occupancy for commercial use and the commercial use, STITCH Studio, is currently operating within the unit with a valid city business license. The nature of this craft/cottage industry involves sewing and producing custom soft goods, upholstery, window furnishings, costumes, and so forth, and the business is owner operated.</i></p> <p><i>The city’s Fire Marshal and Building Official have been consulted about a portion of the unit being used for residential living and both officials have confirmed the unit is safe for residential occupancy. As such, neither the commercial use nor the residential pose health, safety, or welfare concerns to the community.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p>
			Staff Comments	<p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p>
			Staff Comments	<p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p>

				<i>The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic. The one-bedroom residential component will not substantially increase vehicular or pedestrian traffic to the unit. As such, the residential use will not create pedestrian or vehicular use that will be hazardous or conflict with existing or anticipated traffic in the neighborhood.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	<i>The work/live unit is within an existing building that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17;
3. The Commission has the authority to hear the applicant's Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission's June 8th, 2020 public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for the Cherp work/live unit on this 13th day of July, 2020 subject to the following conditions 1 - 10:

1. Hours of operation for the business shall be posted and remain posted;
2. This approval is based on the floorplan submitted and attached to the staff report dated June 8, 2020 and attached to the Findings of Fact, Conclusions of Law, and Decision, any increase in residential square footage is subject to an amendment to this Conditional Use Permit within one (1) year of approval of the Findings of Fact, Conclusions of Law, and Decision or is subject to a new Conditional Use Permit thereafter;
3. The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Mia Cherp, for the duration that STITCH Studio is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.

4. This Conditional Use permit is non-transferrable to another location or another work/live use for the subject property; the approval is specific to STITCH Studio and residential owner/occupant Mia Cherp. Should a STITCH Studio cease operation or should Mia Cherp cease residential use or a different residential occupancy desire to operate a work/live use a new Conditional Use Permit for work/live use will be required to be approved by the Planning and Zoning Commission.
5. Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements that the "live" portion of the work/live unit remains secondary in size to the "work" portion and the "live" portion does not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
6. The applicant agrees to facilitate routine inspections of the work/live unit by Planning staff to ensure requirements of the zoning code and conditions of approval specific to the Conditional Use Permit are met, with the first inspection to occur six months after the signing of the Findings of Fact, Conclusions of Law, and Decision and an additional review by the Commission to occur at the next available meeting following staff's inspection (on or about January 13, 2020). During the review the Commission will consider supporting evidence for the commercial operation including sales tax collected in association with the business. During the Commission's review the Commission will decide whether subsequent annual reviews for this work/live unit will be required;
7. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use;
8. All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities;
9. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone; and
10. All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 13th day of July, 2020.



Neil Morrow
Chair
Planning and Zoning Commission

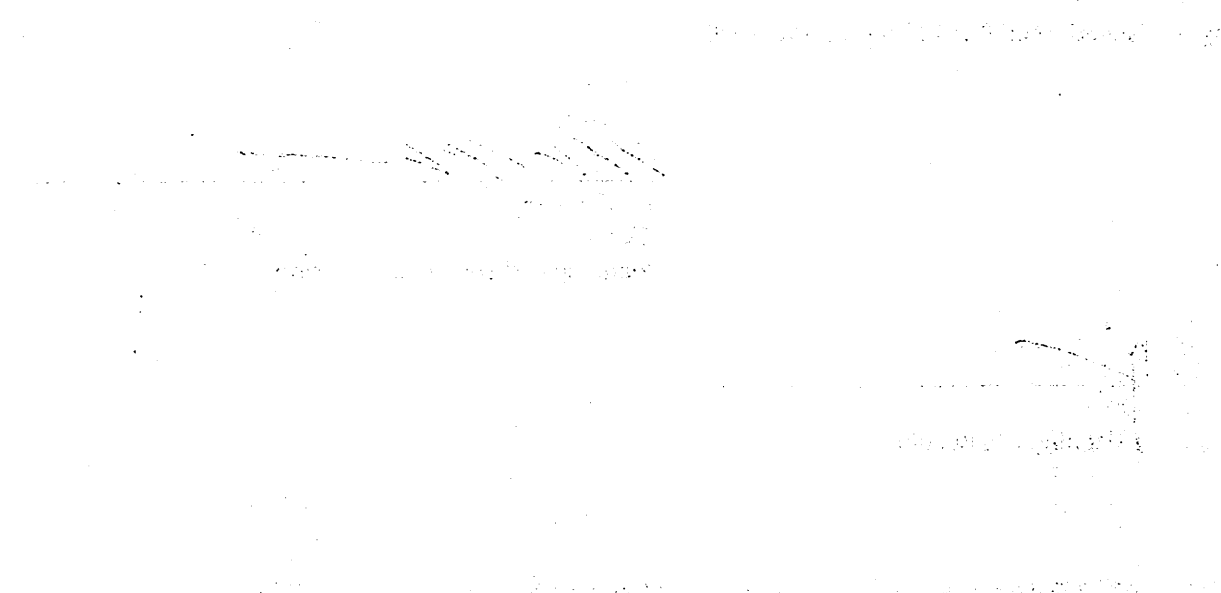


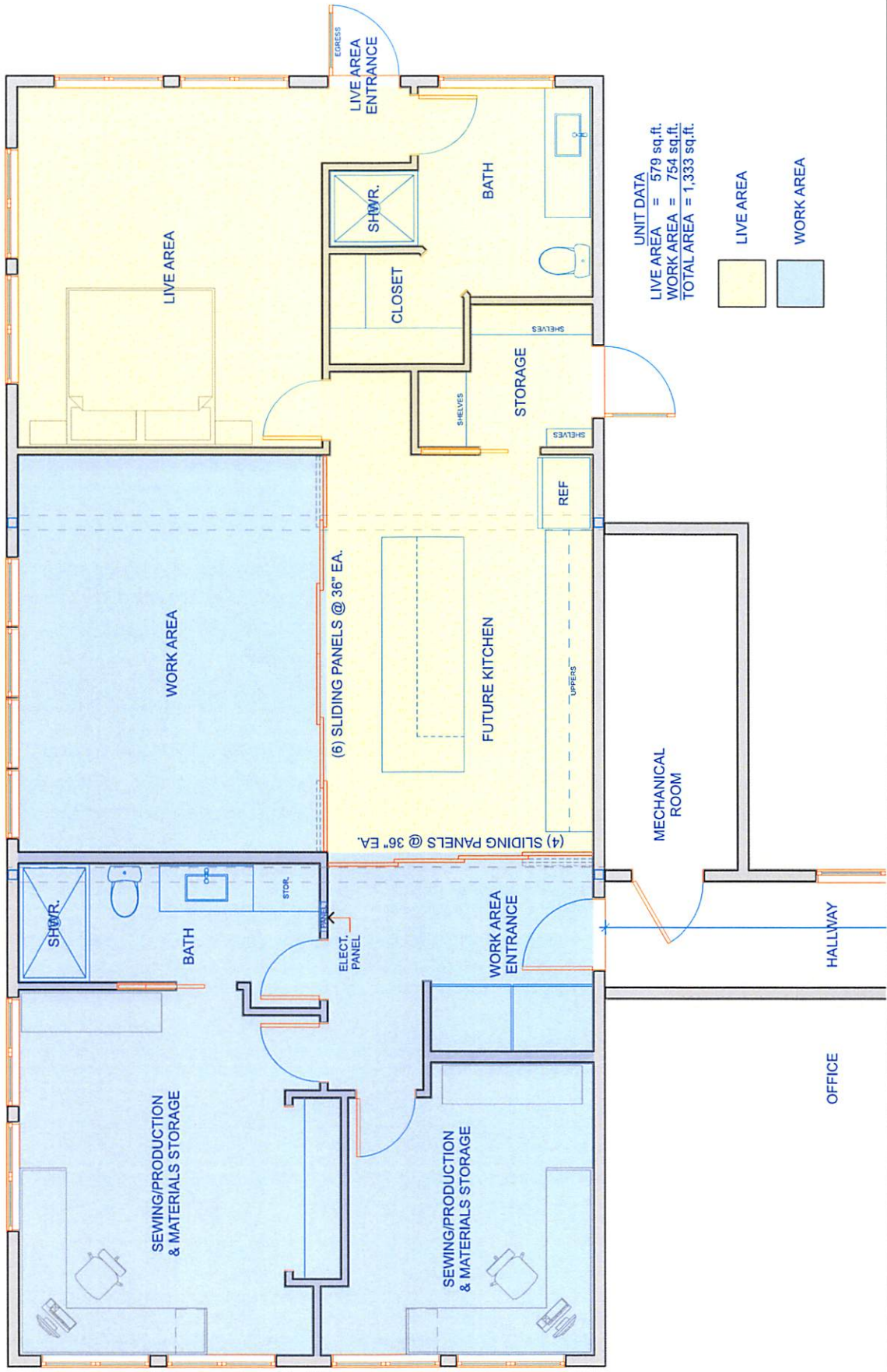
Suzanne Frick
Director of Planning and Building

Attachment A.

Floorplan

The floorplan shows the layout of the building, including the main entrance, reception area, and various rooms. The layout is designed to provide a clear and efficient flow of traffic throughout the facility. The main entrance is located on the left side of the building, leading into a large reception area. From the reception area, the main hallway branches out to the left and right, providing access to the various rooms and offices. The rooms are arranged in a logical and functional manner, ensuring that each room is easily accessible and well-lit. The floorplan also shows the location of the restrooms, storage areas, and other facilities. The overall design is modern and professional, reflecting the high standards of the organization.







City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Direction and potential approval on Right-of-Way Encroachment Agreement 20494 with Idaho Power for undergrounding power lines in the city right-of-way and direction on associated city funding.

Recommendation and Summary

Staff is seeking direction from Council on encroachments associated with the undergrounding of power lines beginning at 7th St. and extending south of 8th St. in the alley west of Warm Springs Road and if the City approved funding for the project should be revised. This request was before the Council at the August 3, 2020 meeting and additional information was requested. Since the August meeting, one public comment has been received and is attached to this report.

Background

In July 2019 the Council reviewed and approved funding for the project requiring all the powerlines and above ground (i.e. poles and transformers) infrastructure to be placed on private property (Attachment A). On August 3, 2020 this project was before the Council to consider the placement of new power poles within the city right of way that are associated with the undergrounding project. At that time, not all the property owners agreed to participate in the undergrounding therefore not all of the power lines and poles were proposed to be placed underground or on private property. Since August 3, 2020, staff has met with the applicant, corresponded with Idaho Power, and received public comment on the project.

The scope of the project has changed and now includes the following improvements:

- The installation of two new 45-foot tall distribution poles and guy wires in the alley public right of way to support overhead power lines north and south of the project. The poles will be placed at the northwest corner of 7th Street and the alley between Warm Springs Road and Washington Avenue (the alley) and in the alley on the west side approximately 60 feet from the corner of 8th Street adjacent to the vacant parcel. The guy wires are estimated to extend approximately 10 feet from the pole.
- An overhead power line crossing the alley from 271 7th St. to 700 Washington Ave.
- The removal of 1 power pole near the intersection of 8th Street and the alley
- The undergrounding of approximately 330' of power lines
- The installation of approximately 815' of new underground conduits within the alley
- 1 new service pole located on private property on the property where Cookbook is located
- 1 new vault located on private property at 731 Warm Springs Road
- 1 existing service pole to remain on private property that feeds the Lux Shoppe
- 1 existing service pole to remain on private property to feed 760 Washington Avenue in addition to an underground transformer
- 1 new underground vault on private property at 200 8th street

The project as presented and approved by Council for funding in July 2019 was for undergrounding of all power poles servicing the properties in the project area. On private property two existing power poles are proposed to remain and one new pole to be installed. Two new 45' poles are proposed to be placed within the alley right of way. These poles have the potential of impacting the development of adjacent parcels and use of the alley. Several overhead service wires will remain.

Council has several options:

- Not allow any above grade infrastructure to be placed in the city right of way. All above grade infrastructure should be located on private property or underground. Only allow underground infrastructure to be placed in the city right of way.
- Approve the 2 new 45-foot high poles to be located in the right of way along with the underground infrastructure.
- The city funding was to support the undergrounding of all the properties and location of the infrastructure on private property. Council should consider if the city contribution should be reduced or remain the same in light of the changes to the project.

There are two motions the Council can consider depending on the direction:

Motion A:

"I move to authorize the Mayor to sign Encroachment Agreement 20494 with Idaho Power and funding as determined at the September 8, 2020 Council meeting. No encroachment for above grade infrastructure shall be permitted in the city right of way."

