



**CITY OF KETCHUM, IDAHO**  
SPECIAL CITY COUNCIL MEETING  
Monday, November 29, 2021, 4:00 PM  
191 5th Street West, Ketchum, Idaho

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## Agenda

### PUBLIC PARTICIPATION INFORMATION

Public information on this meeting is posted outside City Hall.

**We welcome you to watch Council Meetings via live stream.**

You will find this option on our website at [www.ketchumidaho.org/meetings](http://www.ketchumidaho.org/meetings).

**If you would like to comment on a public hearing agenda item, please select the best option for your participation:**

1. Join us via Zoom (*please mute your device until called upon*).

**Join the Webinar:**

<https://ketchumidaho-org.zoom.us/j/87341813706>

Webinar ID: 873 4181 3706

2. Address the Council in person at City Hall (*masks are required in Council Chambers and seating has been arranged per the required social distance of 6'*).
3. Submit your comments in writing at [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) (*by noon the day of the meeting*).

*This agenda is subject to revisions. All revisions will be underlined.*

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**CALL TO ORDER:** By Mayor Neil Bradshaw

**ROLL CALL:**

**COMMUNICATIONS FROM MAYOR AND COUNCILORS:**

**CONSENT AGENDA:**

HYPERLINK "appIS26659f62dab643c7af3d10c45aeb4ab9" *Note re: 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. [ACTION ITEM: Approve minutes of November 18, 2021, as submitted by Tara Fenwick, City Clerk.](#)
2. [ACTION ITEM: Recommendation to approve Resolution #22-005 for City Council 2022 meeting dates, as submitted by Tara Fenwick, City Clerk.](#)
3. [ACTION ITEM: Recommendation to approve Resolution #22-006 for Planning and Zoning 2022 meeting dates, as submitted by Tara Fenwick, City Clerk.](#)

4. [ACTION ITEM: Recommendation to Approve Purchase Order #22036, Comprehensive Service Agreement with Banyan Technology, Inc., as submitted by Mick Mummert, Utilities Supervisor.](#)
5. [ACTION ITEM: Recommendation to Approve Independent Contractor Agreement #22038 with Carissa Connelly.](#)

**PUBLIC HEARING:**

**NEW BUSINESS: (no public comment required)**

6. [Recommendation to review information and provide direction to staff on the draft permanent Historic Preservation Ordinance and draft Design Guidelines, as submitted by Suzanne Frick, Director, Planning and Building.](#)

**EXECUTIVE SESSION:**

**ADJOURNMENT:**



**CITY OF KETCHUM**  
**SPECIAL MEETING MINUTES OF THE CITY COUNCIL**  
Monday, November 18, 2021

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**CALL TO ORDER:** *(00:21:20 in video)*

Mayor, Bradshaw called the meeting of Ketchum City Council to order at 4:00 p.m.

**Roll Call:**

Mayor, Neil Bradshaw  
Courtney Hamilton  
Amanda Breen  
Jim Slanetz  
Michael David

**Also Present:**

Jade Riley – City Administrator  
Lisa Enourato - Public Affairs & Administrative Services Manager  
Tara Fenwick – City Clerk & Administrative Business Manager  
Shellie Rubel – City Treasurer  
Matt Johnson – Legal Counsel  
Suzanne Frick – Director, Planning and Building  
Morgan Landers - Senior Planner  
Adam Crutcher – Planner  
Greg Dunfield – Owner GMD  
Debra Nelson – GMD Development  
Charles Friedman – Executive Director KCDC  
Nathan Harvill – Blaine County Housing  
Mike Goitiandia – Clear Creek Disposal

**Mayor, Neil Bradshaw requested that agenda item 11 be deferred for the next meeting and items 23 and 24 be approved as Action Items. Motion made by Councilor, Courtney Hamilton and seconded by Councilor, Michael David. The motion passed. All in Favor.**

**COMMUNICATIONS FROM MAYOR AND COUNCILORS:**

Councilor, Michael David re-capped recent accidents and fatalities within the Community and encouraged the everyone to slow down.

Councilor, Courtney Hamilton expressed appreciation for the recycling tour.

Councilor, Jim Slanetz appreciated the tour of recycling.

Mayor, Neil Bradshaw thanked the Community for election participation and expressed gratitude to his former running-mates and welcomed their on-going engagement. He also shared that Community participation in sharing their feedback via the city housing Survey.

**CONSENT AGENDA:** *(00:26:34 in video).*

Councilor, Jim Slanetz, asked that agenda item #14 be pulled for comment.

Councilor, Jim Slanetz recommended study on this area of town be accomplished, asking for a better connection point in and out of town.

**Motion to approve consent agenda items 1 – 16. Except for item 11.**

**Motion made by Councilor, Courtney Hamilton and seconded by Councilor, Amanda Breen.**

**The motion passed. All in Favor.**

**PUBLIC HEARING:** *(00:29:40 in video).*

ACTION ITEM: Recommendation to approve the Smiles Subdivision Lot Line Shift Final Plat & Findings of Fact, Conclusions of Law, and Decision.

Mayor, Neil Bradshaw, opened public comment.

No public comment was made.

Mayor, Neil Bradshaw, closed public comment.

**Motion to approve the Smiles Subdivision Lot Line Shift Final Plat & Findings of Fact, Conclusions of Law, and Decision.**

**Motion made by Councilor, Courtney Hamilton and seconded by Councilor, Jim Slanetz.**

**The motion passed. All in Favor.**

ACTION ITEM: Recommendation to Approve third reading of Ordinance #1227 – Amending KMC Section 15.20.060, Green Building Code for electric vehicle charging infrastructure.

Mayor, Neil Bradshaw, asked for public comment.

No public comment was made.

Mayor, Neil Bradshaw, closed public comment.

**Motion to conduct the third reading of Ordinance 1227, by title only.**

**Motion made by Councilor, Courtney Hamilton, and seconded by Councilor, Amanda Breen.**

**The motion passed. All in Favor.**

City Clerk, Tara Fenwick, read the title of Ordinance 1227.

ACTION ITEM: Recommendation to approve third reading of Ordinance #1228 with Clear Creek Franchise.

Mayor, Neil Bradshaw, asked for public comment.

No public comment was made.

Mayor, Neil Bradshaw, closed public comment.

City Administrator, Jade Riley made a clarification of policy in the agreement (*Section 2.4, page 7*). Mike Goitiandia addressed Council requesting approval on an earlier start time, (*6:00 a.m.*), in the Commercial Zone, to allow easier access to large dumpsters prior to business openings.

**Motion to conduct the third reading of Ordinance 1228, by title only.**

**Motion made by Councilor, Courtney Hamilton, and seconded by Councilor, Jim Slanetz.**

**The motion passed. All in Favor.**

City Clerk, Tara Fenwick, read the title of Ordinance 1228.

ACTION ITEM: Recommendation to approve the first, second and third reading of Ordinance #1229 - Amending FY21 Budget.

Mayor, Neil Bradshaw, asked for public comment.

No public comment was made.

Mayor, Neil Bradshaw, closed public comment.

**Motion to waive the first and second reading and conduct the third reading of Ordinance 1229, by title only. Motion made by Councilor, Amanda Breen, and seconded by Councilor, Courtney Hamilton. The motion passed. All in Favor.**

City Clerk, Tara Fenwick, read the title of Ordinance 1229.

**NEW BUSINESS:** (00:50:45 in video).

*The mayor invited public comment on all new business items.*

1. Morgan Landers, Senior Planner, provided an update to Community Housing In-Lieu Fees.

Mayor, Neil Bradshaw invited public comment:

Spencer Cordovano	Video 01:04:30
Harry Griffith	Video 01:05:53
Perry Boyle	Video 01:09:14
Bob Crosby	Video 01:09:34
Wolfgang Dieterich	Video 01:14:47

Council discussed the item in reference to public feedback.

2. Jade Riley, City Administrator, provided a review of a draft Short-term Rental Ordinance.

Assistant Fire Chief, Seth Martin provided Council an overview of Occupancy, Residential Classification and Fire Codes. Then he addressed Council questions.

Jade Riley, City Administrator, provided Council an overview of anticipated staffing expenses to track and enforce compliance to new codes.

Mayor, Neil Bradshaw invited public comment:

Kris Gilarowski	Video 02:07:30
Wolfgang Dieterich	Video 02:13:16
Bob Crosby	Video 02:19:19
Harry Griffith	Video 02:23:21
Spencer Cordovano	Video 02:25:02
Perry Boyle	Video 02:29:04

Council discussed the item in reference to public feedback.

3. Matt Johnson, City Attorney, provided a summary on the request to reconsider the Bluebird Village Community Housing Project, Design Review P21-063.

Councilor, Courtney Hamilton recused herself.

**Motion to adopt the request to reconsider the Bluebird Village Community Housing Project, Design Review P21-063.**

**Motion made by Councilor, Amanda Breen, seconded by Councilor, Jim Slanetz.**

**All in Favor. 1 Recused.**

4. Jade Riley, City Administrator, presented recommendation to Approve Ground Lease Agreement #22750 for Bluebird Community Housing Project.

Greg Dunfield, owner of GMD Development, reminded the Council on how the lower level of the facility will be used and provided a summary of how annual recertification of household income is expected to be managed then, answered Councilor's questions.

Mayor, Neil Bradshaw invited public comment:

Perry Boyle	Video 03:33:27
Spencer Cordovano	Video 03:35:48

**Motion to approve the ground lease with KCDC for Bluebird Village located at 480 East Avenue, Ketchum.**

**Motion made by Councilor, Amanda Breen, seconded by Councilor, Michael David. All in Favor. 1 Recused.**

**EXECUTIVE SESSION:**

**None.**

**ADJOURNMENT:**

**Motion to adjourn at 7:22 p.m. Motion made by Councilor, Michael David, seconded by Councilor, Amanda Breen. All in Favor.**

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Mayor, Neil Bradshaw

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City Clerk, Tara Fenwick

**RESOLUTION NUMBER 22-005**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, ESTABLISHING THE DATES FOR ALL REGULAR CITY COUNCIL MEETINGS FOR 2022.

WHEREAS the regular meetings of the Ketchum CITY COUNCIL shall be held on the first and third Mondays of each month at 4:00 p.m. at Ketchum City Hall unless such date is a holiday, in which the meeting shall be held on the following Tuesday; and

WHEREAS, pursuant to Idaho Code § 67-2343(1), any public agency that holds meetings at regular intervals of at least once per calendar month scheduled in advance over the course of the year may satisfy this meeting notice by giving meeting notices at least once each year of its regular meeting schedule: and

WHEREAS, the City Council has determined that listing all regular meetings to be held in 2022 would be beneficial to the residents of and visitors to the City of Ketchum.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM that the meetings of the City Council for 2022 are as follows:

Monday, January 3, 2022	Monday, May 2, 2022	Tuesday, September 6, 2022
Tuesday, January 18, 2022	Monday, May 16, 2022	Monday, September 19, 2022
Monday, February 7, 2022	Monday, June 6, 2022	Monday, October 3, 2022
Tuesday, February 22, 2022	Tuesday, June 21, 2022	Monday, October 17, 2022
Monday, March 7, 2022	Tuesday, July 5, 2022	Monday, November 7, 2022
Monday, March 21, 2022	Monday, July 18, 2022	Monday, November 21, 2022
Monday, April 4, 2022	Monday, August 1, 2022	Monday, December 5, 2022
Monday, April 18, 2022	Monday, August 15, 2022	Monday, December 19, 2022

This Resolution will be in full force and effect upon its adoption this 6<sup>th</sup> day of December 2021.

CITY OF KETCHUM, IDAHO

\_\_\_\_\_  
Mayor Neil Bradshaw

ATTEST:

\_\_\_\_\_  
Tara Fenwick, City Clerk



**RESOLUTION NO. 22-006**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, ESTABLISHING THE DATES FOR ALL REGULAR PLANNING AND ZONING COMMISSION MEETINGS FOR 2022.

WHEREAS, regular meetings of the Planning and Zoning Commission shall be held on the second Tuesday of each month at 4:30 p.m. at Ketchum City Hall unless such date is a holiday, in which case the meeting shall be held on the following Wednesday; and,

WHEREAS, pursuant to Idaho Code § 67-2343(1), any public agency that holds meetings at regular intervals of at least once per calendar month scheduled in advance over the course of the year may satisfy this meeting notice by giving meeting notices at least once each year of its regular meeting schedule; and,

WHEREAS, the City Council has determined that listing all regular meetings of the Planning and Zoning Commission to be held in 2021 would be beneficial to the residents of and visitors to the City of Ketchum.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO that the regular meetings of the Planning and Zoning Commission for 2022 are as follows:

<b>Tuesday, January 11, 2022</b>
<b>Tuesday, February 8, 2022</b>
<b>Tuesday, March 8, 2022</b>
<b>Tuesday, April 12, 2022</b>
<b>Tuesday, May 10, 2022</b>
<b>Tuesday, June 14, 2022</b>

<b>Tuesday, July 12, 2022</b>
<b>Tuesday, August 9, 2022</b>
<b>Tuesday, September 13, 2022</b>
<b>Tuesday, October 11, 2022</b>
<b>Tuesday, November 8, 2022</b>
<b>Tuesday, December 13, 2022</b>

This Resolution will be in full force and effect upon its adoption this 6<sup>TH</sup> day of December 2021.