Motion B:

"I move to authorize the Mayor to sign Encroachment Agreement 20494 with Idaho Power to allow for the proposed above grade infrastructure to be located in the city right of way. City funding will remain as agreed to in July 2019."

Background

City code requires a right-of-way encroachment permit for any permanent encroachment in the public right-of-way. These agreements are intended to help protect the City in the event the proposed encroachments were to ever pose an issue requiring repair or relocation of the encroachment.

Since 2016, individuals can request city funding to assist with the engineering and construction cost associated with undergrounding power lines. The City and KURA have approved funding for a portion of the project relocation costs as outline below.

City Funding: \$30,319

KURA Funding (Max): \$24,000

The city has been working to remove power poles from alleys throughout the city. Though the city currently does not maintain this alley there have been inquiries about the City maintaining the alley as properties develop. The addition of poles in the 20' alley right of way would further impede maintenance and circulation in the alley and alley access to the adjacent properties.

The City agreed to provide \$30,139 of funding which was 25% of the full costs for undergrounding and require all infrastructure associated with the undergrounding to be located underground and on private property.

Financial Impact

There are no additional financial impacts to the City budget resulting from approval or modification of the encroachment agreement or funding request.

Attachments:

Exhibit A: July 15, 2019 Staff Report

Exhibit B: Encroachment Agreement 20494

Exhibit C: Public Comment



City of Ketchum

July 15, 2019

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Direction To Staff on Funding Request for Undergrounding Power Lines

Recommendation and Summary

Staff is seeking direction from Council on a request to fund the construction to underground power lines on the north of 7th Street to just north of 8th Street in the alley between Washington Avenue and Warm Springs Road, (Attachment A).

- In 2016 the City Council established a process and prioritization for contributing city funding assistance for undergrounding power lines. The City Council would consider requests for funding.
- There is currently \$180,000 in city funding available for underground projects.
- In May 2018 the City Council authorized a 25% contribution (approximately \$760) for the engineering study.

Should the Council decide to fund this request, the following motion would apply:

I move to authorize funding up to (Council decides the amount) for construction of undergrounding power lines north of 7th Street to just north of 8th Street in the alley between Washington Avenue and Warm Springs Road and require all infrastructure associated with the undergrounding to be located underground and on private property.

Introduction and History

In May 2016 the City Council identified the available funding and process for city participation in undergrounding power requests. The Council further clarified the funding priorities in December 2016 that are outlined in the undergrounding application (Attachment A). Since 2016, individuals can request city funding to assist with the engineering and construction. Typically, undergrounding projects consist of two parts, the first is an engineering analysis to design and identify project cost, and the second is the construction work.

Analysis

The proposed work spans two zoning districts, Community Core and Light Industrial (Attachment B). The priority areas approved by the City Council in 2016 were identified as:

1. Community Core
2. Tourist
3. All Residential Zones

City guidelines identify a 25% city cost share for the engineering study for projects in the community core, tourist and residential zones. For construction, the city cost share is 25% for projects in the Community Core

and Tourist Zones and 10% for projects in residential zones. The applicant is requesting \$30,139, 25% of the full cost for undergrounding all the utilities. The following outlines the funding request for this application:

Idaho Power Undergrounding Costs:	\$105,546
Cox Communications Costs	\$ 6,053
Century Link Costs	<u>\$ 8,956</u>
Total	\$120,555

At the July 1 meeting the Council reviewed the funding request and additional information was requested. The following provides additional information.

Cost of undergrounding Cox and Century Link infrastructure. According to Idaho Power, both Cox and Century Link rent space on the Idaho Power poles. When there is an undergrounding project, the other utilities are responsible for handling their infrastructure. Costs for undergrounding the other utilities has occurred in different ways. Either the utility pays the cost since it is their equipment and infrastructure, this occurred as part of the undergrounding on 5th Street, or, the utility and requestor negotiate the cost sharing, this occurred with the undergrounding associated with the Trail Creek LLC project. Based on this information, it is a policy decision of the Council whether to provide funding assistance to underground the other utilities.

Proposed Work. The application is for underground the power poles, however, Idaho Power has designed the project to include two new power poles to be installed at the north and sound ends of the alley. This is problematic because this will narrow the alley and impede maintenance and circulation in the alley. The City has been working to remove power poles from alleys throughout the city. The project can be designed to underground these two poles. Staff recommends the City funding be conditioned to require all improvements associated with this project be underground and located on private property.

Financial Impact

There is currently \$180,000 budgeted toward city participation in undergrounding projects. Should this request be approved, there would be no financial impact.



City of Ketchum

OFFICIAL USE ONLY
Date Received:
By:
Approved Date:
By:

Application for City Funding for Electric Facility Undergrounding Projects

Submit complete application to City of Ketchum, Administration, P.O. Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave., N., Ketchum.

PROJECT INFORMATION	
Contact Name: Andrew Castellano	Mailing Address: PO Box 1180 Ketchum, ID 83340
Business Name:	Project Location: Alley between Warm Springs Road and Washington Ave, from north side of 7th Street to first telephone pole after 9th St (just north of Cox building)
Phone: (949) 280-1111	
Email: andy@earthshinefoundation.org	Project Zoning District: Commercial Core
<p>Project Description: (Provide a general description of the electric facility underground scope. Applicant may attach as many figures are necessary to describe the project scope.)</p> <p>Idaho power will underground the power lines that run along the alley between Warm Springs Road and Washington Ave, from north side of 7th Street to the first telephone pole after 9th St. Please see aerial photo included which shows the span to be placed underground. Please also see engineering drawing from Idaho Power showing exact design of project.</p> <p>Idaho power will place one new telephone pole on the north side of 7th Ave to take the lines underground. The existing pole just north of the Cox Communications building will be used to come back above ground. Several poles will be removed between 7th and 8th streets.</p> <p>One transformer will need to be placed on private property between 7th and 8th streets.</p> <p>In addition to the power lines, the Cox Communication and Century Link data lines will be placed underground at the same time.</p>	
<p>Funding Request:</p> <p><input type="checkbox"/> Planning</p> <p><input checked="" type="checkbox"/> Construction</p>	<p>Total Project Cost: \$ 120,556.12</p> <p>Requested Amount: \$ 30,139.03 Percent of Total: 25 %</p> <p>Other Funding Sources</p> <p>Amount: \$ Unknown Source: KURA</p> <p>Amount: \$ Balance Source: Property owner's affect by project</p> <p>Amount: \$ _____ Source: _____</p> <p>(attach separate sheet if necessary)</p>

Application for City Funding for Electric Facility Underground Projects

SUPPLEMENTAL QUESTIONS (provide additional sheet if more space is needed)

Is the project beneficial to multiple properties? If so, please explain in detail.

Yes. There are ten properties that back up to these powerlines. The powerlines are unsightly, inhibit views, pose a safety issue, and restrict building envelopes. Undergrounding will improve all ten of these lots, which we believe will spur further investments in the neighborhood by current and future property owners.

In addition, this project will benefit the whole community by removing a big obstacle to investment in the downtown community core area. One of example of this is the project planned at my own property (760 Washington Ave). We designed a building which would house commercial office space, an affordable housing unit, a primary residence and a guest apartment. Unfortunatley, the building can not be constructed as designed, because of building restrictions due to the high votage wires that hang over our lot. Undergrounding the power lines would allow us to go ahead with this planned \$3M investment in the downtown core. Other owners on our street will face the same limitations when they attempt to invest further in their own properties.

Another example is the lot immediatley behind us, which fronts Warm Springs Road. This lot was listed for sale, but recently taken off the market and still sits vacant. I believe that this property would be much more likely to sell (leading to potential development) without the rats nest of power lines obscuring it's view of Bald Mountain.

Will the project improve view corridor for visitor & resident experience? If so, please explain.

Yes. Views of Bald Mountain from Warm Springs Road, 8th St. and Main St/Hwy 75 will be improved for visitors and residents.
Views toward Bald Mountain from lots on Warm Springs Road will be dramatically improved.
Views to the East from lots on Washington Ave will be dramatically improved.
And, the character of the town will be improved for all!

OFFICIAL USE ONLY:

Applicant certifies that he/she has read and examined this application and that all information contained therein is true and correct.

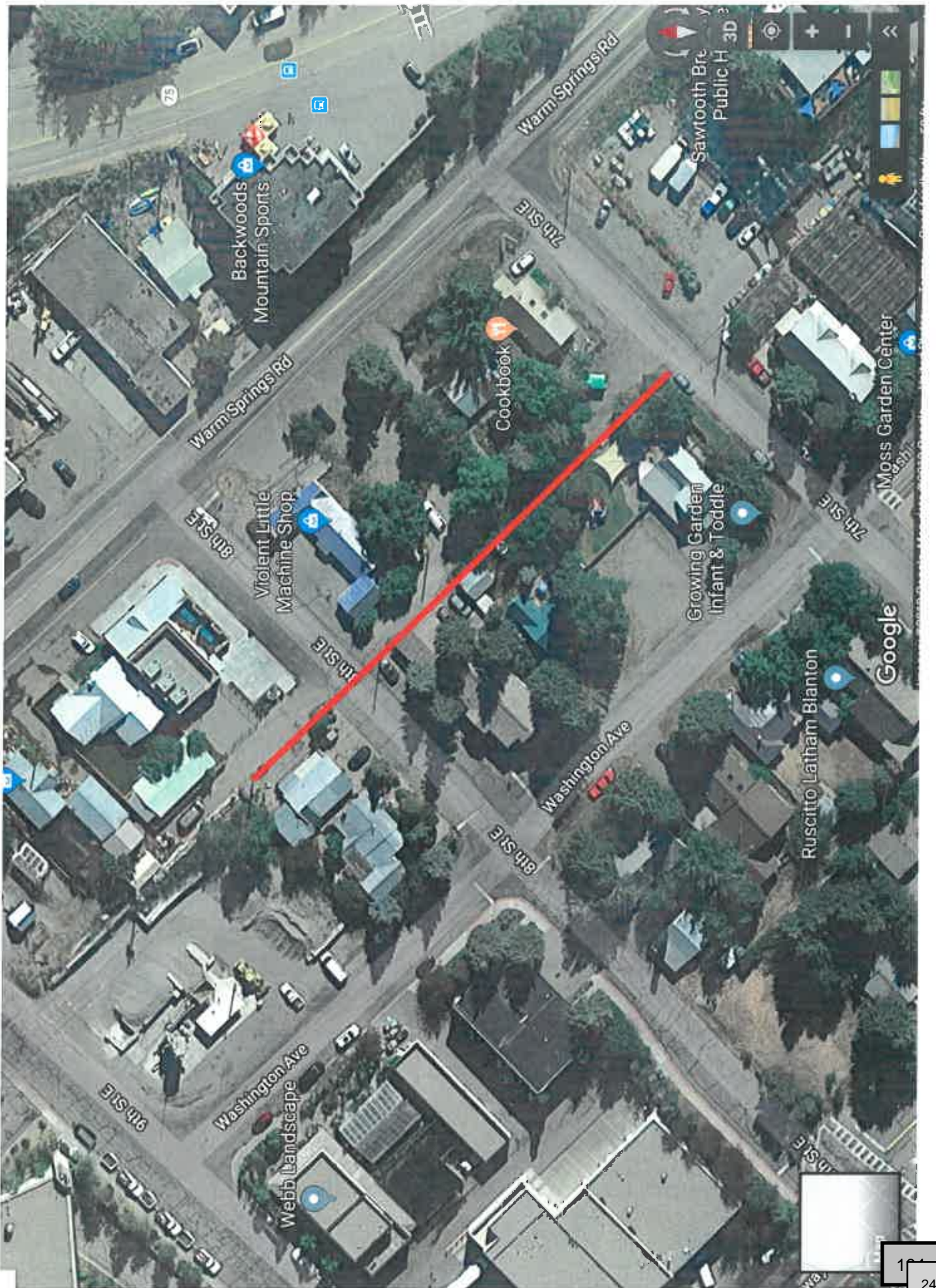

Applicant Signature

6/17/19
Date

949-280-1111
Phone

andy@earthshinefoundation.org
Email

Requests will be brought to Ketchum City Council for consideration.





CUSTOMER COST QUOTE IDAHO

Customer or Project Name: CASTELLANO RESIDENCE-760 N WASHINGTON, KET; OH TO URD RELOCATION

Construction Costs

Net Line Installation Cost	\$210
Unusual Conditions	
Unusual Conditions	\$33,767
Unusual Conditions Bank Letter of Credit (Only for over \$10,000)	\$0
<hr/>	
Net Unusual Conditions	\$33,767
Net Terminal Facilities Cost	\$3,392
<hr/>	
Total Construction Costs	\$37,369
<hr/>	
Other Costs/Credits	
Prepaid Fees (Engineering, Permits & Rights of Way)	\$2,812
Other Charges (Engineering, Permits, Services, Relocation)	\$975
Salvage of facilities Relocation or Removal	\$67,202
Miscellaneous Charges/Adjustments	\$0
<hr/>	
Total Other Costs/Credits	\$68,177
<hr/>	
Vested Interest	
Vested Interest Charge	\$0
<hr/>	
Total Customer Payment Due Prior to Construction Scheduling	\$105,546

Notes:

Notice: This Customer Cost Quote shall be binding on both Idaho Power Company ("Idaho Power") and Customer for a period of sixty (60) days from the quoted date indicated below, subject to changes in information provided by Customer or changes in Idaho Power's ability to obtain satisfactory rights-of-way or to comply with governmental regulations, including but not limited to the rules, regulations, and tariffs of the Idaho Public Utilities Commission ("IPUC") and the Public Utility Commission of Oregon ("OPUC"). Customer must make payment of the quoted amount not less than thirty (30) days prior to the start of the construction work set forth in this agreement ("Work"). However, Idaho Power does not represent or warrant that the Work will commence within 30 days of receipt of payment. The start of the Work is subject to Idaho Power's ability to obtain the necessary labor, materials and equipment.

Internal use			Page 1 of 3
Service Request Number	Work Order Number:	Design Number:	Version:
00424593	27513684	0000133452	001

By Initialing below, Customer acknowledges and agrees to the following:

- ✓ **Customer initials** Charges for relocation, transfer or removal of non-Idaho Power equipment attached to Idaho Power facilities are not included in this Customer Cost Quote. It is the Customer's responsibility to coordinate this work with the affected utility. All charges associated with this work are the responsibility of the Customer. For utility contact information, please call 208-388-2886
- ✓ **Customer initials** Charges for installation of underground electrical service are not included in this Customer Cost Quote and will be billed to the customer on the first month's power bill after service installation has been completed.
- ✓ **Customer initials** The Customer has received the Underground Residential Conduit Installation brochure/packet or will access the packet available online at:
<https://docs.idahopower.com/pdfs/ServiceBilling/customerservice/newConstruction/UGResConduitInstall.pdf>
- ✓ **Customer initials** **Final Grade:** Customer understands that as of the above-named project will be ready for facilities to be installed by Idaho Power. All roadways and cable routes must have all grading and sub grading completed by this date. The project must be properly referenced and have grade stakes installed at all Idaho Power device locations and as might be necessary to establish proper elevations and burial depths for Idaho Power facilities. The Customer will be responsible for the total cost of damage to Idaho Power facilities resulting from any subsequent changes in property, any needed relocation, repair, or lines, lot lines, elevations, grades, excavations, or profiles causing property any needed relocation, repair, or lines, lot lines, elevations, grades, excavations, or profiles causing improper locations or burial depths of above-ground equipment, below-ground equipment, cable, or conduit.
- ✓ **Customer initials** **Unusual Conditions:** As defined in Idaho Power's line installation tariff, Rule H, Unusual Conditions are construction conditions not normally encountered, but which Idaho Power may encounter during construction which impose additional, project-specific costs. These conditions include, but are not limited to: frost, landscape replacement, road compaction, pavement replacement, chip-sealing, rock digging/trenching, boring, nonstandard facilities or construction practices, and other than available voltage requirements. The total cost for all Unusual Conditions, in connection with the work as set forth on this Customer Cost Quote will be based on the actual costs incurred by Idaho Power related to the conditions encountered during performance of the Work. Upon completion of all Work, Idaho Power will refund to Customer any Unusual Conditions amount set forth on this Customer Cost Quote sheet but, not incurred by Idaho Power.

Prior to commencement of the work, Customer shall identify for Idaho Power the location of all underground pipes, lines, and other facilities (collectively, the "Underground Lines") that may be on Customer's property where Idaho Power is working. Customer agrees to be responsible for identification and location of all Underground Lines and shall indemnify, defend, reimburse and hold harmless Idaho Power and its successors and their respective directors, officers, members, employees, representatives and agents for, from, and against any and all claims, liabilities, losses, damages, expenses, suits, actions, proceedings, judgement and costs of any kind (collectively, "Damages"), whether actual or merely alleged and whether directly incurred or from a third party, arising out of or relating to Customer's failure to properly or adequately identify and locate the Underground Lines, except to the extent finally determined by a court of law that such Damages resulted from the gross negligence or willful misconduct of Idaho Power, its agents, subcontractors, employees, officers or directors.

Internal use			Page 2 of 3
Service Request Number	Work Order Number	Design Number	Version:
00424593	27513684	0000133452	001

The Customer acknowledges Idaho Power's Rule C (Service and Limitations), Section 7 (Right of Way) on file with the IPUC or OPUC: "The Customer shall, without cost to Idaho Power, grant Idaho Power a right-of-way for Idaho Power's lines and apparatus across and upon the property owned or controlled by the Customer, necessary or incidental to the supplying of Electric Service and shall permit access thereto by Idaho Power's employees at all reasonable hours." By signing this Customer Cost Quote, Customer grants to Idaho Power a perpetual right-of-way over the Customer's property for the installation, operation, replacement and maintenance of power facilities to provide electrical service to the Customer and any future owners of the Customer's property.

Construction Costs available for refund

(Vested Interest limited to 5 years or 4 additional applicants) \$0
Total Customer Payment Due **\$105,546**
Total Customer Payment Due Prior to Construction Scheduling

Please sign and return all relevant forms along with the amount stated on the Customer Cost Quote to:

IDAHO POWER COMPANY
PO Box 3909
Hailey, ID 83333

Customer Signature _____ Date _____

Idaho Power Representative *Cyneli Bradshaw* Quote Date 4/9/19

Internal use			Page 3 of 3
Service Request Number:	Work Order Number:	Design Number:	Version:
00424593	27513684	0000133452	001

5/28/2019

Andy Castellano
Andy Castellano
Ketchum, Idaho, 83353

Re: CR-6521|760 N Washington St

To Whom It May Concern,

Your set of 100% design stage plans on the above referenced project have been reviewed. Please accept this letter as means for replying to your conflict review request.

Response: Facilities located within project limits - requires relocation. Related CR-6521

Cox Communications, Inc. Facilities: Facilities are located on plans - exact locations not affirmed.

The following is a breakdown of the costs associated:

All payments shall be made to: **COX Communications**

Materials:	\$
Labor:	\$ 4237.64
Design/Engineering:	\$ 1816.13
Total project cost:	\$ 6053.78

Send check to: **COX Communications**
Attn: CSSS (Construction Support)
11811 E. 51st St.
Tulsa, OK 74146

A minimum of 90 day advance notice is required by Cox Communications to relocate their facilities.

Immediately notify Cox Communications Engineering Department of any discrepancies or conflicts determined subsequent to this plan review depending on circumstances of this particular project. If offsite improvement plans are not already submitted, please consider this a request to submit for conflict review. Allow a minimum of 45-days to resolve undetermined conflicts that arise as a result of the construction of this project. All costs to relocate shall be at the expense of the developer/customer. When crossing Cox Communications facilities the contractor shall pothole to determine depth and maintain a minimum of 12 inches of vertical and horizontal separation from the proposed facility. Support and protect all Cox Communications facilities during construction. Cox Communications does not maintain installation records of customer drops that may conflict with this project. Notify Cox Communications Engineering Department of all utility coordination meetings, pre-construction meetings and construction schedules including the anticipated construction start date.

All data contained in this clearance letter was based on information available at the time of its preparation. Cox Communications neither encourages reliance on, nor warrants, the location of underground utilities drawn in the project plans or the accuracy of Cox system prints. Avoid unnecessary damages and call 811 before digging or trenching. Contacting 811 for location of Cox Communications facilities must be completed prior to any construction and failure to do so may result in City, State, and/or Federal violations.

If you have any questions or require additional information, please contact our Corporate Traffic Management center at natlconstrafficmgmtteam@cox.com

Sincerely,

Cox Communications' Construction Engineering Team



Andrew Castellano <andy@earthshinefoundation.org>

Castellano Relocation - 760 Washington Ave, Ketchum

2 messages

Sorenson, Tenille <Tenille.Sorenson@centurylink.com>

Fri, May 17, 2019 at 11:09 AM

To: "andy@earthshinefoundation.org" <andy@earthshinefoundation.org>

Good Morning Andrew~

Cyndi Bradshaw with Idaho Power informed me that you have a project to construct a new home at 760 Washington Ave, in Ketchum. She said that you have requested a quote for the relocation of the existing overhead facilities to be relocated underground. I have worked up the quote for CenturyLink's relocation of facilities to be included in the Idaho Power joint trench design.

Below is the quote to relocate CenturyLink's facilities from the existing overhead to underground. This quote is only valid for 30 days.

Material: \$1,463.66

Labor: \$7,492.68

Total: \$8,956.34

If the charges are agreed upon and you would like CenturyLink to perform the work then an official contract will be sent out from our special construction group for billing. After the contract has been requested, you should receive the contract within 48 hours via the requested email address. The contract will need to be signed and returned with the payment to the address on the cover page included with the contract email. Once engineering has been notified of payment from our BART department, the project will be designed and sent to construction. CenturyLink has 30 days from the date of contract signage, to complete the work, barring delays beyond control, i.e., weather, permits, back ordered material.

No engineering or construction work can be started until all charges are paid. If you would like to proceed please provide the following information.

Billing Customer Information

Attention To:

Customer Name:

Address

City:

State and Zip Code:

Telephone Number:

Cell Phone Number:

Fax Number:

Email Address:

Customer Contact Preference: Email, Fax, or US Mail (This will be how you would like to receive the bill)

In the meantime if you have any questions or concerns please let me know.

Regards,

Tenille Sorenson

CenturyLink Engineer II

216 S Park Ave. W

Twin Falls, ID 83301

Tel: 208.733.0278 | Fax: 208.736.8755

Tenille.Sorenson@CenturyLink.com

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Andrew Castellano <andy@earthshinefoundation.org>
To: "Sorenson, Tenille" <Tenille.Sorenson@centurylink.com>

Fri, May 17, 2019 at 12:45 PM

Thank you very much. I am just waiting for the final quote from Cox before we can proceed.

Best,
Andy

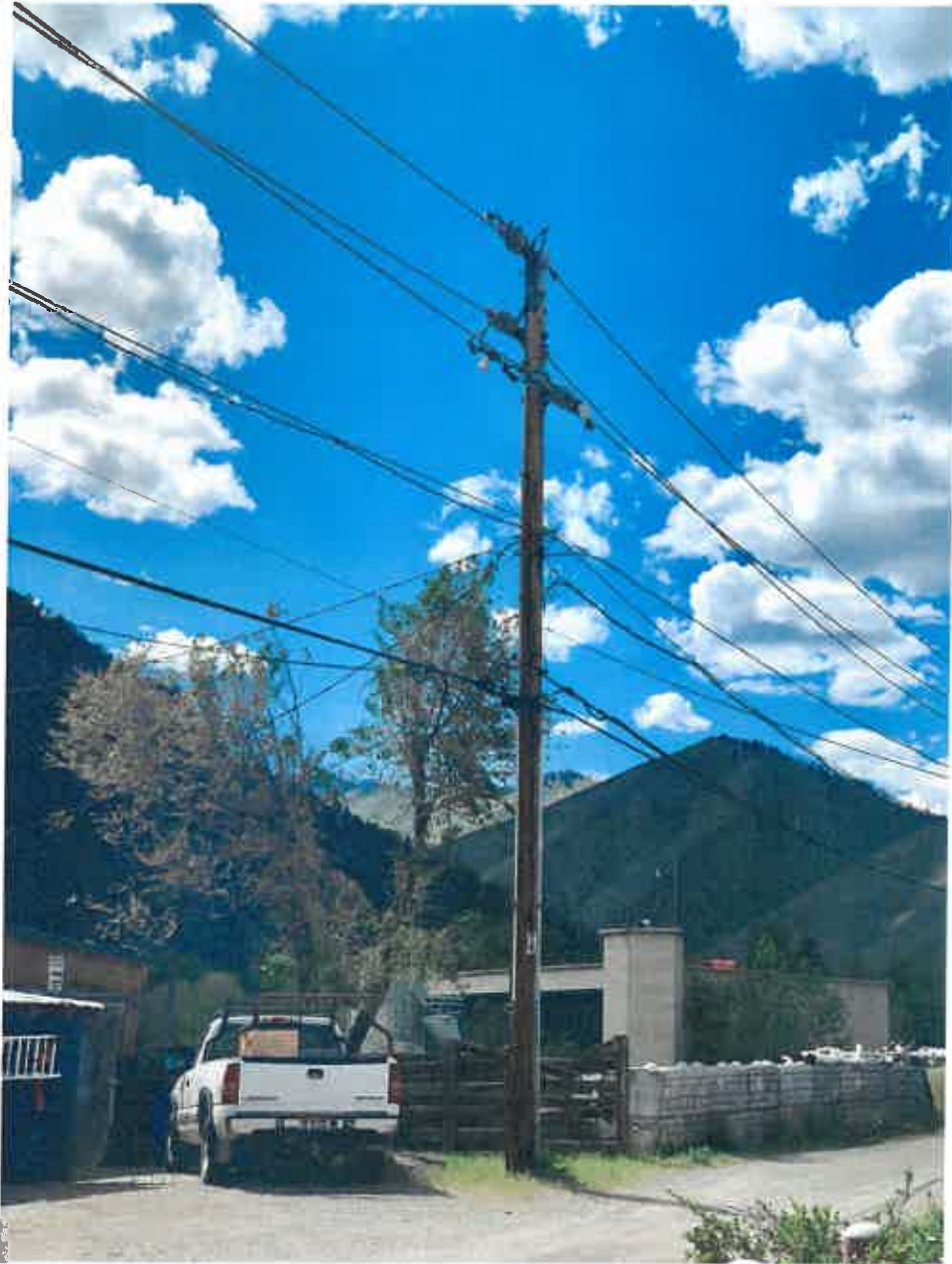
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VIEW LOOKING SOUTHWEST DOWN 8TH STREET