CITY OF KETCHUM, IDAHO

\_\_\_\_\_  
Mayor Neil Bradshaw

ATTEST:

\_\_\_\_\_  
Tara Fenwick  
City Clerk



City of Ketchum

November 29, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to Approve Purchase Order #22036,  
Comprehensive Service Agreement with Banyan Technology, Inc.**

Recommendation and Summary

Staff recommends the council approve Purchase Order #22036, a Comprehensive Service Agreement with Banyan Technology, Inc. and adopt the following motion:

**"I move to approve Purchase Order #22036, a Comprehensive Service Agreement with Banyan Technology, Inc. for \$9,527.00 and authorize Mayor Bradshaw to sign the agreement."**

The reasons for the recommendation are as follows:

Under this agreement, Banyan Technology, Inc. will provide the following:

- Periodic site visits for SCADA system monitoring and updates
- 24/7 telephone support
- Backup media of all programs
- Priority onsite response to troubleshoot and repair failures
- Discounted hourly rates for services outside of the agreement

Introduction and History

The wastewater treatment facility is controlled by a complex Supervisory Control and Data Acquisition (SCADA) system. The SCADA system is configured to coordinate various equipment activities and treatment processes throughout the entire facility. Functions of the facility are monitored, recorded, and displayed to a central location where wastewater staff can direct the effective treatment of the city's wastewater. The SCADA system notifies the on-call operator when there is a mechanical failure, treatment processes are out of acceptable parameters, or an intrusion has occurred at the treatment plant.

### Analysis

The SCADA system is developed and maintained by an outside contractor.

- Banyan Technology, Inc. has provided the technical and programming support of the Wastewater SCADA system for the past 18 years, the last 15 through an annual service contract.
- Throughout the past 18 years, Banyan Technology, Inc. has flawlessly fulfilled all the terms of the service contracts.

### Sustainability

Not applicable.

### Financial Impact

The cost of this service agreement is \$9,527.00. This is an operational expense which will be shared with the Sun Valley Water and Sewer District based on the operational flow split between the City and the District. Payment for the agreement will come out of the Professional Services budget line item of the Wastewater Fund.

### Attachments:

Purchase Order 22036  
Banyan Technologies Comprehensive Service Agreement  
Banyan Contract Terms and Conditions  
Banyan Technologies Rate Schedule



**CITY OF KETCHUM**  
**PO BOX 2315 \* 480 EAST AVE. \* KETCHUM, ID 83340**  
**Administration 208-726-3841 (fax) 208-726-8234**

**PURCHASE ORDER**  
 BUDGETED ITEM? \_\_\_ Yes \_\_\_ No

**PURCHASE ORDER - NUMBER: 22036**

<b>To:</b> 1289 BANYAN TECHNOLOGY INC. BOX 5083 TWIN FALLS ID 83303-5083	<b>Ship to:</b> CITY OF KETCHUM PO BOX 2315 KETCHUM ID 83340
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P. O. Date	Created By	Requested By	Department	Req Number	Terms
11/22/2021	kchoma	kchoma		0	

Quantity	Description	Unit Price	Total
1.00	SERVICE AGREEMENT FOR 2021-2022 65-4350-4200 435001	9,527.00	9,527.00
	SHIPPING & HANDLING		0.00
	TOTAL PO AMOUNT		9,527.00

\_\_\_\_\_  
 Authorized Signature



## Comprehensive Service Agreement

**THIS AGREEMENT** entered into this 1<sup>st</sup> day of December, 2021 between City Of Ketchum Waste Water Treatment Plant hereinafter referred to as the “CLIENT” and Banyan Technology Inc., hereinafter referred to as “Banyan”.

### WITNESSETH:

WHEREAS, BANYAN intends to offer CLIENT comprehensive support for their existing PLC’s and HMI SCADA system.

NOW, THEREFORE, the CLIENT and BANYAN in consideration of their mutual covenants herein agree in respect as set forth below.

### CLIENT INFORMATION AND RESPONSIBILITIES

The CLIENT will furnish to BANYAN, as required for performance of BANYAN’s services, data prepared by or services of others without limitation, all of which BANYAN may use and rely upon in performing services under this Agreement.

The CLIENT will arrange for access to and make provisions for BANYAN to enter upon public and private property as required for BANYAN to perform services under this Agreement.

The CLIENT will provide a toll free telephone number or IP connection which will enable BANYAN the ability to access the SCADA system from anywhere within the 48 contiguous states.

The CLIENT shall maintain the necessary spare parts needed to repair the system in the event of a failure.

### SERVICES TO BE PERFORMED BY BANYAN AND BILLING RATES TO BE PAID BY CLIENT

1. BANYAN will conduct periodic project visits to access system status and report to the CLIENT any problems that need to be addressed. Visits may be used to conduct training and make system modifications at owner’s discretion. Banyan to spend up to an average 6 hours per month (including travel time) during the contract period.
2. BANYAN will provide 24/7 telephone support to CLIENT to assist in resolving system problems.
3. BANYAN will maintain backup media of all programs necessary to restore any part of the system in the event of a failure.
4. BANYAN will provide priority onsite response to trouble-shoot and repair failures within the SCADA system. CLIENT will receive discounted hourly rates for trouble-shooting and programming services. (See attached rate sheet.)
5. All repairs and maintenance shall be consistent with the International Standards and Practices for Design and Construction of Telecommunications as adopted by the city.

The lump sum cost of the above outlined services from 12/1/2021 to 12/1/2022 shall be \$ 9,527.00

**The Notice to Proceed, by the Client, verbal or written, constitutes acceptance of this Agreement. THE ATTACHED “TERMS AND CONDITIONS” ARE PART OF THIS AGREEMENT. THE CLIENT AGREES TO SAID TERMS AND CONDITIONS.**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CLIENT:

BANYAN:

\_\_\_\_\_  
By (signature)

**Banyan Technology**  
TERMS AND CONDITIONS

**GENERAL**

Banyan shall provide for CLIENT control systems programming and design services in all phases of the Project to which this Agreement applies. These services will include Control Systems Representative for the Project, providing professional consultation and advice in accordance with generally accepted professional practices for the intended use of the Project and makes no other **WARRANTY EITHER**

**EXPRESSED OR IMPLIED.**

Banyan shall not be responsible for acts or omissions of any party involved in the services covered by this Agreement other than their own or for failure of any contractor or subcontractor to construct any item in accordance with recommendations issued by Banyan.

Banyan has not been retained to have control over Contractor(s) work nor shall Banyan have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s), for safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their work. Accordingly, Banyan can neither guarantee the performance of the construction contracts by Contractor(s) nor assume responsibility for Contractor(s)' failure to furnish and perform their work in accordance with the Contract Documents.

**OPINIONS OF COST**

Since Banyan has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, Banyan's opinions of probable Total Project Costs and Construction Costs provided for herein are to be made on the basis of Banyan's experience and qualifications and represent Banyan's best judgment as an experienced and qualified control systems integrator, familiar with the construction industry; but Banyan cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from opinions of probable cost prepared by Banyan. If the CLIENT wishes greater assurance as to Total Project or Construction Costs, CLIENT shall employ an independent cost estimator. Banyan's services to modify the Project to bring the Construction Costs within any limitation established by the CLIENT will be considered Additional Services and paid for as such by the CLIENT.

**REUSE OF DOCUMENTS**

All documents and magnetic media including Drawings and Specifications prepared or furnished by Banyan pursuant to this Agreement are instruments of service in respect of the Project and Banyan shall retain an ownership and property interest therein whether or not the Project is completed. Any reuse without written verification or adaptation by Banyan for the specific purpose intended will be at CLIENT's sole risk and without liability or legal exposure to Banyan.

**CONTROLLING LAW**

This Agreement is to be governed by the law of the State of Idaho, principal place of business of Banyan Technology.

**SUCCESSORS AND ASSIGNS**

CLIENT and Banyan each is hereby bound and the partners, successors, executors, administrators and legal representatives of CLIENT and Banyan are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators and legal representatives of such other party, in respect of all covenants, agreements and obligations of this Agreement.

Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than CLIENT and Banyan, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of CLIENT and Banyan and not for the benefit of any other party.

**TIMES OF PAYMENTS**

Banyan shall submit monthly statements for services rendered and for Reimbursable Expenses incurred. CLIENT shall make prompt monthly payments. If CLIENT fails to make any payment due Banyan for services and expenses within sixty (60) days after receipt of Banyan's statement therefor, the amounts due Banyan will be increased at the rate of 1% per month from said tenth day, and in addition, Banyan may, after giving ten days' written notice to CLIENT, suspend services under this Agreement until Banyan has been paid in full all amounts due for services, expenses and charges.

**TERMINATION**

The obligation to provide further services under this Agreement may be terminated by either party upon thirty days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. If this Agreement is terminated by either party, Banyan will be paid for services rendered and for Reimbursable Expenses incurred to the date of such termination plus an allowance for demobilization costs as determined by Banyan. Furthermore, the CLIENT will be reimbursed for any unused prepaid amount of the Agreement.

**MEDIATION BEFORE LITIGATION**

No action or lawsuit shall commence nor recourse to a judicial forum be made (hereinafter "litigation") until CLIENT, Banyan, and/or other Parties of Real Interest have commenced, participated in and concluded nonbinding mediation, pursuant to the rules of mediation.

**LEGAL FEES**

In the event of any action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for fees, costs and expenses, including attorney's fees as may be set by the Court.

**EXTENT OF AGREEMENT**

This Agreement represents the entire and integrated agreement between the CLIENT and Banyan and supersedes all prior negotiations, representations or agreements, either written or oral. The Agreement may be amended only by written instrument signed by both CLIENT and Banyan.



## Rate Schedule Effective January 01, 2020

### PLC Programming/HMI Programming/Field Service

Our hourly rates for custom PLC programming, Design, Telephone and Field Support are \$ 125.00 per hour. After hour, weekend, and holiday rates will be billed at \$ 150.00 per hour with a 4 hour minimum.

### Travel Time

Travel time is based on the travel time from our field service technician's current location to and from your location, and billed at the appropriate hourly rate. Mileage to and from your location will be billed at the rate of 65 cents per mile. Air travel, hotel, and meals will be billed at cost plus 15%.

### Rates and Services for Contract Customers

Banyan offers discounted rates for "Contract Customers." A "Contract Customer" is defined as a person or organization that commits to a service agreement with Banyan and guarantees payment of the negotiated fee annually. Since each organization's needs are different, agreements with Banyan Technology Inc. will differ. The annual fee is determined by the services you choose and the size of your system. As a contract customer you will get:

- 24 hour/7 days per week service/support commitment for on-site and telephone support.
- Priority Response Time - your issues are taken care of before non-contract customers.
- HMI software, training, reporting, and onsite trouble-shooting services outside of the agreement are billed at a discounted rate of \$ 105.00/hour, with no increase in rates for after hours service calls.
- PLC Programming services are also billed at a discounted rate of \$ 105.00/hour, with no increase in rates for after hours programming.



## City of Ketchum

November 29, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Approve Independent Contractor Agreement #22038 with Carissa Connelly**

#### Recommendation and Summary

Staff is recommending the City Council approve Independent Contractor Agreement #22038 with Carissa Connelly for Community Housing Strategic Services. This contract will ensure a local resource to serve as project manager for the development and implementation of the Ketchum Housing Action Plan.

**"I move to approve contract with Carissa Connelly to serve as the City Housing Strategist."**

The reasons for the recommendation are as follows:

- Ms. Connelly possess the necessary knowledge and skills to execute the attached scope of work for the city.
- There is a strong need for a local project management resource to coordinate the development and implementation of the Ketchum Housing Action Plan.
- The city currently has adequate funds for this contract in the Strategic Initiatives Account.

#### Introduction and History

During the summer, the Council approved necessary funds for the creation of the Ketchum Housing Action Plan via assistance from Agnew::Beck. The plan currently is broken into four phases:

1. Context setting (*November-December*)
  - a. Resident/business survey
  - b. Stakeholder interviews
  - c. Housing needs analysis/forecast
2. Plan creation (*January-February*)
  - a. Strategy/policies
  - b. Programs/projects
  - c. Partnerships (business, non-profits)
  - d. Resources needed to execute
3. Local Option Tax funding (LOT) scenarios based on draft plan (*February-March*)
4. 2022 LOT election (*May*)
  - a. Implementation TBD

**At the conclusion of each phase, there will be a check-in with the City Council and broader community to receive feedback regarding findings and recommended next steps.**



Sustainability Impact

National best practice has demonstrated that an increase in supply of local workforce/community housing decreases the number of commuter trip generation and associated carbon footprint.

Financial Impact

This contract will be funded from Strategic Initiatives Account (\$864,099) which was largely funded via federal (ARPA) funds and local one-time funds.

Attachment:

1. Independent Contractor Agreement



City of Ketchum

**INDEPENDENT CONTRACTOR AGREEMENT #22038 WITH CARISSA CONNELLY FOR TO  
SERVE AS CITY HOUSING STRATEGIST**

THIS CONTRACT FOR SERVICES (“Agreement”) is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_ 2021 by and between Carissa Connelly and the City of Ketchum, an Idaho municipal corporation (Carissa Connelly and City of Ketchum are, collectively, the “Parties”) with reference to the following facts:

**RECITALS**

A. The City of Ketchum is experiencing similar affordable and community housing issues that are affecting comparative towns across the nation. The City desires to promote stability, affordability and viable solutions to current and future residents. Accordingly, the City has determined that Strategic Housing Services are necessary to develop and implement the Ketchum Community Housing Action Plan.

B. Carissa Connelly has the skills and expertise necessary to oversee the attached scope of work related to Strategic Housing Services.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **General Duties.** Carissa Connelly agrees to serve as the city’s Housing Strategist focused on the development and implementation of the Ketchum Housing Action Plan according to the terms and conditions of this Agreement.
2. **Description of Services.** Carissa Connelly shall complete the tasks in the attached scope of work, incorporated herein by this reference (the “Services”).
3. **Payment for Services.** In exchange for the Services, City of Ketchum shall pay Carissa Connelly for hours billed (\$95.00 hourly rate) on a monthly basis. The monthly bill shall be itemized by completed task and associated hours. Direct project expenses (e.g., travel) shall be itemized on the monthly bill and pre-approved by the city. This contract will not exceed \$95,000.