VIEW LOOKING SOUTHEAST FROM 8TH STREET



VIEW LOOKING WEST FROM 8TH STREET



VIEW FROM LOT AT 760 WASHINGTON AVE



**City of Ketchum
Public Works**

Application for City Funding for Electric Facility Undergrounding Projects Information Sheet

Idaho Power Franchise Fee

In November 2003 Ketchum residents approved an Idaho Power franchise fee increase from one percent to three percent for the purpose of undergrounding overhead electric facilities. This application is for city funding of undergrounding projects initiated by the public.

Funding Available from City

Annual funding from the city will be capped at a maximum of 25% of the annual franchise fee revenues, however city council will have the ability to increase the funding by allocating unused funds rolled over from a previous year.

The maximum amount of city funding that can be allocated to projects depends on the zone in which the project is located. Since undergrounding electric facilities primarily benefits private property owners the maximum amount of city funding for a project is 25%. The remaining amount of funding for the project must come from other sources, such as private funding or through a Local Improvement District (LID) or Business Improvement District (BID) initiated by petition. Table 1 shows the maximum city funding for an electric facility undergrounding project by zone.

Table 1 –Maximum City Undergrounding Funding

Zone	Idaho Power Study/Design		Construction	
	Max City Funding*	Other Funding	Max City Funding*	Other Funding
Community Core & Tourist	25%	75%	25%	75%
Residential	25%	75%	10%	90%

*City contribution would be limited to the percentage listed of the actual costs, or the percentage listed of the estimated cost at the time of annual budgeting, whichever is less. If actual construction costs exceed the estimated construction cost at the time of city budgeting the applicant would be required to cover cost increases through other funding.

Selection Criteria

In order to focus city funding in areas with the most visibility and impact to the public the city will prioritize undergrounding funding as follows:

1. Community Core
2. Tourist
3. All Residential Zones

Projects within each zone would be further prioritized based on the following criteria:

- Beneficial to multiple properties
- Improving view corridor for visitor & resident experience
- City infrastructure needs

Funding Process and Timeline

Applicants complete the attached application and submit the application to the city by February 1st. The application schedule would coincide with the city's annual budgeting schedule so that council can consider undergrounding requests along with other city infrastructure needs. The following graphic shows an annual schedule by which applications will need to be received by the city. Funding for the project(s) would not occur until the start of the following fiscal year and city funds would not be issued until the applicant has secured other funding for the projects.



Questions?

Applicants may contact Robyn Mattison, Public Works Director/City Engineer, for questions regarding this application process.



City of Ketchum
Public Works

OFFICIAL USE ONLY	
Date Received	4/16
By	Grant/Sucomaru
Approved Date	
By	

Application for City Funding for Electric Facility Undergrounding Projects

Submit complete application to City of Ketchum, Public Works Department, P.O. Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave., N., Ketchum. If you have questions, please contact Public Works Director Robyn Mattison at rmattison@ketchumidaho.org or (208) 727-5080.

PROJECT INFORMATION		
Contact Name: <u>Andrew Castellano</u>	Mailing Address:	Project Location:
Business Name:	<u>PO Box 1180</u>	<u>Alley between Washington & Warm Springs from 7th St. to 9th St.</u>
Phone: <u>949-280-1111</u>	<u>Ketchum, ID 83340</u>	
Email: <u>andy @ earthshine foundation. org</u>	Project Zoning District: <u>Commercial Core</u>	
Project Description: (Provide a general description of the electric facility underground scope. Applicant may attach as many figures are necessary to describe the project scope.)		
<p>Power lines to be undergrounded from North side of 7th St to South side of 9th St. Ten or fewer properties to be reconnected to underground service (several may already be underground along 8th St.)</p> <p>Two transformers (pad mount) to be installed on private property on 700 block and two on 800 block.</p>		
Funding Request:		
<input checked="" type="checkbox"/> Planning	Total Project Cost: <u>\$3,034</u>	
<input type="checkbox"/> Construction	Requested Amount: <u>\$758</u>	Percent of Total: <u>25</u> %
	Other Funding Sources	
	Amount: <u>\$Unknown</u>	Source: <u>KVRA (hopefully)</u>
	Amount: <u>\$Balance</u>	Source: <u>Self and any neighbors that want to help</u>
	Amount: <u>\$</u>	Source: <u></u>
	(attach separate sheet if necessary)	

Application for City Funding for Electric Facility Underground Projects

SUPPLEMENTAL QUESTIONS (provide additional sheet if more space is needed)

Is the project beneficial to multiple properties? If so, please explain in detail.

Yes. There are approximately 16 properties that back up to these powerlines. The powerlines are unsightly, inhibit views and restrict building envelopes. Undergrounding will improve every lot on these two blocks, which we believe will spur further investments in the neighborhood by current or future property owners (including us).

Will the project improve view corridor for visitor & resident experience? If so, please explain.

Yes. Views of Bald Mountain from Warm Springs Road, 8th St. and Main St/Hwy 75 will be improved for visitors and residents. Views from lots on Warm Springs toward Bald Mountain will be dramatically improved. Views to the East from lots on Washington will be dramatically improved. And, the character of the town will be improved for all!

OFFICIAL USE ONLY:

Applicant certifies that he/she has read and examined this application and that all information contained therein is true and correct.


Applicant Signature

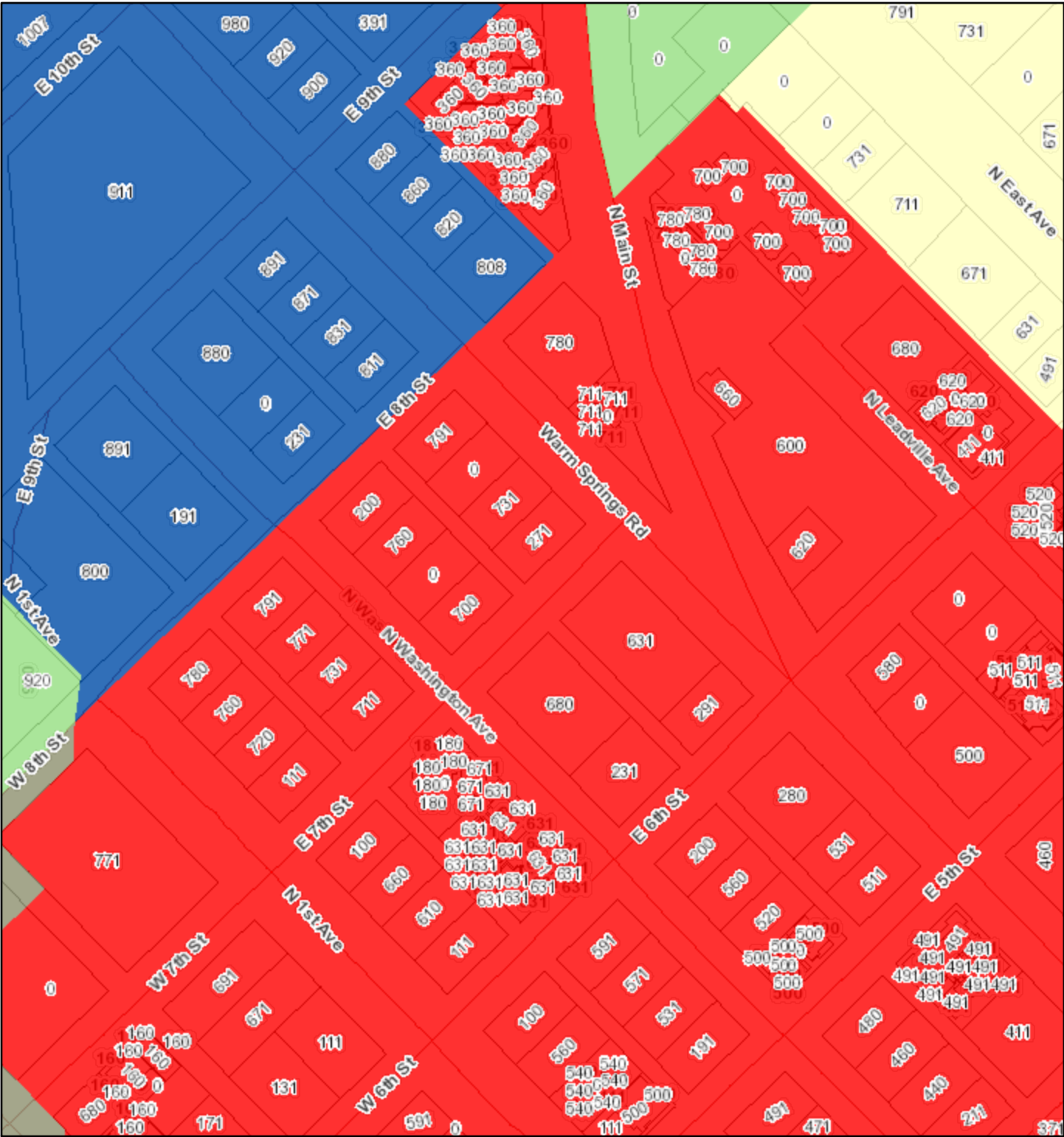
4/10/18
Date

949-280-1111
Phone

andy@earthshinefoundation.org
Email

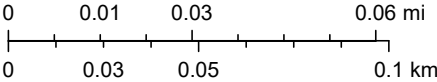
Requests will be brought to Ketchum City Council for consideration.

Ketchum Information Map



June 24, 2019

1:1,987



City of Ketchum, Blaine County

WHEN RECORDED, PLEASE RETURN TO:

**OFFICE OF THE CITY CLERK
CITY OF KETCHUM
POST OFFICE BOX 2315
KETCHUM, IDAHO 83340**

RIGHT-OF-WAY ENCROACHMENT AGREEMENT 20494

THIS AGREEMENT, made and entered into this ____ day of ____, 2020, by and between _____, representing IDAHO POWER COMPANY, (collectively referred to as "Owner"), whose address is 1221 West Idaho St., Boise, ID 83702 and the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum"), whose address is Post Office Box 2315, Ketchum, Idaho.

RECITALS

WHEREAS, Owner wishes to permit placement of power poles and underground electrical power lines in the public alley right-of-way between 7th St. and 8th St. west of Warm Springs. These improvements are shown in Exhibit "A" attached hereto and incorporated herein (collectively referred to as the "Improvements"); and,

WHEREAS, Ketchum finds that said Improvements will not impede the use of said public right-of-way at this time subject to the terms and provisions of this Agreement;

WHEREAS, the Owner will restore the sidewalk, street, curb and gutter and any landscaping back to the original condition acceptable to the Streets and Facilities Director;

NOW, THEREFORE, in contemplation of the above stated facts and objectives, it is hereby agreed as follows:

TERMS AND CONDITIONS

1. Ketchum shall permit Owner to install power infrastructure identified in Exhibit "A" within the public alley right-of-way between 7th St. and 8th St. west of Warm Springs, until notified by Ketchum to remove the same.

2. Owner shall be responsible for the maintenance of said Improvements and shall repair said improvements within 48 hours upon notice from Ketchum that repairs are needed.

3. Owner shall be responsible for restoring the sidewalk, curb and gutter and landscaping that is altered due to the construction and installation of the vault, to the satisfaction of the Director of Streets and Facilities.