4. **Term – 10 Months.** This Agreement shall be effective for a period of ten months with an option to extend. The city anticipates that it will on average utilize a minimum of 80 hours monthly of services and wishes to retain flexibility in how those hours are used and allocated with the understanding that there will be a variability in demand from month to month. The parties hereby agree that the city in its sole and exclusive opinion may terminate this Contract without penalty upon thirty (30) days written notice to Carissa Connelly. Upon receipt of such notice, neither party shall have any further obligation to the other. In the event of such termination, Carissa Connelly shall submit a report of expenditures to the City of Ketchum.

5. **Independent Contract/No Partnerships or Employee Relationship.**

(a) By executing this Agreement, the Parties do not intend to create a partnership, joint venture, agency employee/employer relationship or any other relationship other than that of Independent Contractor. Neither Party shall have the power to bind the other in any manner whatsoever.

(b) In rendering the services contemplated by this Agreement, Carissa Connelly is at all times acting as an Independent Contractor and not as an employee of City of Ketchum. Carissa Connelly shall have no rights or obligations as an employee by reason of the Agreement, and City of Ketchum shall not provide Carissa Connelly with any employee benefits, including without limitation, any City of Ketchum sponsored retirement, vacation or health insurance program.

(c) Except as set forth in this Agreement, City of Ketchum shall not exercise any control whatsoever over the manner in which Carissa Connelly performs the obligations contemplated herein. Carissa Connelly is allowed the discretion to subcontract with other entities as needed per the City's approval.

(d) Carissa Connelly may perform services similar in nature to the services contemplated in this Agreement for other individuals and entities during the term of this Agreement.

(e) City of Ketchum shall not withhold any local, state or federal payroll or employment taxes of any kind from any compensation paid to Carissa Connelly. Carissa Connelly hereby warrants and represents that it will pay all such employment and payroll taxes, if any, and hereby releases, holds harmless and indemnifies City of Ketchum and the directors, officers, members, employees and agents thereof from any and all costs, expenses or liability of any kind whatsoever that may be incurred as a result of Carissa Connelly's failure to pay such payroll or employment taxes.

6. **Assignment.** Neither Party shall assign any of its rights and/or obligations under this Agreement to any other person or entity.

7. **Representations and Warranties by Carissa Connelly.** Carissa Connelly hereby represents and warrants to City of Ketchum as follows:

(a) Carissa Connelly agrees to conduct, organize, manage and produce a Community Housing Analysis and Strategy.

(b) City of Ketchum shall retain proprietary rights over all final findings and reports items relating to the study.

(c) Public Records. Carissa Connelly hereby acknowledges that all writings and documents, including without limitation email, containing information relating to the conduct or administration of the public's business prepared by Carissa Connelly for Ketchum, regardless of physical form or characteristics, may be public records pursuant to the Idaho Public Records Act, Chapter 1 of Title 74 of Idaho Code. Accordingly, Carissa Connelly shall maintain such writings and records in such a manner that they may be readily identified, retrieved and made available for such inspection and copying.

(d) Carissa Connelly shall provide all study materials to City of Ketchum immediately upon request.

8. **Default.** In the event either Party hereto defaults in its performance of any of the obligations created hereunder, the other Party may pursue any and all remedies whether at law or equity, including without limitation terminating this Agreement.

9. **Voluntary Agreement.** This Agreement is freely and voluntarily entered into by each of the Parties. The Parties acknowledge and agree that each has been represented in the negotiation of this Agreement by counsel of its own choosing or has had an opportunity and ability to obtain such representation, that it has read this Agreement, or had it read to it, that it understands this Agreement, and that it is fully aware of the contents and legal effects of this Agreement.

10. **Binding Agreement.** The provisions of this Agreement shall be binding upon, and shall obligate, extend to, and inure to the benefit of, each of the legal successors, assigns, transferees, grantees, and heirs of each of the Parties, and all persons who may assume any or all of the above-described capacities subsequent to the execution of this Agreement.

11. **Mediation.** Should a dispute arise and is not resolved by the Parties, the Parties shall first proceed in good faith to submit the matter to non-binding mediation with a mediator licensed in the State of Idaho. Upon completion of one attempt at mediation, either party may pursue any available legal or equitable remedy.

12. **Attorney Fees and Costs.** In the event that any of the Parties is required to incur attorney fees and/or costs to enforce or interpret any provision of this Agreement or is required to defend any action brought by any of the Parties, based on, arising from or related to this Agreement, the unsuccessful Parties agree to pay to the prevailing Parties their reasonable actual costs and attorney fees, whether or not litigation is actually commenced and including reasonable attorney fees and costs on appeal.

13. **Entire Agreement.** This Agreement contains the final, complete, exclusive, and entire agreement and understanding between the Parties on this topic and supersedes and/or replaces any and all prior negotiations, proposed agreements and agreements, whether written or oral on such topic.
14. **Modification.** This Agreement may not be modified except by a writing signed by all Parties affected by such purported modification.
15. **Waiver.** In the event of any default hereunder by either Party, if the other Party fails or neglects for any reason to demand full performance, such failure or neglect shall not be deemed to be a waiver of the right to demand full performance or a waiver of any cause of action, or as a waiver of any of the covenants, terms or conditions of this Agreement or of the performance thereof. None of the covenants, terms or conditions of this Agreement can be waived by either Party hereto except in a signed writing.
16. **Severability.** In the event that any portion of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality, and enforceability of the remaining portions of this Agreement and the application thereof shall not in any way be affected thereby.
17. **Interpretation.**
- (a) Whenever in this Agreement the context may so require, the neuter gender shall be deemed to refer to and include the masculine and the feminine, the singular number shall be deemed to refer to and include the plural, and vice versa.
  - (b) This Agreement is the result of negotiations, and no Party shall be deemed to have drafted this Agreement for purposes of construing any portion of the Agreement for or against any Party.
  - (c) The descriptive headings in this Agreement are included for convenience of reference and are not intended to affect the meaning or construction of any of the provisions herein.
  - (d) Any exhibit attached hereto shall be deemed to have been incorporated herein by this reference as if set forth herein at length.
18. **Time is of the Essence.** Time is hereby made expressly of the essence in every term.
19. **Governing Law and Jurisdiction.** This Agreement shall in all respects be interpreted, enforced, and governed by and under the laws of the State of Idaho without giving effect to its conflicts of law provisions. The Parties each expressly agree to the appropriateness of and consent to the venue and jurisdiction of the State of Idaho in the County of Blaine and all state and federal courts having geographical jurisdiction for such County as the exclusive forum for the purposes of any action to enforce or interpret this Agreement.

20. **Capacity to Execute.** Each of the Parties, and each person signing this Agreement, represents and warrants that it and its representative(s) executing this Agreement on its behalf each has the authority and capacity to execute this Agreement.

21. **Counterparts.** The Parties may execute this Agreement, and any modification(s) hereof, in two or more counterparts, which shall, in the aggregate, be signed by all of the Parties. Each counterpart shall be deemed an original instrument as against any Party who has signed it. A faxed copy of the signature of any of the Parties shall have the same force and effect as an original signature of such Party.

22. **Indemnification.** Carissa Connelly shall indemnify and hold harmless Ketchum and its directors, agents and employees free, clear and harmless, from and against any and all losses, liabilities, costs, expenses (including amounts paid in settlements and reasonable attorney’s fees), claims, penalties, judgments and damages, resulting from or arising out of, by reason of any act, omission or negligence of Carissa Connelly or its respective agents, employees or contractors in any way connected with or arising out of any accident, injury or damage, any breach of representation, injury to person or property, any activity conducted or action taken by the City of Ketchum, directly or indirectly, in conjunction with this Agreement.

WHEREFORE, the Parties have executed this Agreement on the day and year set out next to each of their signatures

**CITY OF KETCHUM**

**CARISSA CONNELLY**

\_\_\_\_\_  
Neil Bradshaw, Mayor

\_\_\_\_\_  
Carissa Connelly

ATTEST:

Tara Fenwick  
City Clerk

## Carissa Connelly – Scope of Work

- Project manage housing action plan:
  - act as intermediary between the City and Agnew Beck. Coordinate meetings and workload
  - serve as the primary liaison to all community partner groups and individuals regarding housing
  - ensure city staff and elected officials complete their assigned tasks
  - Act as an additional resource for:
    - research
    - analysis
    - sourcing community feedback
    - creating visual assets for public information
    - generating ideas and problem solving
    - developing and presenting materials to city council and stakeholders
    - drafting reports, policies, and regulations
    - coordinating with external partners, including other municipalities and government entities
- Help identify and problem solve tension points between the developing action plan and existing - or in development - policies, processes, and structures. Be a resource for staff and commissions on reviews that involve housing.
- Assist with housing related work, such as:
  - drafting materials for agreements between the city and developers
  - drafting materials for commissions and city council review
  - implementing policy, program, and processes, if approved
- Begin implementing housing action plan by working with relevant city departments and partners.
  - begin developing the identified programs by drafting materials and setting up processes with city staff and other entities, as appropriate
  - begin setting the framework for specific projects. For example, if the goal is to leverage city land, then create and manage the RFP/RFQ/RFI process for developers and partners

### Long-term:

- Continue implementing the housing action plan by working with relevant city departments and partners. Ensure that the identified goals are supported throughout other efforts.
- Continue to analyze implementation barriers and brainstorm solutions.
- Administer federal and state funds for local housing development, where applicable. This includes managing compliance with the various regulations.
- Create and manage RFP/RFQ/RFI process for developers and partners.
- Manage partnerships with affordable housing developers and other community-based partners to make use of the relevant tools.
- Project manage site-specific development.
- Regularly update the housing plan and track progress. Ensure City Council adoption or revisiting of the plan and related tools is done, as needed or by pre-determined schedule.
- Work with the housing authority to:
  - maintain a database of subsidized and city-owned units, including those at risk of nearing the end of their affordability term
  - administer emergency rental assistance (if available) and monitor rental rates to identify outlier increases
  - improve policies and align goals and methods, as appropriate



**CITY OF KETCHUM**  
**PO BOX 2315 \* 480 EAST AVE. \* KETCHUM, ID 83340**  
**Administration 208-726-3841 (fax) 208-726-8234**

**PURCHASE ORDER**  
 BUDGETED ITEM? \_\_\_ Yes \_\_\_ No

**PURCHASE ORDER - NUMBER: 22038**

<b>To:</b> 1715 CONNLEY, CARISSA P.O. BOX 2620 SUN VALLEY ID 83353	<b>Ship to:</b> CITY OF KETCHUM PO BOX 2315 KETCHUM ID 83340
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P. O. Date	Created By	Requested By	Department	Req Number	Terms
11/24/2021	kchoma	kchoma		0	

Quantity	Description	Unit Price	Total
1.00	COMMUNITY HOUSING CONSULTING 54-4410-4200	95,000.00	95,000.00
	SHIPPING & HANDLING		0.00
	TOTAL PO AMOUNT		95,000.00

\_\_\_\_\_  
 Authorized Signature



## Professional Experience

### **People United for Sustainable Housing (PUSH) Buffalo / Buffalo Neighborhood Stabilization Company**

Senior Real Estate Project Manager – remote / Buffalo, NY (2021 – current)

- Co-project manage a 49 unit, scattered site affordable and supportive housing development, which includes rehabilitation and new construction and is entirely net zero or passive efficiency. Manage, facilitate and draft documentation submission for LIHTC, HOME, and supportive service financing.
- Project manage community engagement and development of accessory parking for a mixed-use site.

### **Georgia Housing and Finance Agency / Georgia Department of Community Affairs**

Assistant Office Director – Atlanta, GA (2021)

- Managed the annual update of QAP-related manuals and forms.

Housing Tax Credit Specialist (2018 – 2020)

- Analyzed feasibility of ten LIHTC applications and ten cost certifications.
- Managed Office of Housing Finance's (OHF) multimillion-dollar budget.
- Managed teams of five conducting relocation, environmental, and market reviews for 2019 and 2020.
- Managed 13 interns, including workload, onboarding, and developing and presenting research projects.
- Identified relocation knowledge gap. Lead research on complex regulatory relocation requirements, best practices, and Agency's responsibilities. Updated manual and forms to minimize displacement and impact on residents. Managing application review and onboarding for two newly created positions.
- Created resident feedback policy for rehabilitations. Reviewed output on 45 properties.
- Developed Division responsibility and staffing proposal by analyzing needs to meet strategic goals.

**Ibasho** (facilitates elder-led neighborhood projects and community spaces)

Doebele Community Service Fellow – remote, Nepal, the Philippines (2016 - 2017)

- Authored strategic plan by evaluating operations, management, and business model. Assisted planning activities. Facilitated board meeting and detailed options to advance strategic objectives.
- Evaluated organization for gender and social inclusion by adapting a Capacity and Vulnerability Framework. Interviewed 27 elders, facilitated an inclusion workshop, and observed 15 workshops.

### **City of Lebanon, Planning Department**

Geographic Information Systems (GIS) Intern – Lebanon, NH (2015)

**Sparkup Inc.** (innovation marketplace)

Outreach Manager – Montreal, QC (2013 – 2014)

- Led outreach and strategy, managed 90 relationships with governments, non-profits, and universities, and converted user feedback into products.

Founding Managing Director of Impactus Forum, Sparkup Inc.'s not-for-profit (2012 – 2014)

- Launched 30-expert working group to design and finance Northern Canadian housing.
- Designed a Social Innovation Marketplace in partnership with Johns Hopkins University.