4. In consideration of Ketchum allowing Owner to maintain the Improvements in the public right-of-way, Owner agrees to indemnify and hold harmless Ketchum from and against any and all claims of liability for any injury or damage to any person or property arising from the Improvements constructed, installed and maintained in the public right-of-way. Owner shall further indemnify and hold Ketchum harmless from and against any and all claims arising from any breach or default in the performance of any obligation on Owner's part to be performed

under this Agreement, or arising from any negligence of Owner or Owner's agents, contractors or employees and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such action or proceeding brought thereon. In the event any action or proceeding is brought against Ketchum by reason of such claim, Owner, upon notice from Ketchum, shall defend Ketchum at Owner's expense by counsel satisfactory to Ketchum. Owner, as a material part of the consideration to Ketchum, hereby assumes all risk of damages to property or injury to persons in, upon or about the Improvements constructed, installed and maintained in the public right-of-way arising from the construction, installation and maintenance of said Improvements and Owner hereby waives all claims in respect thereof against Ketchum.

5. Ketchum shall not be liable for injury to Owner's business or loss of income therefrom or for damage which may be sustained by the person, goods, wares, merchandise or property of Owner, its tenants, employees, invitees, customers, agents or contractors or any other person in or about the Subject Property caused by or resulting from the Improvements constructed, installed, removed or maintained in the public right-of-way.

6. Owner understands and agrees that by maintaining the Improvements in the public right-of-way pursuant to this Agreement, Owner obtains no claim or interest in said public right-of-way which is adverse to that of Ketchum and that Owner obtains no exclusive right to said public right-of-way nor any other right to use the public right-of-way not specifically described herein.

7. In the event either party hereto retains an attorney to enforce any of the rights, duties and obligations arising out of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees at the trial and appellate levels and, whether or not litigation is actually instituted.

8. This Agreement shall be governed by, construed, and enforced in accordance with the laws and decisions of the State of Idaho. Venue shall be in the District Court of the fifth Judicial District of the State of Idaho.

9. Subject to Section 13 below, this Agreement sets forth the entire understanding of the parties hereto and shall not be changed or terminated orally. It is understood and agreed by the parties hereto that there are no verbal promises or implied promises, agreements, stipulations or other representations of any kind or character pertaining to the Improvements maintained in the public right-of-way other than as set forth in this Agreement.

10. No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of this document.

11. This Agreement shall be recorded with the Blaine County Recorder by Ketchum.

12. The parties fully understand all the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

13. Notwithstanding any other provision of this Agreement, this Agreement shall be subject in all respects to the terms of the Franchise Agreement between Owner and Ketchum set forth in Ketchum Ordinance No. 1092 adopted by Ketchum on May 7, 2012, as such Franchise Agreement may be amended, extended or replaced by a new franchise agreement in

the future (“Franchise Agreement”), and in the event of any conflict or uncertainty between the terms of this Agreement and the Franchise Agreement, the Franchise Agreement shall control.

OWNER:

CITY OF KETCHUM:

By: _____

By: _____
Neil Bradshaw
Its: Mayor

STATE OF _____,)
County of _____,) ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

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

Notary Public for _____
Residing at _____
Commission expires _____

STATE OF IDAHO)
County of Blaine) ss.

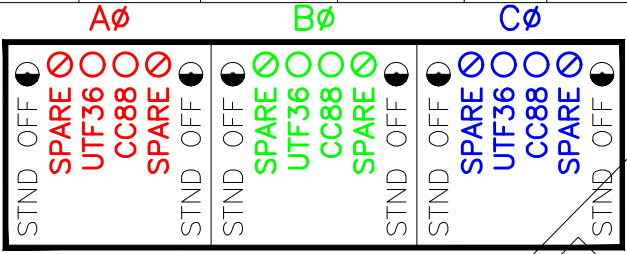
On this ___ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified to me to be the Mayor of the CITY OF KETCHUM, IDAHO, and the person who executed the foregoing instrument on behalf of said municipal corporation and acknowledged to me that said municipal corporation executed the same.

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

Notary Public for _____
Residing at _____
Commission expires _____

EXHIBIT "A"

UNDERGROUND CABLE NOTES										
POINT NUMBER	FROM	TO	CONDUCTOR CU	CABLE SIZE	CABLE LENGTH	TRENCH LENGTH	CONDUIT CU	CONDUIT SIZE	CONDUIT LENGTH	COMPACTION LENGTH
1	EX SPARE	X32				-	DDB4	4	215	-
1	X32	X50	DCP1K3	1100-3	415	335	DDB6	6	335	SLURRY
3	AC44	PRI STUB				20	DDB2	2	20	SLURRY
3	CC66	AC44	DCP10	1/0 A	225	210	DDB2	2	210	-
3	AC44	SECD STUB					DDB3S	3	60	
4	AC44	AC44A	D3SC35	350TxS	120	110	DDB3S	3	110	-
5	AC44	#791	D3SC35	350TxS	95	65	DDB3S	3	65	SLURRY
6	AC44	#731	D3SC35	350TxS	50	20	DDB3S	3	20	-
7	AC44	#271	D3SC35	350TxS	115	75	DDB3S	3	75	SLURRY



CC66

EASEMENT REQUIRED

Date Obtained: _____
 To be Obtained: _____
 From _____



****TRANSFORMER AC44 MAY SHIFT TO SIT ON PROPERTY. WILL DEPEND ON EASEMENT. EASEMENT MUST BE COMPLETE PRIOR TO CONSTRUCTION SCHEDULING.****

No Avian Protection Restriction

NEW 45'CL4 POLE TO RELOCATE T29 TO AND DOWNGUYS TO HOLD TENSION.

CONNECT EXISTING SECONDARY CONDUCTOR AND TRANSFER OVERHEAD SERVICE. NEW SOURCE WILL BE XFMR BANK NORTH. MTR #10875242 ON EAST MTR #10872734 ON WEST MTR #10875241 ON WEST

TRENCH AND INSTALL 2-6" CONDUITS, 1-4" CONDUIT AND 1-2" CONDUIT.

4-3" CONDUITS TO BE INSTALLED IN ALLEY FOR RE-SERVING EXISTING POWER METERS.

BOTH CENTURY LINK AND COX COMMUNICATIONS HAVE EQUIPMENT AND LINE ATTACHED BETWEEN THE POLES TO BE RELOCATED.

REMOVE THREE SPANS OF OH 795AAC & 336AAC NEUTRAL SN.

REMOVE TWO SPANS OF OVERHEAD #2TXS BETWEEN OH 50KVA AND T29 POLE.

NEW 35'CL5 SECONDARY POLES HERE.



Job Title: CASTELLANO RESIDENCE-760 N WASHINGTON AVE/KETCOH TO UG RELC		Feeder Map File Name: KCHM1401		Surveyed or GPS: GPS		FDR By: ----		Designer: CDC0468	
Additional Description: RELOCATE EXISTING OVERHEAD DISTRIBUTION FACILITIES TO UNDERGROUND		Qua 1 TwN 04N Rng 17E Sec 13 BM		Joint Use Attachment: YES		Date: ----		Design No: 0000133452	
Additional Description: DISTRIBUTION FACILITIES.		State ID County Blaine		Pre-Built Date: ----		ArcFM By: ----		Work Order No: 27549457	
				Construction Date: ----		Date: ----			
				Operating Voltage: 12.5 kV					

Sherri Newland

From: Suzanne Frick <sfrick@ketchumidaho.org>
Sent: Wednesday, August 26, 2020 3:18 PM
To: Sherri Newland
Subject: Fwd: Castellano Undergrounding Project

Sherri—Just FYI

SUZANNE FRICK | CITY OF KETCHUM

P.O. Box 2315 | [480 East Ave. N. | Ketchum, ID 83340](#)
o: [208.727.5086](tel:208.727.5086) | m: [208.721.2765](tel:208.721.2765)
sfrick@ketchumidaho.org

Begin forwarded message:

From: Participate <participate@ketchumidaho.org>
Date: August 26, 2020 at 2:43:07 PM MDT
To: AllCouncil <AllCouncil@Ketchumidaho.org>
Cc: Suzanne Frick <sfrick@ketchumidaho.org>, Robin Crotty <rcrotty@ketchumidaho.org>
Subject: **FW: Castellano Undergrounding Project**

Please see public comment below.

LISA ENOURATO | CITY OF KETCHUM

Assistant City Administrator
P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340
o: 208.726.7803 | f: 208.726.7812
lenourato@ketchumidaho.org | www.ketchumidaho.org

From: burke smith <burkesmith@gmail.com>
Sent: Wednesday, August 26, 2020 1:12 PM
To: Participate <participate@ketchumidaho.org>
Subject: Castellano Undergrounding Project

August 28, 2020

Subject: Castellano Undergrounding

Dear City of Ketchum,

We are writing to voice our objection to the timing of the Castellano Undergrounding Project.

We are the owners/operators of Cookbook Restaurant. The last five and a half months have been extremely trying for our business. After fourteen weeks of doing takeout exclusively, the last eight weeks we have been able to serve

dinners outside. It has literally saved our business. We have created a beautiful garden setting that people love. We are concerned that if this construction project commences while we still have a viable window for outdoor service, the disruption it will cause will submarine our business. Knowing that we will have to return to a takeout-only mode for the Fall and Winter when the weather changes, the timing of this project could be devastating for our business.

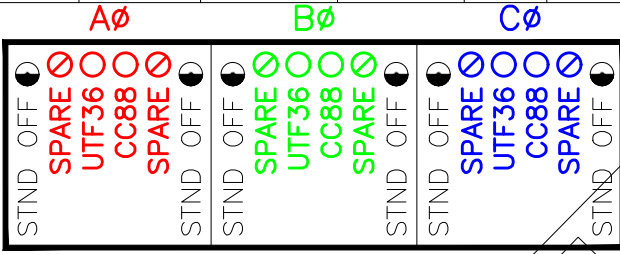
Can this project be pushed to a later date?

Many thanks!

Best Regards,

Vita and Burke Smith

UNDERGROUND CABLE NOTES										
POINT NUMBER	FROM	TO	CONDUCTOR CU	CABLE SIZE	CABLE LENGTH	TRENCH LENGTH	CONDUIT CU	CONDUIT SIZE	CONDUIT LENGTH	COMPACTION LENGTH
1	EX SPARE	X32				-	DDB4	4	215	-
1	X32	X50	DCP1K3	1100-3	415	335	DDB6	6	335	SLURRY
3	AC44	PRI STUB				20	DDB2	2	20	SLURRY
3	CC66	AC44	DCP10	1/0 A	225	210	DDB2	2	210	-
3	AC44	SECD STUB					DDB3S	3	60	
4	AC44	AC44A	D3SC35	350TxS	120	110	DDB3S	3	110	-
5	AC44	#791	D3SC35	350TxS	95	65	DDB3S	3	65	SLURRY
6	AC44	#731	D3SC35	350TxS	50	20	DDB3S	3	20	-
7	AC44	#271	D3SC35	350TxS	115	75	DDB3S	3	75	SLURRY



EASEMENT REQUIRED

Date Obtained: _____

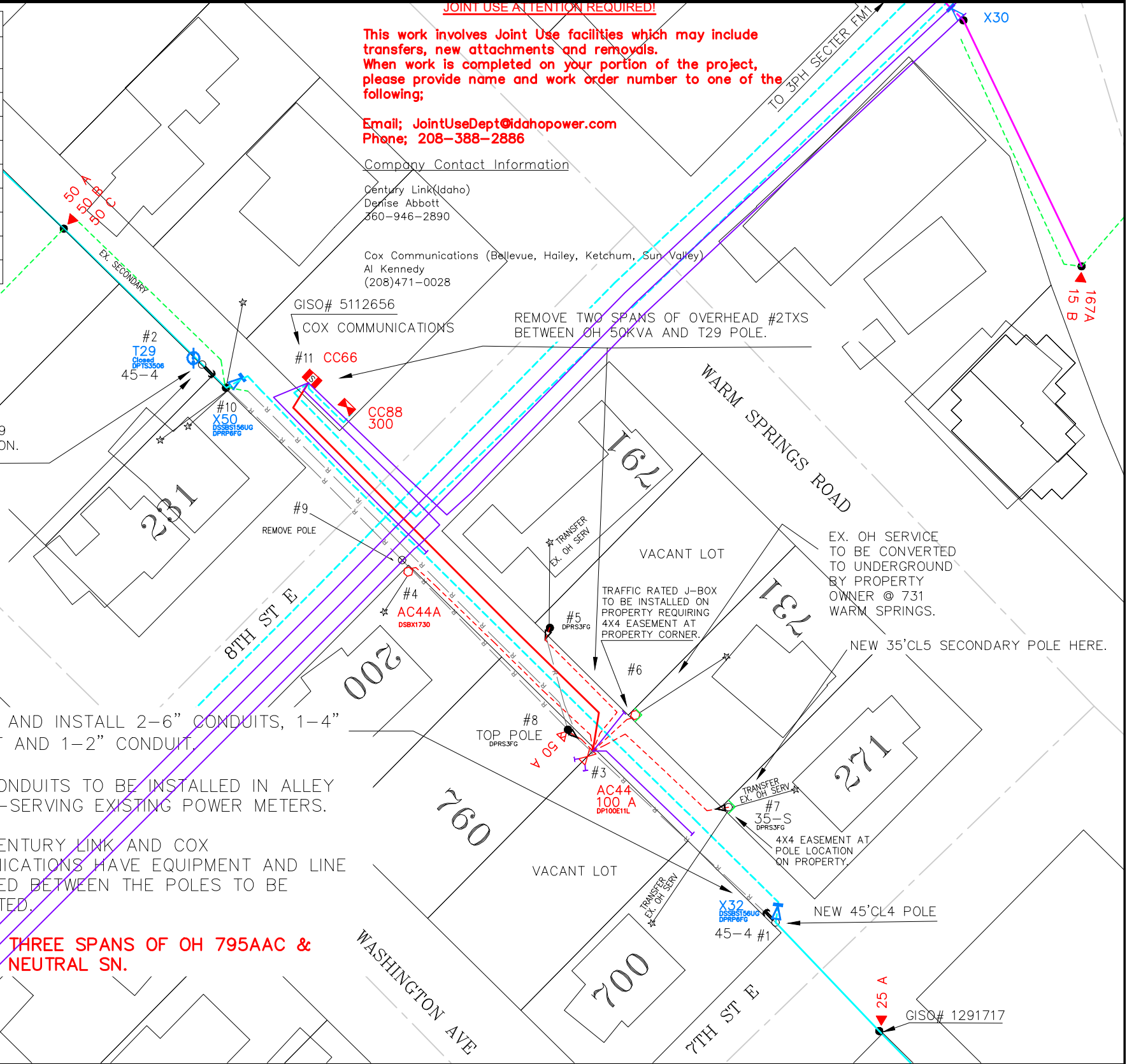
To be Obtained: _____

From _____



****TRANSFORMER AC44 MAY SHIFT TO SIT ON PROPERTY. WILL DEPEND ON EASEMENT. EASEMENT MUST BE COMPLETE PRIOR TO CONSTRUCTION SCHEDULING.****

No Avian Protection Restriction



JOINT USE ATTENTION REQUIRED!

This work involves Joint Use facilities which may include transfers, new attachments and removals. When work is completed on your portion of the project, please provide name and work order number to one of the following:

Email: JointUseDept@idahopower.com
 Phone: 208-388-2886

Company Contact Information

Century Link (Idaho)
 Denise Abbott
 260-946-2890

Cox Communications (Bellevue, Hailey, Ketchum, Sun Valley)
 Al Kennedy
 (208)471-0028

REMOVE TWO SPANS OF OVERHEAD #2TXS BETWEEN OH 50KVA AND T29 POLE.

NEW 45'CL4 POLE TO RELOCATE T29 TO AND DOWNGUYS TO HOLD TENSION.

CONNECT EXISTING SECONDARY CONDUCTOR AND TRANSFER OVERHEAD SERVICE. NEW SOURCE WILL BE XFMR BANK NORTH. MTR #10875242 ON EAST MTR #10872734 ON WEST MTR #10875241 ON WEST

TRENCH AND INSTALL 2-6" CONDUITS, 1-4" CONDUIT AND 1-2" CONDUIT.

4-3" CONDUITS TO BE INSTALLED IN ALLEY FOR RE-SERVING EXISTING POWER METERS.

BOTH CENTURY LINK AND COX COMMUNICATIONS HAVE EQUIPMENT AND LINE ATTACHED BETWEEN THE POLES TO BE RELOCATED.

REMOVE THREE SPANS OF OH 795AAC & 336AAC NEUTRAL SN.

EX. OH SERVICE TO BE CONVERTED TO UNDERGROUND BY PROPERTY OWNER @ 731 WARM SPRINGS.

NEW 35'CL5 SECONDARY POLE HERE.

TRAFFIC RATED J-BOX TO BE INSTALLED ON PROPERTY REQUIRING 4X4 EASEMENT AT PROPERTY CORNER.

4X4 EASEMENT AT POLE LOCATION ON PROPERTY

Job Title: CASTELLANO RESIDENCE-760 N WASHINGTON AVE/KETCOH TO UG RELC	Feeder Map File Name: KCHM1401	Surveyed or GPS: GPS Joint Use Attachment: YES Pre-Built Date: 7/13/2020 Built as Designed: ---- Construction Date: ---- Operating Voltage: 12.5 kV	FDR By: ---- Date: ---- ArcFM By: ---- Date: ----	Customer: Date:	Designer: CDC0468 Design No: 0000133452 Work Order No: 27549457
Additional Description: RELOCATE EXISTING OVERHEAD DISTRIBUTION FACILITIES TO UNDERGROUND DISTRIBUTION FACILITIES.	Qua: 1 Twn: 04N Rng: 17E Sec: 13 BM: BM State: ID County: Blaine	<p>SWPP: Pending</p> <p>TIMES SCALE 0 1 2 3 4</p> <p>North</p> <p>SCALE: 1" = 50</p> <p>Sheet 1 of 1</p>			



City of Ketchum
City Hall

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, ID 83340

Mayor Bradshaw and City Councilors:

**Recommendation to approve Purchase Order 20515
For A New Boiler**

Recommendation and Summary

Staff is seeking council direction on the replacement of the boiler in Building #3 at Forest Service Park, which is currently occupied by The Community Library for museum exhibitions. The Council may adopt either of the following motions:

A: "I move to direct staff to pursue installation of an electrically powered boiler and approve Purchase Order 20515 in an amount not to exceed \$9,960 and authorize the Mayor to sign the Purchase Order."

or

B: "I move to direct staff to pursue installation of a natural gas-powered boiler and approve Purchase Order 20515 in an amount not to exceed \$4,780 and authorize the Mayor to sign the Purchase Order."

The reasons for the recommendation are as follows:

- The existing natural gas boiler in Building #3 is over 25 years old and has been out of service since April.
- Due to the age of the boiler and several unsuccessful attempts to repair the equipment, it needs to be replaced
- The Ketchum Sustainability Action Plan 2020 includes a long-term energy target of decarbonizing all city facilities by 2030.

Introduction and History

The Forest Service Park building has historically obtained its heat and hot water from a natural gas-powered boiler. The boiler is over 25 years old and has met the end of its useful life. Given the City's Ketchum Sustainability Action Plan 2020 long-term energy target of de-carbonizing all city facilities by 2030, and the anticipated life span of the boiler, staff is seeking Council direction on whether to replace the current boiler with an electric- or natural gas-powered boiler.

Analysis

The City of Ketchum has obtained quotes for both electric- and natural gas-powered boilers. An electric boiler, and related fittings, has been quoted at \$9,960, which includes electrical connections and upgrades to accommodate the new electrical load. The City has also received a quote for a high-efficiency natural gas boiler for approximately \$4,780.

The City leases three buildings at Forest Service Park to The Community Library. Over the past few years, heating has been inconsistent in the building due to failures of the old boiler system. The City provided portable electric heaters to the tenants while awaiting repairs.

Sustainability Impact

The electric boiler would align with the city's adopted long-term energy target of de-carbonizing all city facilities by 2030.

Financial Impact

The capital of either system would be funded by the General Fund, Building Maintenance and Repairs line item.

Attachments

- Lowest gas and electric boiler bids

ESTIMATE

Reference # 4-101995

Thank you for the opportunity to provide you with an estimate.

Customer:	Sun Valley Museum of History
	180 E 1st St
	Ketchum, ID 83340
	(208) 481-0577
	ggager@ketchumidaho.org , lenourato@ketchumidaho.org
	9/1/2020

ATTN:	
-------	--

Scope of Work:	Replace 75 gallon water heater with new Thermolec electric boiler. *Note* Will require new 125 AMP service to boiler, not provided by Evans Plumbing.
----------------	-------------------------------------------------------------------------------------------------------------------------------------------------------

<u>Item</u>	<u>Description</u>				<u>Amount</u>
Labor	<i>Labor Type</i>	<i>Hours</i>	<i>Rate</i>		
	Journeyman	24	\$110.00		\$2,640.00
	Apprentice	24	\$80.00		\$1,920.00
	Labor Subtotal				\$4,560.00
Materials	Thermolec B-23 Electric Boiler				\$3,720.00
	Misc Material				\$1,595.00
		Material Subtotal			
Equipment/other	Freight				\$65.00
	Disposal				\$20.00
	Equipment/other Subtotal				\$85.00

Total Est. Cost		\$9,960.00
------------------------	--	-------------------

Prepared by: Deric	Office Initials: BT	
--------------------	---------------------	--

*Proposal valid for 30 days from above date		
*A signed copy of bid is required before work may begin		
*Upon approval a	50%	deposit of bid total is required before work may begin \$4,980.00
Approved:	Date:	

ESTIMATE

Reference # 4-101995

Thank you for the opportunity to provide you with an estimate.

Customer:	Sun Valley Museum of History
	180 E 1st St
	Ketchum, ID 83340
	(208) 481-0577
	ggager@ketchumidaho.org , lenourato@ketchumidaho.org
	9/1/2020

ATTN:	
-------	--

Scope of Work:	Change out 75 gallon water heater with new.
----------------	---------------------------------------------

<u>Item</u>	<u>Description</u>				<u>Amount</u>
Labor	<i>Labor Type</i>	<i>Hours</i>	<i>Rate</i>		
	Journeyman	8	\$110.00		\$880.00
	Apprentice	8	\$80.00		\$640.00
	Labor Subtotal				\$1,520.00
Materials	AO Smith Power Vent 75 gal Water Heater				\$2,440.00
	Misc Material				\$510.00
	Material Subtotal				\$2,950.00
Equipment/other	Freight				\$290.00
	Disposal				\$20.00
	Equipment/other Subtotal				\$310.00

Total Est. Cost		\$4,780.00
Prepared by: Deric		Office Initials: BT

*Proposal valid for 30 days from above date		
*A signed copy of bid is required before work may begin		
*Upon approval a	50%	deposit of bid total is required before work may begin \$2,390.00
Approved:		Date:



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to Hold Public Hearing and
Adopt Ordinance No. 1208
The FY 20-21 Annual Appropriations Ordinance**

Recommendation and Summary

Staff respectfully recommends that the Ketchum City Council conduct the third reading of the Annual Appropriation Ordinance No. 1208, and read by title only:

"I MOVE TO APPROVE THE THIRD READING, BY TITLE ONLY, OF ORDINANCE NO. 1208, AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING TO THE VARIOUS BUDGETARY FUNDS, SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES WITHIN EACH FUND FOR THE ENSUING FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE, AND PROVIDING AN EFFECTIVE DATE."

The reasons for the recommendation are as follows:

- State statute establishes requirements for approving a budget.

Introduction and History

Per Idaho Code 50-1003, the City Council of each city shall, prior to the commencement of each fiscal year, pass an Ordinance to be termed the Annual Appropriation Ordinance.

On August 3, 2020, the Council adopted Resolution No. 20-019 approving the preliminary budget for the fiscal year Beginning October 1, 2020, and ending September 30, 2021, containing the proposed revenues and expenditures necessary for all purposes for said fiscal year to be raised and appropriated within the City. The City Council also performed the first and second readings of the ordinance in August.

Analysis

The City Council will hold a Public Hearing on September 8, 2020, at 4:00 p.m. for the purpose of considering and fixing a final budget and making appropriations to each office, department, service, agency, or institution and fund for the next fiscal year (2020-21).

Prior to the first reading of the ordinance, the Council directed the City Treasurer to raise the LOT revenue and expense budget by \$100,000 and reduce the General Fund budget by \$10,000. Those changes were incorporated into the second reading and advertised publicly in the newspaper of record. Similarly, re-allocations of the

Mayor's recommended funding levels have occurred in the General Fund (\$1,000), In-Lieu Housing Fund (\$25,000), and General Capital Improvement Fund (\$100,000).

Financial Impact

The Fiscal Year 2020-21 City Budget provides budget authority for the services and projects the City anticipates providing during the new fiscal year. The proposed budget appropriates a total of \$33,712,794 including \$10,307,770 in the General Fund.