### **Clinton Foundation**

Pascale Fellow, Data Management – New York, NY (2012)

- Analyzed projects' best practices and outcomes. Drafted President Clinton's briefings.

**C.B. Americas Nicaragua** (manufacturing company)

Consultant – Granada, Nicaragua (2011)

- Structured social impact program by surveying stakeholders and mapping community assets.
- Authored business plan; conducted market research and business analysis.

### **Citizen's Disaster Response Center**

Local Partnership Development Intern – Quezon City, the Philippines (2010)

### **City of Ketchum, Clerk's Office**

Administrative Assistant – Ketchum, ID (2008)

**Education** **National Association of Home Builders**  
Housing Credit Certified Professional (HCCP)

**National Affordable Housing Management Association**  
Fair Housing Coordinator

**Harvard University Graduate School of Design**  
Dual Masters: Urban Planning and Design Studies in Real Estate and the Built Environment (2018)  
○ Thesis: “Resident-Produced Services Improve Outcomes: Co-Production in Affordable Housing”  
○ Courses in affordable housing, finance, design, law, community organizing and engagement.

**McGill University**  
Bachelor of Arts, Honours in International Development (2012)  
○ Cultural Anthropology Minor and minor equivalent in Economics and Political Science.

**Volunteer Experience** **Tenant organizer** – Somerville, MA (2018)  
Organized leadership team and an event for neighbors to build social capital.

**Neighborhood Advocate** – Lebanon, NH (2016– 2017)  
Influenced Planning Board decision to halt an environmentally and financially detrimental subdivision by analyzing its financial feasibility, applicable regulations and case law.

**Xixuau Ecological Reserve** (community-managed reserve) – Amazon, Brazil (2006)  
Taught arts courses and assisted a mapping expedition.

**Awards** **Boston Affordable Housing Development Competition**  
\$7,000, 2nd place, Co-Project Manager

**Harvard University Asia Center Research Grant**  
\$5,555 award

**Harvard Graduate School of Design Doebele Community Service Fellowship**  
\$7,000 award

**Pascale International Fellow**  
\$6,000 award, chosen from ~100 McGill University applicants to the Clinton Foundation

**Carol and Lloyd Darlington Arts Internship Award**  
\$5,000 for social or economic improvements



City of Ketchum  
Planning & Building

November 29, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to review Draft Permanent Ordinance for Historic Preservation and Design  
Review and review Draft Design Guidelines**

Recommendation and Summary

Staff recommends the City Council review and provide direction to staff on the following two projects:

- Permanent Ordinance for Historic Preservation
- Community Core Design Guidelines

Reason for Recommendation:

- The interim Historic Preservation Ordinance expires on January 15, 2022 and a permanent ordinance must be in effect by January 15<sup>th</sup>.
- Based on community input, a draft permanent Ordinance for Historic Preservation and Design Review and draft Community Core Design Guidelines were prepared by Logan Simpson and staff.
- The Planning and Zoning Commission (the “Commission”) and the Historic Preservation Commission (the “HPC”) have reviewed the draft documents.

Below is an overview of the project history, community outreach, and summary of the draft documents. An executive summary has also been provided by Logan Simpson, including an overview of the process, community outreach efforts, and key takeaways (Attachment A). Attachment G of this staff report includes all public comment received after the November 16, 2021 meeting of the Commission.

Introduction and Background

The City embarked on a three-phase project that began with the adoption of an emergency ordinance on October 19, 2020, placing a stay on the demolition of historic structures for a period of 182 days. The emergency ordinance was the result of community concern for the potential loss of significant historic structures within the community core because there were

no protections in place. Below is an overview of the project timeline, a more detailed timeline of the project can be found in Attachment B:

### *Phase 1 – Emergency Ordinance*

- Emergency Ordinance 1213 adopted October 19, 2020
- Online Survey conducted by the city in October 2020 – 162 responses
- Online Survey conducted by Logan Simpson in December 2020 – 169 responses

*Phase 2 - Interim Ordinance* – Following adoption of the emergency ordinance, the City contracted with Logan Simpson to draft an interim Historic Preservation Ordinance. The City Council adopted Interim Ordinance 1216 (Attachment C) on January 15, 2021 effective for one year while the city prepared a permanent ordinance. The interim ordinance included the following:

- Identified 26 Historic Structures in the Community Core
- Re-established the Historic Preservation Commission
- Updated Demolition Requirements for Older Buildings
- Established Process for Alterations or Demolition to the 26 Historic Structures

Prior to adoption of the interim ordinance, the city and Logan Simpson conducted 45 individual stakeholder meetings and an online survey with 169 responses. The interim ordinance expires on January 15, 2022.

*Phase 3 – Permanent Ordinance, Design Guidelines, and Historic Preservation Handbook* - Following adoption of the Interim Ordinance, and after community outreach and input, the City Council approved the workplan and contract with Logan Simpson for the third phase of work consisting of:

- Preparation of the permanent ordinance for historic preservation
- Preparation of design guidelines for the community core – including a specific historic preservation section
- Preparation of a historic preservation handbook with guidance on and incentives for preservation of historic structures

In order for the permanent ordinance to be in effect by January 15, 2022, the City Council must conduct or waive three readings of the permanent ordinance and the ordinance must be published in the Mountain Express before it becomes effective.

Once the interim ordinance was adopted, Logan Simpson conducted community outreach including 20 one-on-one stakeholder meetings, two online surveys, a multi-day open house, and two joint work sessions with City Council, the Commission, and HPC. Based on all the input, a Draft Permanent Ordinance for Historic Preservation and Design Review and Draft Design Guidelines were prepared. The drafts were presented to the Commission on October 26, 2021

and November 16, 2021 and the HPC on November 2, 2021. After the meetings, the draft documents were revised incorporating the feedback provided.

### Analysis

As outlined above, Phase 3 of the work included three items. The handbook is not a focus of the current discussion as it will be developed following the adoption of the permanent Historic Preservation ordinance. The remaining two items, the permanent ordinance and design guidelines, have been developed concurrently but address two different areas of policy.

- The permanent ordinance provides protections for historic structures and sites and must be in place prior to the expiration of the interim ordinance on January 15, 2022.
- The design guidelines provide guidance on integrating new development into the context of the Community Core. The Guidelines are not mandatory and instead provide suggestions to applicants.

Below is an overview of each document followed by an overview of comments and recommendations from HPC and the Commission.

### *Permanent Historic Preservation Ordinance*

The proposed ordinance includes the framework for the Historic Preservation Commission and standards for historic buildings and sites that are identified on the Historic Building and Site List. The draft ordinance also includes proposed changes to the Design Review section of Title 17 – Zoning Regulations that support the proposed Design Guidelines and streamline the Design Review process. Depending on next steps for the Design Guidelines, these changes may be revised or deferred for future adoption. The full redline of the proposed ordinance can be found in Attachment D of the staff report. Chapter 17.20 is a new section and reflects standards and language from the interim ordinance. The redline shows changes proposed to the interim ordinance language. Additionally, the Historic Building/Site List is being removed as it is now adopted by HPC resolution. Attachment F is the current Building/Site List adopted August 19, 2021 by the HPC.

The following summarizes the proposed ordinance:

#### *Historic Preservation Commission (HPC)*

- The Commission is set forth in [Chapter 4.08 of the KMC](#).
- Establishes the composition of the HPC membership - how many members and who can serve
- Identifies the list of duties and responsibilities of the HPC - maintenance of the Historic Building/Site List and review of applications for alterations and demolition of historic buildings.
- Updates references to the HPC from “Commission” to “HPC” - reduce confusion between the HPC and the Planning and Zoning Commission

### *Historic Preservation of Historic Buildings and Sites*

- Converts the existing interim ordinance into a permanent ordinance by Creating a new Chapter in the Zoning Ordinance, 17.20, specifically related to Historic Preservation.
- Includes standards contained in the existing interim ordinance into the new Historic Preservation Chapter of 17.20 of the KMC including:
  - Criteria for listing historic buildings or sites
  - Process and criteria for demolition and alteration of historic buildings
  - Dangerous building conditions
  - Enforcement and maintenance
- Refines the Historic Building/Site List based on HPC review and approval
- Adds opportunities and relief from city regulations to incentivize the preservation of historic buildings including:
  - Ability to comply with Building Code requirements through alternative measures
  - Parking exemptions for historic buildings
  - Relief from Nonconforming Building requirements

### *Design Review Guidelines and Process*

- Found in [Chapter 17.96 of the KMC](#).
- Replaces the present design standards in the Community Core with the [Draft Design Guidelines](#).
- Reorganize the existing Improvements and Standards that apply to all projects subject to design review and include some standards that only applied to projects in the Community Core such as:
  - Trash disposal areas
  - Surface parking lots
  - Screening of roof and ground mounted equipment
  - Replacement of healthy and mature trees
- Streamline the existing design review process by exempting certain projects from Preapplication Design Review. Projects still subject to Preapplication Design Review include:
  - Projects with 4 stories or more
  - Projects on a lot or lots with an area of 11,000 square feet or greater
- Preapplication Design Review for exempt projects will be optional at the discretion of the applicant.

### *Design Guidelines*

The purpose of the Community Core Design Guidelines is to provide guidance to applicants on integrating new projects into the Community Core. Ketchum has prioritized quality design and the integration of new projects into the neighborhood context since the adoption of the first Design Review Ordinance (No. 290) in 1979. The initial ordinance included a rating system for

design quality and a set of design criteria to be rated. The design review process has been re-evaluated numerous times since that first adoption, considering its purpose, intent, and scope of review. Changes have included revised criteria, additions, and deletions to the types of projects that require design review, even the introduction of a specific and mandatory form-based zoning code with prescriptive design standards.

The form-based design standards were removed from the code in 2015 because they constrained the design of new projects. When the standards were eliminated, minimal design standards were put in place. Ketchum went from specific and prescriptive design standards to very general and broad standards. Since the change, there are concerns that recent development projects do not integrate into the context of downtown Ketchum resulting in development that is incompatible with the character of Ketchum.

Additionally, the development community has provided feedback that the current design requirements in the KMC do not provide enough context and guidance in meeting design expectations of the Commission and staff for new development. This results in challenges and frustrations for applicants, the Commission and staff when reviewing new projects. Design Guidelines are particularly helpful for design professionals and applicants located outside of the Wood River Valley, which have increased in the past two years.

The proposed Design Guidelines, included as Attachment E, seek to fill the middle ground between the previous highly detailed and mandatory form-based code and the current limited and non-descript design review standards. The proposed Design Guidelines outline the following:

- Establish what the character of the Community Core is and is not
- Establish what the character of the Community Core should be
- Provide guidance on what design considerations are appropriate to achieve the desired character
  - Includes illustrations to explain certain guidelines
  - Discusses the importance of contextual design considering surrounding buildings and spaces
  - Encourages creativity by identifying elements and characteristics, not specific architectural styles
- Provide guidance on how to approach redevelopment of a property with a Historic Building

The proposed design guidelines are not mandatory standards but seek to provide recommendations for how new development can integrate into the existing fabric of downtown Ketchum.

## Planning and Zoning Commission and HPC Comments

### HPC Comments

#### *Proposed Ordinance*

The HPC discussed the proposed ordinance and Design Guidelines and supported City Council adoption of the historic preservation elements of the ordinance. The HPC did not review or comment on the design review elements of the ordinance as design review is not within their established roles and responsibilities.

#### *Design Guidelines*

The HPC provided comments to staff on the draft Design Guidelines specific to the Historic Preservation chapter of the document. The HPC commented that:

- The document should better outline the difference between compatibility and mimicry
- The document should show examples of successful alterations or additions to historic structures
- The timeline included in the draft would be better utilized in the Historic Preservation Handbook rather than the guidelines

### Planning and Zoning Commission Comments

#### *Proposed Ordinance*

The Commission recommended Council adopt the proposed ordinance (KMC Chapter 4.08 and Chapter 17.20). The Commission provided feedback that the proposed changes to the preapplication design review process (KMC 17.96.010) were helpful and recommended the City Council adopt this element of the Design Review chapter. However, in response to opposition from the architectural community at the November 16<sup>th</sup> meeting, the Commission did not recommend the revisions to the Design Review standards of the code (KMC 17.96.060 and 17.96.070). As discussed below, the Commission recommended additional time for review and input on the Design Guidelines and believes changes to the ordinance should reflect further input and review.

#### *Design Guidelines*

The Commission recommended changes to the document to reference the city's street standards and green building standards. The Commission also recommends additional time be taken for review and input of the Design Guidelines. At the November 16<sup>th</sup> hearing, the Commission heard comments from numerous members of the local architectural community that the proposed guidelines are too prescriptive, stifle creativity, and that not enough input from the architectural community was considered during the process. In general, the local architectural community has a philosophical disagreement with the need for Design Guidelines.