Attachments

- Attachment A: Ordinance 1208

ORDINANCE NO. 1208

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING TO THE VARIOUS BUDGETARY FUNDS, SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES WITHIN EACH FUND FOR THE ENSUING FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City Ketchum, Blaine County, Idaho:

SECTION 1: That the sum of \$33,712,794 be raised and appropriated to defray the necessary expenses and liabilities of the City of Ketchum, Blaine County, Idaho for the fiscal year beginning October 1, 2020.

SECTION 2: That the City Council hereby appropriates each Fund as an independent fiscal and accounting group with a self-balancing set of accounts recording cash and/or other resources together with all related liabilities, obligations, reserves and equities which are segregated for the purpose of carrying on specific activities or attaining certain objectives.

SECTION 3: That the appropriation for the General Fund is made in the following amount to each specific division or function:

Legislative and Executive, Administrative, Legal, Community Planning and Development, Law Enforcement, Building Code, and Non-Departmental.

Total General Fund	10,307,770
--------------------	------------

SECTION 4: That the appropriation for the Water and Wastewater Funds is made in the following amounts to each specific Fund, department or function:

Water Fund	2,390,937
Water Capital Improvement Fund	522,000
Wastewater Fund	2,587,242
Wastewater Capital Improvement Fund	462,000
Total Water and Wastewater Funds	5,962,179

SECTION 5: That the appropriation for all Other Funds is made in the following amounts to each specific Fund, department or function:

General Capital Improvement Fund	563,000
Essential Services Facilities Trust Fund	420,600

Wagon Days Fund	85,650
Street Capital Improvement Fund	232,600
Law Enforcement Capital Improvement Fund	250
Fire & Rescue Capital Improvement Fund	104,330
Fire & Rescue Construction Capital	9,500,000
Parks & Recreation Capital Improvement Fund	0
Parks & Recreation Trust Fund	49,050
Original LOT Fund	1,817,246
Additional 1%-LOT Fund	1,500,000
GO Bond Debt Service Fund	149,835
GO Bond Debt Fire Fund	615,284
Community Housing In-Lieu Fund	2,250,000
Police Trust Fund	5,000
Fire Trust Fund	0
Development Trust Fund	150,000
 Total Other Funds	 17,442,845

SECTION 6: That a general tax levy on all taxable property within the City of Ketchum be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2020.

SECTION 7: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8: This ordinance shall take effect and be in force upon its passage, approval and publication in one issue of the Idaho Mountain Express, a newspaper of general circulation in the City of Ketchum, and the official newspaper of said City.

PASSED by the City Council and APPROVED by the Mayor of Ketchum this 8th day of September 2020.

ATTEST:

Neil Bradshaw
Mayor

Robin Crotty
City Clerk



City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Hold a Public Hearing and Approve the 591 E. 9th Street (Hedgehog Subdivision) Lot Line Shift

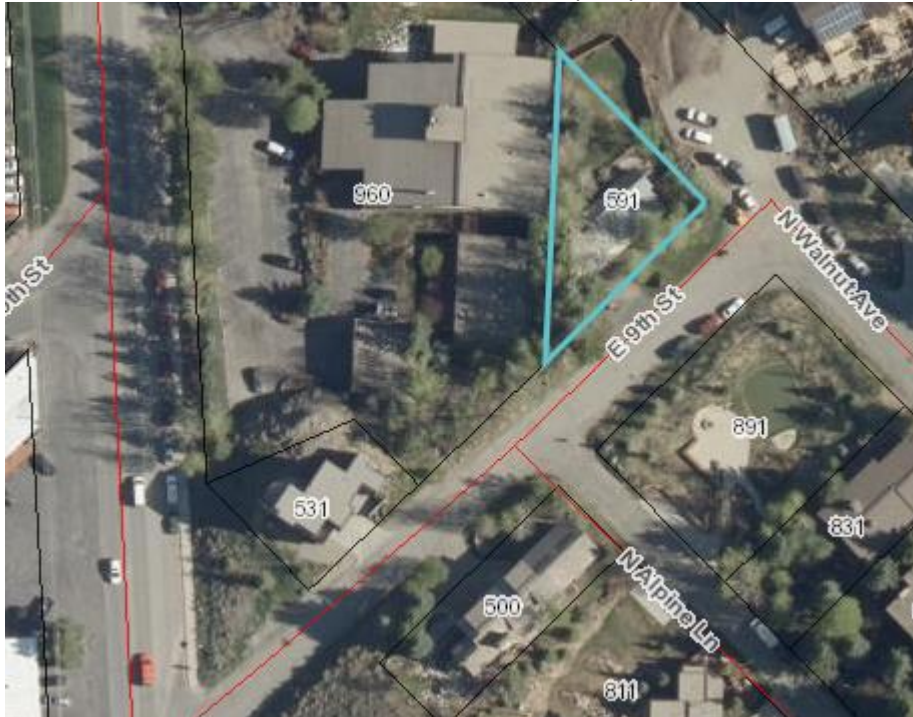
Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve 591 E. 9th Street (Hedgehog Subdivision) Lot Line Shift application submitted by property owner Andrew Castellano. This action includes authorizing Mayor Bradshaw to sign the attached draft Findings of Fact, Conclusions of Law, and Decision

Recommended Motion: "I move to approve the 591 E. 9th Street (Hedgehog Subdivision) Lot Line Shift application."

The reasons for the recommendation are as follows:

- The subject property, 591 E. 9th Street, is comprised of three (3) substandard, remnant portions of original Ketchum townsite lots (fractions of Lots 5, 6, and 7, Block 50). The subject property was developed with a single-family residence in 1970. The single-family home currently spans two of the three remnant lots. (See attached Lot Line Shift plat precise location of existing home.)



- The property owner desires to redevelop the property in the future. In order to construct a new single-family home the three (3) remnant parcels must be combined to create a one (1) lot that conforms to zoning dimensional standards.
- Combining the three (3) remnant parcels will result in one (1) lot that is 8,571 square feet in size.
- The request meets all applicable standards for a Readjustment of Lot Lines contained in Ketchum Municipal Code's Subdivision (Title 16) regulations; detailed draft Findings of Fact, Conclusions of Law, and Decision are attached.
- All city departments have reviewed this proposal and no departments have concerns with this action.
- This action has been noticed for a Public Hearing. To date (9/2/2020) no public comment has been received. Any public comment received after completion of this staff report will be included in the record and forwarded to City Council for review.

Financial Impact

None

Attachments

- A. Application
- B. Lot Line Shift plat
- C. Draft Findings of Fact, Conclusions of Law, and Decision

Attachment A.

Application



**City of Ketchum
Planning & Building**

OFFICIAL USE ONLY
File Number:
Date Received:
By:
Fee Paid:
Approved Date:
Denied Date:
By:

Lot Line Shift Application

OWNER INFORMATION	
Owner Name: Andy Castellano	
Mailing Address: P.O. Box 1180 Ketchum, ID 83340	
Phone: 949-280-1111	
Email: andy@earthshinefoundation.org	
PROJECT INFORMATION	
Name of Proposed Plat: Hedgehog Subdivision	
Representative of Owner: Mark Phillips, Galena Engineering	
Phone: 208-788-1705	
Mailing Address: 317 N River Street, Hailey, ID 83333	
Email: mark@galena-engineering.com	
Legal Land Description: KETCHUM FR E PART LOTS 5,6,7 BLK 50	
Project Address: 591 E 9th St Ketchum, ID 83340	
Number of Lots: 3 going to 1	Number of Units:
Total Land Area in Square Feet: 8,571	Current Zoning District: T-4000 Tourist Zone
Overlay District: <input type="checkbox"/> Flood <input type="checkbox"/> Mountain <input type="checkbox"/> Avalanche	
Easements to be Dedicated on the Final Plat (Describe Briefly):	
ATTACHMENTS	
Attachments Necessary to Complete Application:	
1. A copy of a current lot book guarantee and recorded deed to the subject property;	
2. One (1) copy of preliminary plat; and,	
3. A CD or email of an electronic (.pdf) of the plat.	

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Lot Line Shift Application, in which the City of Ketchum is the prevailing party, to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.



Signature of Owner/Representative

07/28/2020

Date

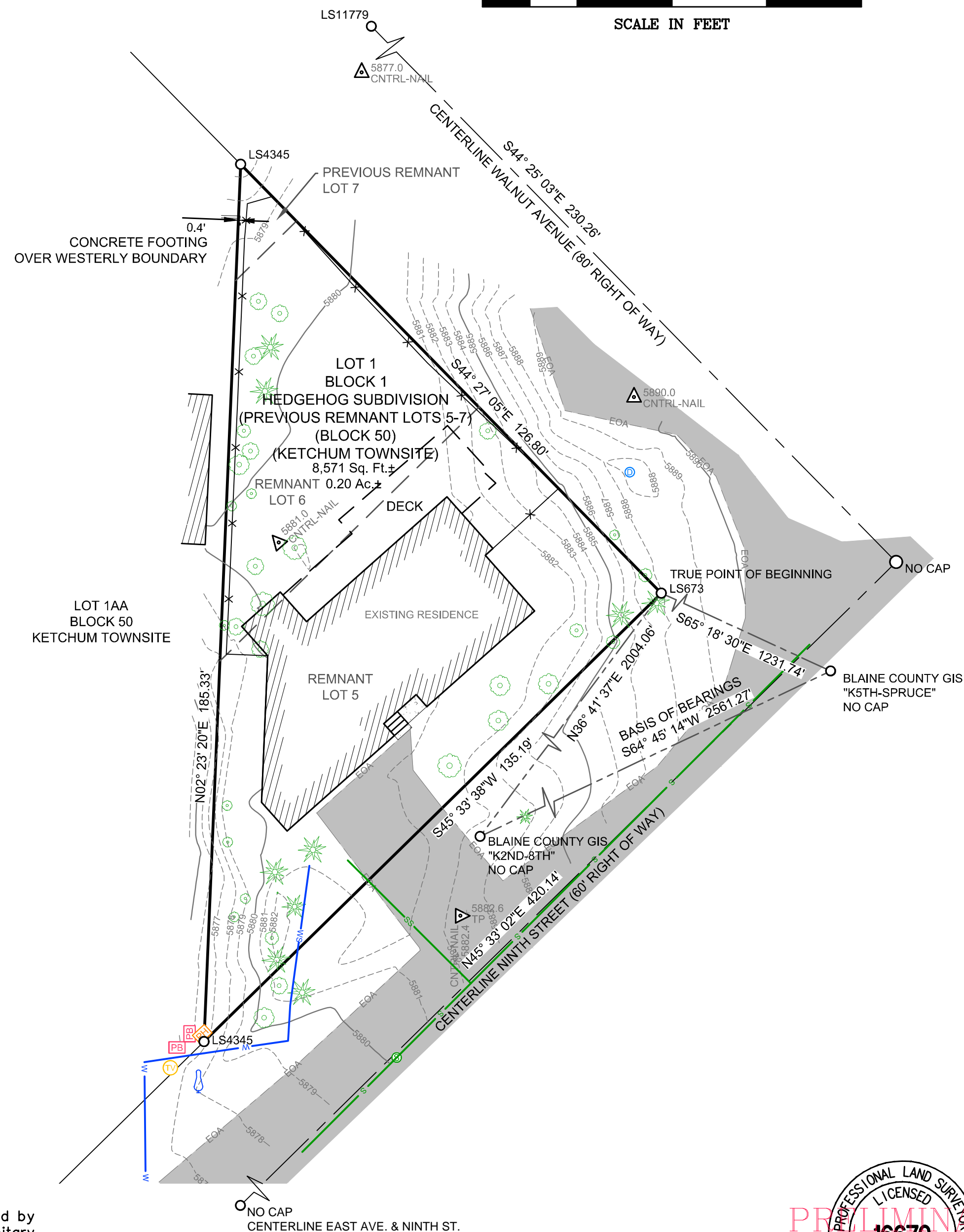
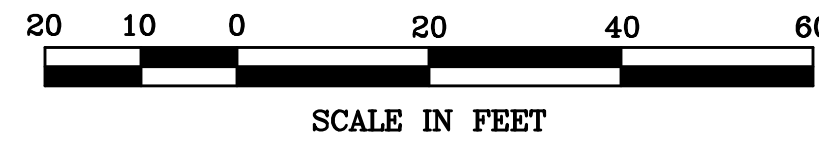
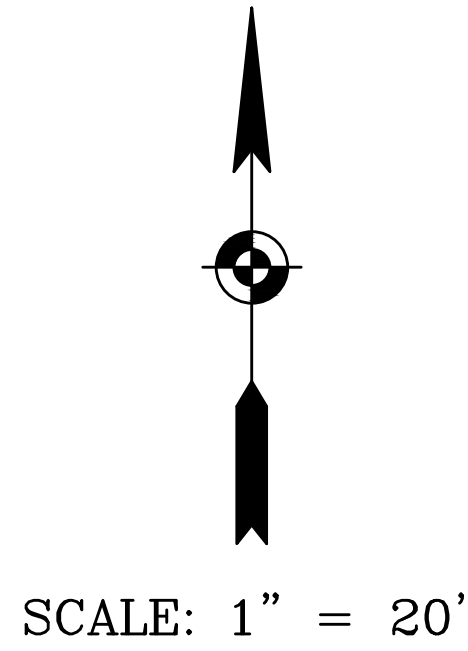
Attachment B.