### Next Steps

Staff is requesting direction from City Council on the next steps and provides the following options for consideration:

- Permanent Ordinance
  1. Proceed with only the Historic Preservation elements of the ordinance with a first reading on December 13<sup>th</sup>
  2. Proceed with the Historic Preservation elements and amendments to the preapplication design review process with a first reading on December 13<sup>th</sup>
  3. Proceed with all elements of the proposed ordinance including historic preservation, process improvements, and design guideline implementation.
- Design Guidelines
  1. Delay adoption of the Design Guidelines to allow for additional public outreach and community engagement
  2. Implement Design Guidelines on an interim basis for a set period of time that includes status reports and evaluation with the Planning and Zoning Commission and City Council.
  3. Retain the existing design review standards in the code with do not adopt Design Guidelines

### Attachments

- A. Executive Summary – Logan Simpson
- B. Project Timeline
- C. Interim Ordinance – Historic Preservation – adopted January 15, 2020
- D. Draft Ordinance – Redline – revised November 10, 2021
- E. Draft Community Core Design Guidelines – revised November 10, 2021
- F. Historic Building/Site List – Adopted by HPC August 19, 2021
- G. Public Comment

# Attachment A: Executive Summary

# KETCHUM COMMUNITY CORE DESIGN GUIDELINES

Executive Summary | October 20, 2021

## Background And Context

The downtown core of the City of Ketchum, referenced herein by the associated zone district of the Community Core, has been ever evolving since its conception in the late 1800's. Initially influenced by mining and later known as a premier resort community, the Community Core's roots are in the people that call Ketchum home. Many of the small one-story bungalows erected by the original settlers still stand, despite current development pressures to maximize property development. These development pressures present the City with the challenge of balancing preservation and development.

In October of 2020, the City of Ketchum took the first large step toward finding that balance by enacting an emergency ordinance to place a ninety-day stay on all demolition of historically significant buildings within the Community Core in order to assess the need for historic preservation regulations. As a result of public outreach to assess the community values with regards to historic structures, it was determined that the highest priority was to preserve buildings associated with significant people or events rather than preserving buildings based on architectural style. During the ninety-day stay, an interim ordinance was developed to establish the foundation of historic preservation in the Community Core. The ordinance included the following four primary components:

- Updated the list of significant historic structures to define the parameters of preservation;
- Appointed the Historic Preservation Commission;
- Updated the demolition requirements for buildings fifty years old and older; and
- Established a process for alterations to and demolition of existing historic structures.

The interim ordinance was adopted with an expiration of one year from the date of adoption and was followed with development of a permanent ordinance and design guidelines to represent an overall vision for the Community Core and guide future development. The following pages outline the outreach efforts that lead to the resulting language included in the permanent ordinance and design guidelines.

## A Community Driven Process

This project has been deeply seated in community feedback from the beginning with opportunities during the interim ordinance phase and the subsequent development of the design guidelines and permanent ordinance. During the interim ordinance phase, the community was provided with the opportunity to weigh in on the priorities for the interim ordinance in the form of community stakeholder interviews and an online survey. The online survey was distributed on Ketchum's Facebook page and the City's website. In addition, planners from multiple communities in the mountain west were engaged as part of case study research to review and analyze historic preservation programs identified by the public, as well as staff and elected officials.

### Select Quotes from the Questionnaire and Stakeholder Interviews

*"Allow for innovative, adaptive reuse of historic buildings, whereby the property may be altered, as long as signature elements and features of the properties historic appearance are preserved."*

*"There should be a tight evaluation system to ensure that age is not the only criteria for saving a building. Unique architectural and/or truly historic features of a building are key conditions to consider."*

*"Seek a balance between preservation of the City's historic gems and also moving forward with development and in-fill."*

Generally, what we heard from the community is a desire for balance - balancing historic preservation with development and private property rights. The comments from the questionnaire and interviews were similar, but the comments from the interviews showed a stronger preference for limiting the prohibition of demolition to only certain types of historic structures, rather than prohibiting demolition of all historic buildings.

<i>Questionnaire Responses</i>	<i>Stakeholder Interviews</i>
<ul style="list-style-type: none"> <li>• Criteria and review process for historic designation</li> <li>• Designate Ketchum historic preservation commission</li> <li>• Stay/delay demolition for all historic buildings</li> <li>• Prohibit demolition of certain historic buildings</li> <li>• Documentation of designated historic structures</li> </ul>	<ul style="list-style-type: none"> <li>• Balance preservation with growth and development</li> <li>• Tiering criteria for preservation protections</li> <li>• Preserve character defining resources</li> <li>• Educate public on the “why”</li> <li>• Require archaeological process or approval of a development plan prior to demolition</li> </ul>

In the online questionnaire, respondents were asked to rank various tools, incentives, and standards in order of most important to least important for inclusion in Ketchum's Historic Preservation Program. The list below represents a ranked order of what the community feels is most appropriate to least appropriate:

1. Criteria And Review Process for Historic Designation
2. Designate Ketchum Historic Preservation Commission
3. Stay/Delay Demolition for All Historic Buildings
4. Prohibit Demolition of Certain Historic Buildings\*
5. Documentation of Designated Historic Structures
6. Review Process and Design Guidelines for Modification to Existing Historic Structures
7. Preservation of Characteristic Building Features
8. National Register of Historic Structures Eligibility Criteria
9. Density/Development Bonuses for Preservation of Historic Structures
10. Process For Relocation of Existing Historic Structures
11. Property Owners' Voluntary Inclusion of Historic Structures on a Local Landmark List
12. Property Owners' Voluntary Inclusion of Historic Structures on a National Landmark List
13. Mandatory Inclusion of Historic Structures on a Local Landmark List
14. Mandatory Inclusion of Historic Structures on a National Landmark List

These components were then organized into three categories for inclusion in Ketchum's overall historic preservation program: interim ordinance, permanent ordinance, and design guidelines/historic preservation handbook.

Interim Ordinance

- Designate Ketchum Historic Preservation Commission
- Stay/Delay Demolition For All Historic Buildings
- Prohibit Demolition Of Certain Historic Buildings
- Documentation Of Designated Historic Structures
- Alterations to Existing Historic Structures\*

Permanent Ordinance

- Criteria and Review Process for Historic Designation
- Process For Relocation Of Existing Historic Structures
- Property Owners' Voluntary Inclusion Of Historic Structures On A Local Landmark List
- Property Owners' Voluntary Inclusion Of Historic Structures On A National Landmark List
- Mandatory Inclusion Of Historic Structures On A Local Landmark List
- Mandatory Inclusion Of Historic Structures On A National Landmark List

Design Guidelines & Preservation Incentives

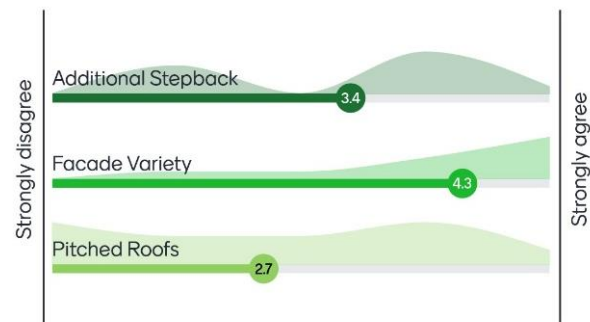
- Review Process And Design Guidelines For Modification To Existing Historic Structures
- Preservation Of Characteristic Building Features
- National Register Of Historic Structures Eligibility Criteria
- Density/ Development Bonuses For Preservation Of Historic Structures

Ample feedback opportunities were also provided during the outset of the design guidelines and permanent ordinance development, which kicked off with a visioning session with the City Council, Planning Commission, and newly appointed Historic Preservation Commission (joint work session). Staff and the consultant team presented a series of images to determine the elements that comprise the desired building forms and character of the Community Core. To discuss basic building forms, the group was presented with the images below which represent from left to right: **Additional Setbacks for Upper Floors, Façade Variety, and Pitched Roofs:**



Using a text polling platform called Menti, the members were asked to vote for their desired option. Per the image to the right, it was determined that the most important element was façade variety. The following summarizes the general statements made during the discussion:

- By breaking up massing, building can be more distinct
- Provides character
- Want to keep authenticity
- Appropriate for larger buildings but don't want to force it
- Don't want it to look fake



Next, a series of images was presented showing the existing buildings and spaces of Ketchum's Community Core, as well as a series of buildings from other communities, to dive deeper into what really defines the character of the area. The same images were later presented to the public in an in person open house and a digital questionnaire through the City's website.

## Community Outreach by The Numbers

During the interim ordinance phase, the feedback received built upon the initial outreach the City conducted in early October. The interim ordinance engaged the community through both community stakeholder interviews and an online questionnaire. To supplement the community feedback, we conducted case studies and interviews with planners from multiple communities in the mountain west to identify strengths and weaknesses of various historic preservation programs that the public mentioned and determine if those programs were appropriate for Ketchum.



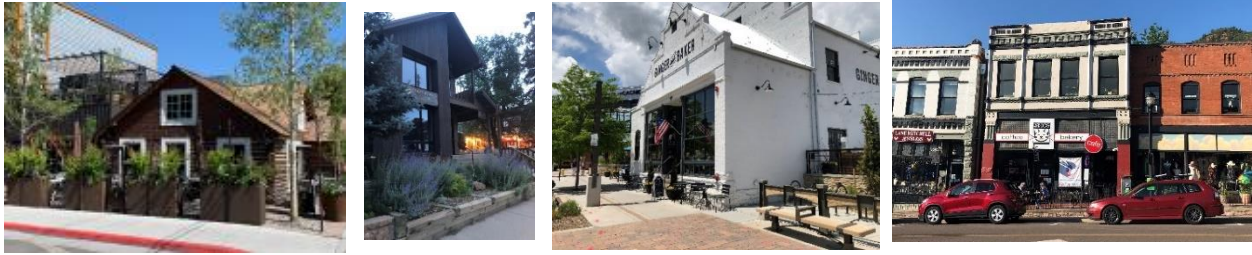
During the design guidelines and permanent ordinance development phase, an in person open house was held at the Ore Wagon Museum through several two-hour sessions from August 17-19, 2021. The event resulted in **approximately forty (40) attendees** across the sessions. The primary activity was to choose from a series of images what was applicable to, or not applicable to, development in Ketchum's Community Core. Community members engaged in thoughtful conversation with each other, members of staff, and the consultant team resulting in many of the elements of the "Community Core Character" section of the Design Guidelines. A selection of images from the event have been provided below.



Following the event, a digital questionnaire was made available to the public, which resulted in **two hundred twenty-five (225) responses**. The questionnaire included three questions.

**Question #1** included the same existing imagery that was presented at the joint work session and open house and asked the question "Please select the images you would most like to see again in Ketchum. The top four responses in order included the Warfield, Pioneer Saloon, Cristina's Restaurant, and the Picket Fence.

**Question #2** included the images that were placed on the boards during the open house to continue the four selected images in order were:



**Question #3** included a series of design concepts that arose from the in-person outreach and asked whether the respondent agreed with the concepts. The top five concepts were:

- Build on local town and outdoor vibe
- More green space and landscape
- Keep height at street no more than three stories (incorporate stepped upper floors)
- More bump outs for pedestrian gathering like Maude's
- Incorporate wood building facades representative of the 1<sup>st</sup> 40 years of Ketchum commercial retail development

## The Resulting Design Guidelines

All of the feedback gathered during the design guidelines outreach phase of the project was then compiled into draft design guideline language to discuss with City Council, the Planning Commission, and the Historic Preservation Commission during a subsequent joint work session. All three groups were generally in favor of the draft language, which was then formalized with graphics and imagery into a more complete draft for public review and later adoption.

The basic components of the Design Guidelines include the following:

- **Introduction** which includes the overview and purpose of the document, applicability, and procedure to amend the guidelines over time to continue to reflect the desired character of Ketchum.
- **Community Core Character** which includes a description of what the Community Core *IS* and *IS NOT* as well as a summary of what the Community Core *SHOULD BE*.
- **Community Core Design Guidelines** which include more specific guidance on the desired elements and features of building orientation, building massing and form, building articulation, building materials, roof forms, and pedestrian amenities.
- **Historic Preservation** which includes specific guidance for alteration, addition to, and redevelopment of historic structures.

## The Resulting Permanent Ordinance

The permanent ordinance builds on the interim ordinance adopted in January of 2021 placing the Historic Preservation Commission composition and responsibilities in existing Chapter 4.08, Historic Preservation Commission. The rest of the language was formatted as a new Chapter in the City of Ketchum Municipal Code Titled Historic Preservation. The new chapter includes the following:

- **General Provisions** which describe the purpose of the chapter.
- **Historic Building/Site List** which establishes the list and details criteria to add or remove structures from the list.
- **Demolition or Alteration Request Process** details the process to go about applying for a demolition or alteration permit along with criteria for approval.
- **Remedying of Dangerous Building Conditions** describes that the building official can ask for repairs if they deem that the structure is in a condition that puts the public health and safety at risk.
- **Enforcement and Maintenance** describes how the provisions will be enforced as well as proper standards for maintenance of structures on the Historic Building/Site List.
- **Relief From Regulations** describes incentives that allow for relief from certain standards such as building code, parking, and nonconforming structure requirements to encourage restoration, alteration, and additions to historic structures rather than demolition.

Ultimately, the design guidelines along with the permanent ordinance will work together with existing code sections such as Design Review and the new Historic Preservation standards to guide future development in the Community Core to highlight and preserve the character that is treasured by the community.