Lot Line Shift plat

A PRELIMINARY PLAT SHOWING HEDGEHOG SUBDIVISION

WHEREIN REMNANT LOTS 5, 6, & 7, BLOCK 50, KETCHUM TOWNSITE ARE REPLATTED AS SHOWN
LOCATED WITHIN SECTION 13, T.4 N., R.17E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

AUGUST 2020



LEGEND

	Property Line
	Adjoinder's Lot Line
	Internal Lot Line to be Vacated Hereon
	Centerline Right of Way
	Edge of Asphalt
	FNC = Fence Line
	GIS Tie Line
	Water Service per City of Ketchum Utility Maps
	Water main per City of Ketchum Utility Maps
	Sewer Service per City of Ketchum Utility Maps
	Sewer main per City of Ketchum Utility Maps
	Deck Line
	Existing Structure
	Asphalt
	Concrete
	5' Contour Interval
	1' Contour Interval
	FND 1/2" = Found 1/2" Rebar
	FND 5/8" = Found 5/8" Rebar
	Survey Control
	Telephone Riser
	Power Box
	Cable Television Riser
	Frost Free Hydrant
	Drywell
	Sewer Manhole
	CT = Conifer Tree
	DT = Deciduous Tree

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to replat Remnant Lots 5, 6, & 7, Block 50, Ketchum Townsite, into Hedgehog Subdivision as shown, and show the monuments found during the boundary retracement of said Remnant Lots. The Boundary information shown is based on Found Lot Corner Monuments, the official map of the Village of Ketchum, Instrument Number 302967, and Ketchum Townsite: Block 50: Lot 1AA, Instrument Number 599746, both records of Blaine County, Idaho. Additional documents used in the course of this survey include Ketchum, Block 50 Replat, Instrument Number 319826, and Lot 2A, Block 50, Ketchum Townsite, Instrument Number 623863, both records of Blaine County, Idaho. All found monuments have been accepted.
- A Lot Book Guarantee for Remnant Lots 5-7, Block 50, Ketchum Townsite, has been issued by Pioneer Title Co., issuing agent for Old Republic National Title Insurance Company, File Number 727398, with a Commitment Date of June 15, 2020. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the owner or agent to review said title policy. Some of the encumbrances and easements listed in the title report are NOT plotted hereon. Review of specific documents is required, if further information is desired.
- The current zoning is T-4000 Tourist zone. Please refer to the City of Ketchum Zoning Ordinance for more specific information about this zone.
- The owner/subdivider is Andrew Joseph Castellano, Trustee of the Andrew Joseph Castellano Trust, dated 9/28/99, PO Box 1180, Ketchum, Idaho 83340. The surveyor/representation is Mark E. Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, Idaho 83333.

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

Date _____ South Central District Health Dept., EHS



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

HEDGEHOG SUBDIVISION

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2
Job No. 7884

Attachment C.

Draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum
Planning & Building

IN RE:)	
)	
Hedgehog LLS (591 E. 9 th)	)	KETCHUM CITY COUNCIL
Lot Line Shift	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: September 8, 2020	)	DECISION
)	
File Number: P20-072)	

Findings Regarding Application Filed

PROJECT: Hedgehog Subdivision Lot Line Shift

APPLICATION TYPE: Lot Line Shift (readjustment of lot lines)

FILE NUMBER: P20-072

ASSOCIATED PERMITS: None

OWNER/APPLICANT: Andrew Joseph Castellano Trust

REPRESENTATIVE: Galena Engineering

REQUEST: Combine three (3) fractional, substandard remnant lots into one (1) lot

LOCATION: 591 E. 9th Street (FR E Parts Lots 5, 6, 7, Block 50, Ketchum Townsite)

NOTICE: A public hearing notice was mailed to all property owners within 300 ft of the development site and political subdivisions on August 19th, 2020. The public hearing notice was published in the Idaho Mountain Express on August 19th, 2020.

ZONING: Tourist 4000 (T-4000)

OVERLAY: None

Background Findings

The subject property, 591 E. 9th Street, is comprised of three (3) substandard, remnant portions of original Ketchum townsite lots (fractions of Lots 5, 6, and 7, Block 50). The subject property was developed with a single-family residence in 1970. The single-family home currently spans two of the three remnant lots.

The property owner desires to redevelop the property in the future. In order to construct a new single-family home the three (3) remnant parcels must be combined to create a one (1) lot that conforms to zoning dimensional standards.

Combining the three (3) remnant parcels will result in one (1) lot that is 8,571 square feet in size.

The request meets all applicable standards for a Readjustment of Lot Lines contained in Ketchum Municipal Code’s Subdivision (Title 16) regulations and all applicable zoning standards (Title 17).

Findings Regarding City Department Comments

All City Department standards reviewed the application. No city departments have concerns with the lot line shift to combine the three fractional lots into one lot.

Findings Regarding Readjustment of Lot Lines (KMC§16.04.060)

All land subdivisions, including Readjustment of Lot Lines, 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; such standards are not relevant to this action. As conditioned, the request meets all applicable standards for Condominiums Preliminary Plats contained in Ketchum Municipal Code’s Subdivision (Title 16) and Zoning (Title 17) regulations.

Table 1: Findings Regarding Plat Requirements

Preliminary Plat Requirements				
Present on Preliminary Plat?			Standards	
Yes	No	N/A	City Code	City Standards and Findings
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			Findings	All required information is present.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030.J	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:
			Findings	All required information is present.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	The scale, north point and date.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .2	The name of the proposed subdivision.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Findings	Present

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.4	Legal description of the area platted.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.6	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.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.7	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.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .8	Boundary description and the area of the tract.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.9	Existing zoning of the tract.
			Findings	Present
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030.J.10	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.
			Findings	N/A. No street dedications are required or proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030.J .11	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.
			Findings	N/A. No street dedications are required or proposed.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .12	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.
			Findings	Existing drywells and sewer manholes in the ROW are indicated.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030.J .13	The direction of drainage, flow and approximate grade of all streets.
			Findings	Missing. Show direction of drainage, flow and approx. grade of Emerald and Topaz.

<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030. J .14	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.
			Findings	Missing. Show or address in narrative.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030. J.15	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			Findings	Ketchum townsite plat serves as vicinity map.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J.16	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.
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J.17	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.
			Findings	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .18	Lot area of each lot.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .19	Existing mature trees and established shrub masses.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .20	To be provided to Administrator:
				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.
			Findings	Subdivision name is unique.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J .21	All percolation tests and/or exploratory pit excavations required by state health authorities.
			Findings	NA
X	<input type="checkbox"/>	<input type="checkbox"/>	Comments	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.
			Findings	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .23	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.

			Findings	Provided and included in project file.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.24	A digital copy of the preliminary plat shall be filed with the administrator.
			Findings	Provided and included in project file.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.A	<p>Required Improvements: 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>
			Findings	All required information is present.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.B	<p>Improvement Plans: 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>
			Findings	N/A, no improvements are required by this action.

		X	16.04.040.C	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.
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.D	As Built Drawing: 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.
			Findings	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	<p>Monumentation: 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:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Findings	As noted on the plat, all monuments are existing and have been located.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 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. 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"> 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. 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. 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. 4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line. 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. 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.
			Findings	Lot meets dimensional standards of the zone. Lot has frontage on a public street.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 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. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements. 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. 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.
			Findings	No new blocks are being created. N/A.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.1	<p>H. Street Improvement Requirements:</p> <ol style="list-style-type: none"> 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;
			Findings	No new streets are proposed. N/A.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.040.H.2	<p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 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;</p>
			Findings	N/A a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.3	<p>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;</p>
			Findings	N/A 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	16.04.040.H.4	<p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p>
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.5	<p>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;</p>
			Findings	NA, the construction of a new street is not proposed.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.6	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;
			Findings	N/A no new dedicated is required or proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.7	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;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.8	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;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.9	9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.10	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;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.11	11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.12	12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;
			Findings	NA

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.13	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;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.14	14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.15	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;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.16	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;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.17	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;
			Findings	N/A no new right-of-way is proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.18	18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;
			Findings	N/A streetlights are not required in this zoning district.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.19	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 chapter 12.04 of this code;
			Findings	N/A a private street is not proposed. Parcels front a public street (E. 9th Street) and an unimproved right-of-way (Walnut Ave dead-end)
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.20	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;
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.21	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;
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.22	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;
			Findings	N/A sidewalks, curb and gutter are not required in this zoning district.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.23	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
			Findings	N/A no gates are proposed in this subdivision application.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.24	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
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.I	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.
			Findings	N/A parcels are not located in a commercial or industrial zone.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.1	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.

			Findings	No new easements are required at this time. Parcels front a public street (E. 9 th Street) and an unimproved right-of-way (Walnut Ave dead-end)
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.2	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.
			Findings	N/A parcels do not border a waterway, drainageway, channel or stream.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.3	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.
			Findings	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.4	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.
			Findings	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.5	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.
			Findings	N/A no watercourses are present.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.6	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.
			Findings	N/A this action simply combines three (3) existing remnant parcels into one lot.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.K	<p>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.</p>
			Findings	Property is already connected to city sewer.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.L	<p>L. Water System Improvements: 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.</p>
			Findings	Property is already connected to city water.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.M	<p>M. Planting Strip Improvements: 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.</p>
			Findings	N/A – this action simply combines three existing remnant parcels into one.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.1	<p>N. Cuts, Fills, And Grading Improvements: 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:</p> <p>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.</p>
			Findings	N/A – this action simply combines three existing remnant parcels into one.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.2	<p>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:</p> <p>a. Proposed contours at a maximum of five foot (5') contour intervals.</p> <p>b. Cut and fill banks in pad elevations.</p> <p>c. Drainage patterns.</p> <p>d. Areas where trees and/or natural vegetation will be preserved.</p> <p>e. Location of all street and utility improvements including driveways to building envelopes.</p> <p>f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.</p>
			Findings	Not required, no grading is occurring with this Lot Line Shift action.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.3	<p>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.</p>
			Findings	N/A no grading is proposed at this time. This action combines three existing remnant parcels into one lot.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.4	<p>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.</p>
			Findings	NA no subdivision into additional parcels is proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.5	<p>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.</p>
			Findings	N/A no disturbance is proposed at this time. This action combines three existing remnant parcels into one lot.

<input type="checkbox"/>	V	X	16.04.040.N.6	<p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>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).</p>
			Findings	N/A – this action combines three existing remnant parcels into one.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.0	<p>O. Drainage Improvements: 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.</p>
			Findings	N/A – this action combines three existing remnant parcels into one.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	<p>P. Utilities: 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.</p>
			Findings	Existing home is connected to required utilities. Water/sewer ties, power boxes, and telephone riser are indicated.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.Q	<p>Q. Off Site Improvements: 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.</p>
			Findings	N/A – this action combines three existing remnant parcels into one.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.R	R. Avalanche And Mountain Overlay: 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.
			Findings	N/A property is not in Avalanche or Mountain Overlay.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.S	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.
			Findings	Mature trees and topography are indicated.

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 application for the use of the subject parcels.
2. The Council has authority to hear the applicant’s Lot Line Shift (Readjustment of Lot Lines) 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 Lot Line Shift (Readjustment of Lot Lines) application is governed under Sections 16.04.060 of Ketchum Municipal Code Chapter 16.04.
5. The proposed Lot Line Shift meets the standards for Preliminary Plats under Title 16 of Ketchum Municipal Code subject to conditions of approval.

DECISION

THEREFORE, the Ketchum City Council **approves** this Lot Line Shift application this Tuesday, September 8th, 2020 subject to the following conditions:

CONDITIONS OF APPROVAL

1. 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.
2. 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,
 - d. 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.
5. The applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department for the official file on the application.
 6. The Final Plat mylar shall contain all items required under Title 50, Chapter 13, Idaho Code as well as all items required pursuant to KMC §16.04.030J including certificates and signatures.
 7. All governing ordinances and department conditions pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met.

Findings of Fact **adopted** this 8th day of September, 2020

Neil Bradshaw, Mayor

Robin Crotty, City Clerk