# Attachment B: Project Timeline



City of Ketchum  
Planning & Building

**KETCHUM COMMUNITY CHARACTER PROJECT TIMELINE**

October 19, 2020	Emergency Ordinance Adoption by City Council
Oct/Nov 2020	Online Survey – 162 responses (79 full-time residents)
November 19, 2020	Joint work session - City Council and Commission
Nov/Dec 2020	45 individual stakeholder interviews conducted by Logan Simpson
December 10, 2020	Joint work session - City Council and Commission
December 2020	Online Survey (169 responses)
January 2021	City Council meetings to discuss the project and the interim ordinance
January 15, 2021	Adoption of Interim Ordinance
Feb/Mar 2021	Project scoping for next steps with Logan Simpson
March 15, 2021	Appointment of HPC members
March 15, 2021	Contract approved for Permanent Ordinance, Design Guidelines, and Historic Preservation Handbook
April 2021	Begin of HPC regular meeting schedule
May 2021	20 individual stakeholder meetings conducted by Logan Simpson
July 8, 2021	Joint work session - City Council, the Commission, and HPC
August 17-19, 2021	Community open house attended by approximately (~40 attendees)
August 2021	Online Survey (225 responses)
September 14, 2021	Joint work session - City Council, the Commission, and HPC
October 2021	Online Survey (47 responses)
October 19, 2021	HPC adopted final Historic Building/Site List
October 26, 2021	Commission hearing to review draft ordinance and guidelines
November 2, 2021	HPC meeting to review draft ordinance and guidelines
November 16, 2021	Commission hearing to review and make recommendation to City Council on draft ordinance and guidelines

# Attachment C: Interim Ordinance

## ORDINANCE NUMBER 1216

**AN INTERIM ORDINANCE OF THE CITY OF KETCHUM, IDAHO, APPOINTING MEMBERS OF THE HISTORIC PRESERVATION COMMISSION; ESTABLISHING A LIST OF HISTORIC AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN THE COMMUNITY CORE DISTRICT (CC); ESTABLISHING REVIEW STANDARDS FOR DEMOLITION OR ALTERATION OF HISTORIC STRUCTURES; ESTABLISHING MINIMUM MAINTENANCE REQUIREMENTS FOR HISTORIC STRUCTURES; PROVIDING REMEDIES FOR DANGEROUS BUILDINGS; PROVIDING ENFORCEMENT STANDARDS; PROVIDING FOR AN EFFECTIVE PERIOD FOR THE INTERIM ORDINANCE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the 2014 Comprehensive Plan identifies community character preservation as one of the community's ten core values; and

WHEREAS, Policy CD-1.2 of the Comprehensive Plan states, "Individual buildings and sites of historical, architectural, archaeological, or cultural significance should be identified and considered for protection. The City should encourage the private sector to preserve and rehabilitate buildings and sites through local landmark designations, public improvements, guidelines, and other tools."; and

WHEREAS, on October 15, 2020, the City Council of the City of Ketchum adopted Ordinance No. 1213, as an emergency ordinance to stay the processing of new demolition permit applications in the Community Core from October 15, 2020 through January 17, 2021 for purposes of historic preservation; and

WHEREAS, the City of Ketchum ("City") conducted numerous public focus group meetings and two online questionnaires seeking discussion on potential options for historic preservation in the Community Core; and

WHEREAS, the City has established a Historic Preservation Commission per Chapter 4.08 of the Ketchum Municipal Code; and

WHEREAS, the City has a demolition permit application in place per Chapter 15.16 of the Ketchum Municipal Code, including consideration of historic buildings; and

WHEREAS, the City has updated the 2005 Archaeological and Historic Survey Report and determined 26 structures to be of historic significance in the Community Core, and

WHEREAS, Chapter 46 of Title 67 of Idaho Code broadly provides for a municipality to seek to preserve historical, archaeological, architectural, and cultural heritage through a comprehensive program of historic preservation; see Idaho Code 67-4601; and

WHEREAS, I.C. 67-4612 authorizes the City to provide for historic preservation by ordinance and special restrictions; and

WHEREAS, I.C. 67-6524 provides for the City to adopt an interim ordinance and permit restrictions, effective up to one (1) year, during the pendency of preparation and adoption of a permanent ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the City Council of the City of Ketchum, Idaho:

## Section 1. General Provisions

- A. Title: This ordinance shall be known and may be cited as the “*Interim Historic Preservation Ordinance*”.
- B. Purpose: The general purpose of this ordinance is to protect the historic character of the City’s Community Core by establishing baseline regulations and a process to review proposed demolition or alteration of the structures listed in the Community Core District Survey Update (Phase 1), heretofore called the Historic Building List, and attached as exhibit A.
- C. Applicability: The regulations and procedures set forth in this ordinance shall apply to each and every structure listed in Table 1 of the Historic Building List. All other buildings over 50 years of age shall follow the process for demolition of buildings per Ketchum Municipal Code Section 15.16.040, except that no demolition permit shall be issued for any structure over 50 years old until a building permit has been issued for a replacement structure on the property.
  - 1. Except as provided in Section 6, Remediating of Dangerous Building Conditions, no person shall make, or otherwise cause to be made, any demolition or alterations to structures on the Historic Building List without approval by the HPC through the Demolition or Alteration application process described in Section 2. The following types of modifications require HPC review:
    - a. Partial or total demolition of any portion of the structure ; or
    - b. Exterior alterations, including windows or siding replacement, or
    - c. Additions to any structure.
- D. Exceptions: This ordinance shall not apply to dangerous building conditions that would imperil the health or safety of the public as determined by the Building Official and the Director of Planning and Building.
- E. Appointment of the Historic Preservation Commission. For purposes of this ordinance, the Historic Preservation Commission shall be five members consisting of a maximum of three (3) and a minimum of one (1) member of the Planning and Zoning Commission and a maximum of four (4) and a minimum of two (2) members of the community appointed by the Mayor with the consent of the City Council. The community members shall have a demonstrated interest, competence or knowledge in history or historic preservation and/or architecture.

## Section 2. Process to Request Demolition or Alteration of Historic Resources

- A. Authority: The Ketchum Historic Preservation Commission (HPC) shall be the review authority for applications seeking to demolish or alter a historic structure on the Historic Building List.
  - 1. The HPC will maintain the Historic Building List.
  - 2. The HPC shall have the authority to add or remove structures from the Historic Building List using the following criteria to determine if a structure should be added or removed from the Historic Building List.
    - a. The structure is associated with events that have made a significant contribution to the broad patterns of Ketchum’s history or development; or
    - b. The structure is associated with the lives of significant persons in Idaho or Ketchum’s history; or
    - c. The structure embodies the distinctive characteristics of a type, period, or method of construction, or the structure represents the work of a master, or possess high

- artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- d. The structure yielded or may be likely to yield, information important in history or prehistory.
- e. The structure is of significance in American, Idaho or Ketchum history, architecture, archaeology, or culture and the site or structure possess integrity of location, design, setting, materials, workmanship, feeling, and association.
- 3. The HPC shall have the authority to approve, approve with conditions, or deny applications for demolition or alteration of a historic structure on the Historic Building List.
- B. Demolition or Alteration Request Process:
  - 1. An applicant seeking to demolish or make any alterations to structures on the HPC Building List shall file a Request for Demolition or Alteration application with the Planning and Building Department. The application shall be processed as set forth in Ketchum Municipal Code Chapter 17.96., Design Review Permits. This process may run concurrent with applications for Design Review.
  - 2. Upon receipt of a complete Request for Demolition or Alteration application and fee, as determined by the Zoning Administrator, the application shall be scheduled for a public hearing before the HPC within 60 days of the application being deemed complete. Notice shall be provided in accordance with KMC Section 17.116.040 C, D, and E.
  - 3. Following the public hearing, the HPC may approve, deny, or approve with conditions the Request for Demolition or Alteration. The HPC will review the application using the criteria in Section 3A to determine if the proposed demolition or alteration of the structure may proceed.

### **Section 3. Review Criteria for Request for Demolition or Alteration Application**

- A. The HPC may approve, approve with conditions, or deny a Request for Demolition or Alteration application based on the following criteria:
  - 1. Is the structure of historic or architectural value or significance and does it contribute to the historic significance of the property within the Community Core.
  - 2. Would the loss, alteration of, or addition to, the structure adversely affects the historic integrity of the structure, impact the significance of the structure within the Community Core , impact the architectural or aesthetic relationship to adjacent properties, or conflict with the Comprehensive Plan.
  - 3. Does the structure retain the requisite integrity to convey its historic and/or architectural significance.
  - 4. Does the proposed demolition or alteration adversely affect the historic significance or architectural distinction of the structure or the Community Core.
- B. Appropriate alterations might include but are not limited to:
  - 1. Changes to the building’s interior that are not visible from a public street, alley, park, or other public place;
  - 2. Changes to internal building systems that will not adversely affect the external appearance of the building;
  - 3. The erection or removal of temporary improvements.

4. Adaptive reuse consistent with the Secretary of the Interior's Standards for Rehabilitation and Idaho Code Title 67-4618.
- C. The HPC shall consider the unique circumstances of each proposed demolition or alteration. Approval of each individual Demolition or Alteration application is unique to that property and does not constitute a precedent for other properties.

#### **Section 4. Appeal of Request for Demolition or Alteration Application Decisions and Placement or Removal of Properties on the Historic Building List**

- A. The decision of the HPC on a Demolition or Alteration application or placement or removal of a property on the Historic Building List, may be appealed to the City Council by the applicant or affected party pursuant to the appeal provisions contained in Ketchum Municipal Code Section 17.144, Appeals of the Planning and Zoning Commission Decisions.

#### **Section 5. Minimum Maintenance Requirements for Designated Resources.**

- A. All structures on the Historic Building List shall be maintained to meet the requirements of the International Property Maintenance Code and/or the International Existing Building Code, as adopted and amended by the City. The owner of such structure(s) shall also keep in good repair all structural elements thereof which, if not so maintained, may cause, or tend to cause the exterior portions of such structure to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair which would have an adverse effect upon such designated structures.

#### **Section 6. Remediating of Dangerous Building Conditions**

- A. If the Building Official finds a historic structure constitutes dangerous building conditions that would imperil the health or safety of the public, it shall first be determined by the Building Official if the structure is capable of being made safe by repairs in which said repairs shall be made by the owner of the structure.
- B. If the Building Official finds the structure is not capable of being made safe by repairs, then the Building Official may order the structure to be demolished.
- C. Nothing contained herein shall be construed as making it unlawful for any person to comply with the Building Official's authority as stated in this section.

#### **Section 7. Enforcement and Maintenance**

- A. If any alteration is made without approval of a Demolition or Alteration application, the City may issue a stop work order for all construction activity, withhold inspections and final approvals, withhold approval of additional City permits, and take any other available action, or any combination of the aforementioned, until the applicant has applied for and received approval for the alteration. If the alteration is not approved, the property owner shall restore the structure to its original condition prior to any alteration occurring.
- B. Except as provided in Section 6, Remediating of Dangerous Building Conditions, no permit shall be issued authorizing any alteration to a structure listed on the Historic Building List until the HPC approves the Request for Demolition or Alteration application. If the approval or denial of the application is administratively appealed, no further development permits shall be

approved for the property until the City Council has made a final decision on the administrative appeal.

- C. Normal repair and maintenance of structures on the Historic Building List is permitted. Nothing in this Section shall be construed to prohibit the alteration of any structure necessary as a part of normal repair and maintenance when such alteration will not change the exterior appearance or materials or the interior support structure of the building, including the character or appearance of the land itself.

**Section 8. Duration:** This interim ordinance shall be in full force and effect for a period of one (1) year beginning on its effective date and shall terminate and be of no further force nor effect thereafter.

**Section 9. Savings and Severability Clause:** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 10. Repealer Clause:** All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

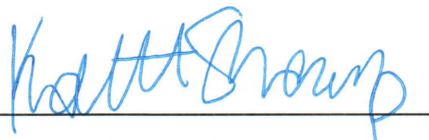
**Section 11. Publication:** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "B," shall be published once in the official new spa per of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 12. Effective Date:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 15<sup>th</sup> Day of January 2021.**



Neil Bradshaw, Mayor



Attest: Katrin Sharp, Deputy City Clerk





List of 26 Properties

<b>Name</b>	<b>Address</b>	<b>Date</b>
Bonning Cabin	531 5 <sup>th</sup> Street East	c.1882
Thornton House	560 East Avenue North	c.1912
E.B Williams House	520 East Avenue North	c.1884
Jack Frost Motel	591 4 <sup>th</sup> Street East	1940
George Castle Cabin	431 ½ Walnut Avenue	1930s
Michel's Christiania Restaurant	303 Walnut Avenue	c. 1960
Brass Ranch House	571 2 <sup>nd</sup> Street	c.1920s
McCoy/Gooding/Miller House	480 East 2 <sup>nd</sup> Street	c.1884
Lon Price/Esther Fairman House	180 Leadville Avenue North	c.1929
St. Mary's Catholic Church	380 Leadville Avenue North	c.1880s
Fagan Property	411 Sun Valley Road	c.1940s
Comstock & Clark Mercantile	300 North Main Street	c.1887
Pioneer Saloon	308 North Main Street	c. 1945
Helm Property	340 North Main Street	c.1940s
Former Post Office	460 North Main Street	1969
Bert Cross Cabin	271 ½ Leadville Avenue North	c.1938
Ketchum Kamp Hotel	220 North Main Street	c. 1925
Lewis Bank	180 North Main Street	c.1930s
First Telephone Co.	340 North 2 <sup>nd</sup> Street	c. 1930s
Dynamite Shed	271 Sun Valley Road	c. 1880
Battis house	431 Washington Avenue	c.1940s
McAtee House	380 1 <sup>st</sup> Avenue	c.1930s
Forest Service Park	Between River and 1 <sup>st</sup> Street	1933
Community Library/Gold Mine Thrift Shop	331 Walnut Avenue	1958
Greenhow & Rumsey Store (NRHP listed)	211 North Main Street	1884
Horace Lewis Home/Elephant's Perch	280 East Avenue North	c. 1880

Attachment D:  
Draft Permanent Ordinance –  
Redline

## CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

### 4.08.010 Purpose.

The purpose of this Chapter is to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission.~~The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public of the City of Ketchum through the identification, evaluation, designation and protection of those buildings, sites, areas, structures and objects which reflect significant elements of the City's, the state's, and the nation's historic, architectural, archaeological and cultural heritage.~~

### 4.08.020 Definitions.

The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

City: The City of Ketchum, Idaho.

Historic Building/Site List: The list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

~~Commission HPC: The Historic Preservation Commission of the City of Ketchum, Idaho.~~

Historic preservation: The research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property: Any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC: The Historic Preservation Commission of the City of Ketchum, Idaho.

### 4.08.030 Created; appointments.

- A. There is created an Historic Preservation Commission (HPC) which shall consist of seven five (5) members comprised of a maximum of three (3) and a minimum of one (1) member of the Planning and Zoning Commission and a maximum of four (4) and a minimum of two (2) members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the Commission HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint at least two community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
- C. Initial appointments to the Commission HPC shall be made as follows: two one-year terms, two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. Commission HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
- D. The members of the Commission HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

#### 4.08.040 Organization, officers, rules, meetings.

- A. The ~~Commission-HPC~~ shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the ~~Commission-HPC~~ shall be available for public inspection.
- B. The ~~Commission-HPC~~ shall elect officers from among the ~~Commission-HPC~~ members. The chairperson shall preside at meetings of the ~~CommissionHPC~~. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. All meetings of the ~~Commission-HPC~~ shall be open to the public and follow the requirements of Idaho's open meeting laws. The ~~Commission-HPC~~ shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
- D. The ~~Commission-HPC~~ may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the ~~CommissionHPC~~.

#### 4.08.050 Powers, duties and responsibilities.

The ~~Commission-HPC~~ shall be advisory to the Council and shall be authorized to:

- A. Conduct a survey of local historic properties;
- B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;
- F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
- G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;
- H. Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City;
- I. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;
- J. ~~Commission-HPC~~ members, employees or agents of the ~~Commission-HPC~~ may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;
- K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;
- L. Establish and maintain the Historic Building/Site list;
- M. Review and make decisions on Demolition and Alteration applications.

#### 4.08.060 Special restrictions.

Under the provisions of Idaho Code section 57-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.

### **Chapter 17.20 HISTORIC PRESERVATION**

#### **Section 17.20.010 - General Provisions**

- ~~A. The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public of the City of Ketchum through the identification, evaluation, designation and protection of these buildings, sites, areas, structures and objects which reflect significant elements of the City's, the state's, and the nation's historic, architectural, archaeological and cultural heritage.~~
- ~~A. Purpose: The general purpose of this ordinance is to protect the historic character of the City's Community Core by establishing baseline regulations and a process to review proposed demolition or alteration of the structures listed in the Community Core District Survey Update (Phase 1), heretofore called the Historic Building List, and attached as exhibit A.~~
- B. Applicability: The regulations and procedures set forth in this ordinance shall apply to each and every structure listed on the adopted Historic Building/Site List in Table 1 of the Historic Building List. All other buildings over 50 years of age shall follow the process for demolition of buildings per Ketchum Municipal Code Section 15.16.040, except that no demolition permit shall be issued for any structure over 50 years old in the Community Core until a building permit has been issued for a replacement structure on the property.
1. Except as provided in Section 617.20.040, Remedying of Dangerous Building Conditions, no person shall make, or otherwise cause to be made, any demolition or alterations to structures on the Historic Building/Site List without approval by the Historic Preservation Commission (HPC) through the Demolition or Alteration application process described in Section 217.20.030. The following types of modifications require HPC review:
    - a. Partial or total demolition of any portion of the structure; or
    - b. Exterior alterations, including windows or siding replacement, or
    - c. Additions to any structure.
- C. Exceptions: This ordinance shall not apply to dangerous building conditions that would imperil the health or safety of the public as determined by the Building Official and the Director of Planning and Building.
- ~~D. Appointment of the Historic Preservation Commission. For purposes of this ordinance, the Historic Preservation Commission shall be five members consisting of a maximum of three (3) and a minimum of one (1) member of the Planning and Zoning Commission and a maximum of four (4) and a minimum of two (2) members of the community appointed by the Mayor with the consent of the City Council. The community members shall have a demonstrated interest, competence or knowledge in history or historic preservation and/or architecture.~~

#### **Section 2-17.20.020 - Historic Building/Site List**

- A. The Historic Building/Site List shall established and maintained by the HPC

B. The HPC shall have the authority to add or remove structures from the Historic Building/Site List using the following criteria below to determine if a structure should be added or removed from the Historic Building/Site List.

C. Buildings or sites shall meet Criteria 1 and 2 and shall meet one or more of the Criteria listed in 3.

1. Historic buildings must be at least fifty (50) years old. A historic building may be exempt from the age standard if it is found to be exceptionally important in other significant criteria.

2. All buildings and sites must retain their physical integrity as determined by the following criteria. However, a site need not meet all of the following criteria:

a. Shows character, interest, or value as part of the development, heritage or cultural characteristics of Ketchum, the region, state, or nation;

b. Retains a significant amount of the original design features, materials, character or feeling of the past;

c. Is in the original location or same historic context after having been moved;

d. Has been accurately reconstructed or restored based on documentation.

3. Historic buildings or sites shall meet one or more of the following criteria:

a. Architectural criteria.

i. Exemplifies specific elements of a recognized architectural style or period or a style particularly associated with Ketchum neighborhoods;

ii. Example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally, or locally;

iii. Demonstrates superior craftsmanship or high artistic value;

iv. Represents an innovation in construction, materials or design;

v. Pattern or grouping of elements that enhance the identity of the community;

vi. Significant historic remodel contributing to Ketchum's identity.

b. Social/historic criteria.

i. Site of historic event;

ii. Exemplifies cultural, political, ethnic, economic, or social heritage of the community through the built environment or with people associated with an era of history;

iii. Associated with a notable person or the work of a notable person;

iv. Is valued by the Ketchum community as an established or familiar visual or cultural feature due to its architectural history, siting, massing, scale, cultural characteristics, or heritage such that its removal would be irreparable loss to the setting.

c. Geographic/Natural Features.

i. Enhances sense of identity of the community;

ii. Is an established and familiar natural setting or visual feature of the community.

#### **~~Process to Request Demolition or Alteration of Historic Resources~~**

**~~Authority: The Ketchum Historic Preservation Commission (HPC) shall be the review authority for~~**

~~applications seeking to demolish or alter a historic structure on the Historic Building List.~~

~~1. The HPC will maintain the Historic Building List.~~

~~2.1. The HPC shall have the authority to add or remove structures from the Historic Building List using the following criteria to determine if a structure should be added or removed from the Historic Building List.~~

- ~~a. The structure is associated with events that have made a significant contribution to the broad patterns of Ketchum's history or development; or~~
- ~~b. The structure is associated with the lives of significant persons in Idaho or Ketchum's history; or~~
- ~~c. The structure embodies the distinctive characteristics of a type, period, or method of construction, or the structure represents the work of a master, or possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or~~
- ~~d. The structure yielded or may be likely to yield, information important in history or prehistory.~~
- ~~e. The structure is of significance in American, Idaho or Ketchum history, architecture, archaeology, or culture and the site or structure possess integrity of location, design, setting, materials, workmanship, feeling, and association.~~

D. All structures on the Historic Building/Site List shall be maintained to meet the requirements of the International Property Maintenance Code and/or the International Existing Building Code, as adopted and amended by the City. The owner of such structure(s) shall also keep in good repair all structural elements thereof which, if not so maintained, may cause, or tend to cause the exterior portions of such structure to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair which would have an adverse effect upon such designated structures.

~~3. The HPC shall have the authority to approve, approve with conditions, or deny applications for demolition or alteration of a historic structure on the Historic Building List.~~

**17.20.030 - Demolition or Alteration Request Process:**

- A. An applicant seeking to demolish or make any alterations to structures on the HPC-Historic Building/Site List shall file a Request for Demolition or Alteration application with the Planning and Building Department. The application shall be processed as set forth in Ketchum Municipal Code KMC Chapter 17.96., Design Review Permits. This process may run concurrent with applications for Design Review.
- B. Upon receipt of a complete Request for Demolition or Alteration application and fee, as determined by the Zoning Administrator, the application shall be scheduled for a public hearing before the HPC within 60 days of the application being deemed complete. Notice shall be provided in accordance with KMC Section 17.116.040 C, D, and E.
- C. Following the public hearing, the HPC may approve, deny, or approve with conditions the Request for Demolition or Alteration. The HPC will review the application using the criteria below in Section 3A to determine if the proposed demolition or alteration of the structure may proceed.

**Section 3. Review Criteria for Request for Demolition or Alteration Application**

~~A. The HPC may approve, approve with conditions, or deny a Request for Demolition or Alteration application based on the following criteria:~~

1. Is the structure of historic or architectural value or significance and does it contribute to the historic significance of the property within the Community Core.
  2. Would the loss, alteration of, or addition to, the structure adversely affect the historic integrity of the structure, impact the significance of the structure within the Community Core, impact the architectural or aesthetic relationship to adjacent properties, or conflict with the Comprehensive Plan.
  3. Does the structure retain the requisite integrity to convey its historic and/or architectural significance.
  4. Does the proposed demolition or alteration adversely affect the historic significance or architectural distinction of the structure or the Community Core.
- B. Appropriate alterations might include but are not limited to:
1. Changes to the building's interior that are not visible from a public street, alley, park, or other public place;
  2. Changes to internal building systems that will not adversely affect the external appearance of the building;
  3. The erection or removal of temporary improvements.
  4. Adaptive reuse consistent with the Secretary of the Interior's Standards for Rehabilitation and Idaho Code Title 67-4618.
- C. The HPC shall consider the unique circumstances of each proposed demolition or alteration. Approval of each individual Demolition or Alteration application is unique to that property and does not constitute a precedent for other properties.

~~D. Section 4. Appeal of Request for Demolition or Alteration Application Decisions and Placement or Removal of Properties on the Historic Building List~~

~~E.D. A.~~—The decision of the HPC on a Demolition or Alteration application ~~or placement or removal of a property on the Historic Building List,~~ may be appealed to the City Council by the applicant or affected party pursuant to the appeal provisions contained in Ketchum Municipal Code Section 17.144, Appeals of the Planning and Zoning Commission Decisions.

~~**Section 5. Minimum Maintenance Requirements for Designated Resources.**~~

~~A. All structures on the Historic Building List shall be maintained to meet the requirements of the International Property Maintenance Code and/or the International Existing Building Code, as adopted and amended by the City. The owner of such structure(s) shall also keep in good repair all structural elements thereof which, if not so maintained, may cause, or tend to cause the exterior portions of such structure to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair which would have an adverse effect upon such designated structures.~~

**17.20.040 - Section 6. Remedying of Dangerous Building Conditions**

- A. If the Building Official finds a historic structure constitutes dangerous building conditions that would imperil the health or safety of the public, it shall first be determined by the Building Official if the structure is capable of being made safe by repairs in which said repairs shall be made by the owner of the structure.
- B. If the Building Official finds the structure is not capable of being made safe by repairs, then the Building Official may order the structure to be demolished.
- C. Nothing contained herein shall be construed as making it unlawful for any person to comply with



the Building Official's authority as stated in this section.

**17.20.050 - Section 7 - Enforcement and Maintenance**

- A. If any alteration is made without approval of a Demolition or Alteration application, the City may issue a stop work order for all construction activity, withhold inspections and final approvals, withhold approval of additional City permits, and take any other available action, or any combination of the aforementioned, until the applicant has applied for and received approval for the alteration. If the alteration is not approved, the property owner shall restore the structure to its original condition prior to any alteration occurring.
- B. Except as provided in Section 6, Remedying of Dangerous Building Conditions, no permit shall be issued authorizing any alteration to a structure listed on the Historic Building/Site List until the HPC approves the Request for Demolition or Alteration application. If the approval or denial of the application is administratively appealed, no further development permits shall be approved for the property until the City Council has made a final decision on the administrative appeal. Normal repair and maintenance of structures on the Historic Building/Site List is permitted. Nothing in this Section shall be construed to prohibit the alteration of any structure necessary as a part of normal repair and maintenance when such alteration will not change the exterior appearance or materials or the interior support structure of the building, including the character or appearance of the land itself.

**17.20.060 – Relief from Regulations**

- A. The relief from regulations within the City of Ketchum Code of Ordinances is applicable to properties on the Historic Building/Site List to ease the burden of preserving buildings.
- B. Relief from Building Code requirements of Title 15 of the City of Ketchum Code of Ordinances.
  - 1. The Building Official has the authority to consider alternative options for historic buildings to comply with building code so long as they do not compromise health and safety.
- C. Relief from Off Street Parking and Loading requirements of Chapter 17.125 of the City of Ketchum Code of Ordinances.
  - 1. Where additions or alterations to an historic building are proposed, the square footage of the existing historic building shall not be counted toward the minimum parking requirement for the proposed project regardless of use.
  - 2. No additional parking relief is provided for projects that include full demolition of historic buildings.
  - 3. When projects include partial demolition of historic buildings, the square footage of the historic building that remains shall not be counted toward the minimum parking requirement for the proposed project regardless of use.
- D. Relief from Nonconforming Building Requirements of Chapter 17.136 of the City of Ketchum Code of Ordinances.
  - 1. Properties are allowed to increase existing nonconformities on expansions by matching existing setbacks, height, and other dimensional standards.
  - 2. Properties are exempted from the limitation on and expanding nonconforming buildings.

Snip of Historic Building/Site List

Common Name:	Street Address:	GIS Address	RPK #
Greenhow & Rumsey Store, NRHP listed (Culinary Institute)	211 North Main Street	211 N Main St	RPK0000018004B
Forest Service Park, NRHP listed	Between River and 1 <sup>st</sup> Street	131 E River St	RPK0000040001A
Comstock & Clark Mercantile (Enoteca Restaurant)	300 North Main Street	300 N Main St	RPK00000040010
Lewis Bank (Rocky Mountain Hardware)	180 North Main Street	180 N Main St	RPK0084100000D0
Dynamite Shed (TNT Taproom)	271 Sun Valley Road	271 E Sun Valley Rd	RPK00000017004A
Bert Cross Cabin (Vintage Restaurant)	271 ½ Leadville Avenue North	271 N Leadville Ave	RPK00000003007A
Horace Lewis Home (Elephant's Perch)	280 East Avenue North	280 N East Ave	RPK00000043003A
Ketchum Kamp Hotel (Casino)	220 North Main Street	220 N Main St	RPK0000000302AA
Pioneer Saloon	308 North Main Street	320 N Main St	RPK00000004002A
First Telephone Co. (Chapter One Bookstore)	340 North 2 <sup>nd</sup> Street	340 E 2nd St	RPK00000002004B
Fagan Property (Country Cousin Store)	411 Sun Valley Road	411 E Sun Valley Rd	RPK000000240010
Bonning Cabin	531 5 <sup>th</sup> Street East	500 N East Ave	RPK000000460010
McCoy/Gooding/Miller House (Residence)	111 N East Ave	111 N East Ave	RPK000000022005B
Former Post Office (Former Formula Sports)	460 North Main Street	460 N Main St	RPK00000005003A
Michel's Christiania Restaurant	303 Walnut Avenue	303 N Walnut Ave	RPK000000440050
E.B Williams House (Ketchum Grill)	520 East Avenue North	520 N East Ave	RPK000000460020
Alonzo Price/Esther Fairman House	180 Leadville Avenue North	180 N Leadville Ave	RPK000000220040
Thornton House (Picket Fence)	560 East Avenue North	560 N East Ave	RPK00000046004A
McAtee House (Former Taste of Thai)	380 1 <sup>st</sup> Avenue	380 N 1st Ave	RPK000000370050
George Castle Cabin	431 ½ Walnut Avenue (in the alley)	431 N Walnut Ave	RPK000000450060
Community Library/Gold Mine Thrift Store	331 Walnut Avenue	331 N Walnut Ave	RPK000000440060
Jack Frost Motel (Gold Mine Consign Building)	591 4 <sup>th</sup> Street East	571 E 4th St	RPK000000450050
St. Mary's Catholic Church (Mesh Gallery)	380 Leadville Avenue North	420 E 4th St	RPK000000240040
Christina's Restaurant	520 E 2nd Street	520 E 2nd Street	RPK00000042004B
Wille Helmings House and Fix-it Shop (Residence)	140 E 5th Street	140 E 5th Street	RPK00000036005A
Louies/The Church (Picket Fence)	560 N East Ave	560 N East Ave	RPK00000046004A
Kneadery Restaurant	260 N Leadville	260 N Leadville Ave	RPK000000230030
<b>Buildings Proposed to be Removed from List</b>			
Sun Club (Siegle House)	571 Second Street	571 Second Street	RPK00000043005A
Helm Property (Sturtevant)	340 North Main Street	340 North Main Street	RPK00000004002B
Formally Referred to as Batis House (vacant)	431 Washington Ave	431 Washington Ave	RPK000000360030

## CHAPTER 17.96 DESIGN REVIEW

### 17.96.010 Applicability.

- A. *Design review.* Design review is required for building, developing, or substantially altering the exterior of the following buildings or projects in all zoning districts:
1. Nonresidential use.
  2. Public or semipublic use.
  3. Multi-family dwellings, including attached and detached townhomes.
  4. Mixed use.
  5. Any structure with an original construction date of 1940 or earlier.
  6. Any encroachment of a below grade structure in a required setback.
- B. Exemptions.
1. One-family dwellings, accessory structures, and accessory dwelling units.
  2. Projects not requiring a building permit.
  3. Temporary structures.
  4. Public art.
  5. Non-substantial or minor modifications that comply with all applicable design review standards, zoning district standards, and other Code requirements without requiring a variance or other exception. Minor modifications include, but are not limited to:
    - a. Demolition associated with an approved demolition permit;
    - b. Driveway, walkway, and/or landscaping alterations that do not significantly change existing topography or drainage, including the removal of dead or diseased vegetation as certified by an arborist, provided such work is not located in the special flood hazard area or riparian zone;
    - c. The installation of fences, hedges, or walls compliant with section 17.124.130 of this title;
    - d. Changes to exterior finishes including, but not limited to: 1) siding, paint, and materials; 2) maintenance and repair of exterior facades; 3) the addition of windows or doors; 4) reroofs; or 5) the addition or expansion of decks and patios that are less than 30 inches above grade or if greater than 30 inches above grade comply with applicable lot coverage requirements for the zoning district;
    - e. The installation of exterior lighting compliant with chapter 17.132 of this title; and
    - f. The ground level installation and screening of utilities not greater than five feet in height.
  6. Minor modification exemptions, pursuant to subsection B.5. of this section, must be issued in writing by the administrator prior to issuance of a building permit.
- C. *Preapplication design review.*
1. Preapplication review is required for all new non-residential and multi-family residential developments with four (4) or more stories and all new developments on a lot or lots totaling 11,000 square feet. Applicants of projects exempt from Preapplication Design Review may request a Preapplication Design Review at their discretion. ~~new nonresidential construction and all multi-family developments of five or more units.~~

2. The purpose of preapplication review is to allow the Commission to exchange ideas and give direction to the applicant on the "design concept", keeping in mind the purpose of this chapter and the application of the evaluation standards.
3. Preapplication review materials shall be submitted according to the application requirements of section 17.96.040 of this chapter.
4. The Commission may require a model of the project or computer simulation renderings showing the proposal from one or more key vantage points for presentation at regular design review meetings in order to assist in the understanding of the project. Models and computer renderings must include surrounding properties in sufficient detail for the proposal to be viewed in context.
5. The Administrator may waive the requirement for preapplication review if the project is found to have no significant impact.

### **17.96.060 Improvements and standards.**

Improvements and standards for all projects listed in subsection 17.96.010.A of this chapter:

#### **A. Streets.**

1. The applicant shall be responsible for all costs associated with providing a connection from an existing City street to their development.
2. All street designs shall be approved by the City Engineer.

#### **B. Sidewalks.**

1. All projects under subsection 17.96.010.A of this chapter that qualify as a "substantial improvement" shall install sidewalks as required by the Public Works Department.
2. Sidewalk width shall conform to the City's right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.
3. Sidewalks may be waived if one of the following criteria is met:
  - a. The project comprises an addition of less than 250 square feet of conditioned space.
  - b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.
4. The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
5. New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
6. The City may approve and accept voluntary cash contributions in lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110 percent of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in lieu contribution shall be paid before the City issues a certificate of occupancy.

#### **C. Drainage.**

1. All stormwater shall be retained on site.
2. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
3. The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
4. Drainage facilities shall be constructed per City standards.

D. *Utilities.*

1. All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
2. Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.
3. When extension of utilities is necessary all developers will be required to pay for and install two-inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with City of Ketchum standards and at the discretion of the City Engineer.
4. Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.

E. *Compatibility of design.*

1. The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.
2. Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
3. Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.

F. *Architectural.*

1. Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
2. The building character shall be clearly defined by use of architectural features.
3. There shall be continuity of materials, colors and signing within the project.
4. Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.
5. Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
6. Building(s) shall orient toward their primary street frontage.
7. ~~Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.~~ Satellite receivers shall be screened from public view.
8. Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties. All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.

9. Trash disposal areas shall be screened from public views and located within parking garages, off alleys, or to the rear of buildings.

10. Shipping and receiving areas shall be located within parking garages or to the rear of buildings.

G. *Circulation design.*

1. Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
2. Awnings extending over public sidewalks shall extend five feet or more across the public sidewalk but shall not extend within two feet of parking or travel lanes within the right-of-way.
3. Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.
4. Curb cuts and driveway entrances shall be no closer than 20 feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right-of-way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
5. Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.

H. *Snow storage.*

1. Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.
2. Snow storage areas shall be provided on site.
3. A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.
4. In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.

I. *Landscaping.*

1. Landscaping is required for all projects.
2. Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation, and aspect, and shall serve to enhance and complement the neighborhood and townscape.
3. All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.
4. Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.

5. When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.

6. The City arborist shall approve all parking lot and replacement trees.

J. *Public amenities.*

1. Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles,

restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.

K. *Underground encroachments.*

1. Encroachments of below grade structures into required setbacks are subject to subsection 17.128.020.K of this title and shall not conflict with any applicable easements, existing underground structures, sensitive ecological areas, soil stability, drainage, other sections of this Code or other regulating codes such as adopted International Code Council Codes, or other site features concerning health, safety, and welfare.
2. No below grade structure shall be permitted to encroach into the riparian setback.

L. *Surface parking lots.*

1. Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.
2. Surface parking lots shall incorporate at least one tree and one additional tree per 10 on-site parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.
3. Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.

### **17.96.070 Community Core (CC) projects.**

In addition to the requirements of section 17.96.060 of this chapter, unless otherwise specified, ~~the standards of this section apply to projects in the Community Core District~~all projects in the Community Core District subject to design review should consider and incorporate the goals and recommendations of~~all comply with the Community Core Design Guidelines.~~ The purpose of ~~the~~is ~~Community Core Design Guidelines~~section is to ensure the addition of ~~high quality~~high-quality architecture for new development, while maintaining the unique character of existing building stock found in the Community Core.

A. ~~Streets.~~

1. ~~Street trees, streetlights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.~~
2. ~~Street trees with a minimum caliper size of three inches, shall be placed in tree grates.~~
3. ~~Due to site constraints, the requirements of this subsection A may be modified by the Public Works Department.~~

B. ~~Architectural.~~

1. ~~Facades facing a street or alley or located more than five feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials, and colors as the front facade.~~
2. ~~For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.~~
3. ~~For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.~~

- ~~4. Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.~~
- ~~5. All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.~~
- ~~6. Roof overhangs shall not extend more than three feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Department.~~
- ~~7. Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.~~

~~C. Service areas and mechanical/electrical equipment.~~

- ~~1. Trash disposal areas and shipping and receiving areas shall be located within parking garages or to the rear of buildings. Trash disposal areas shall not be located within the public right-of-way and shall be screened from public views.~~
- ~~2. Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.~~

~~D. Landscaping.~~

- ~~1. When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.~~
- ~~2. Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.~~
- ~~3. The City arborist shall approve all parking lot and replacement trees.~~

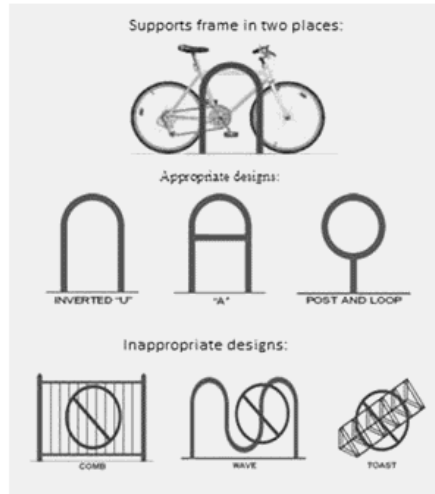
~~E. Surface parking lots.~~

- ~~1. Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.~~
- ~~2. Surface parking lots shall incorporate at least one tree and one additional tree per ten on-site parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond-shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.~~
- ~~3. Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.~~

~~F. Bicycle parking.~~

- ~~1. One bicycle rack, able to accommodate at least two bicycles, shall be provided for every four parking spaces as required by the proposed use. At a minimum, one bicycle rack shall be required per development.~~





- ~~2. When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half shall be adjusted to the next highest whole number.~~
- ~~3. Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than 50 feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.~~

**Attachment E:  
Draft Community Core  
Design Guidelines**



CITY OF KETCHUM

# COMMUNITY CORE

## DESIGN GUIDELINES | DRAFT

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# INTRODUCTION

## **Overview and Purpose**

The guidance within this document was compiled with the primary purpose of establishing an overall vision for development in downtown Ketchum within the Community Core Zoning District. The desired character represented herein was derived from discussions with members of the community by way of in-person open houses, digital questionnaires, and conversations with elected and appointed officials of the City Council, Planning and Zoning Commission, and Historic Preservation Commission. These discussions resulted in over two hundred responses describing qualities that set Ketchum apart from other places and make the town unique, as well as preferences for design characteristics of new development downtown.

The Community Core Design Guidelines establish an overall vision for the look, feel, and architectural character of downtown Ketchum to guide future development. The Design Guidelines also provide a common language establishing goals and expectations to ensure that new development meets the community's standards for high-quality buildings. Developers that follow the guidance in this document can anticipate fewer plan iterations and shorter approval times.

Overall, this document is intended to provide direction to developers and design professionals on desired architectural elements and characteristics for new buildings and pedestrian spaces within the Community Core. The guidelines include recommendations regarding building orientation, massing, and form as well as façade articulation, exterior materials, roof form, and public gathering spaces. The final section provides guidance on how to approach an alteration or redevelopment of buildings on the adopted Historic Building/Site list.



# INTRODUCTION

## **Applicability**

The Community Core Design Guidelines should be taken into consideration for all new development, infill projects, and redevelopment within the Retail Core (CC-1) and Mixed-Use (CC-2) Subdistricts of the Community Core Zone District depicted by the official zone district map as adopted by the City of Ketchum.

The Design Guidelines are supplemental to the development standards in Ketchum Municipal Code Title 17– Zoning Regulations. In addition to meeting the dimensional standards and requirements of the Zoning Regulations, Design Review is required for building, developing, or substantially altering the exterior of existing buildings in downtown Ketchum. The purpose of Design Review is to:

- Maintain and enhance the appearance, character, beauty, and function of the City,
- To ensure that new development is complementary to the design of existing neighborhoods, and
- To protect and enhance the Ketchum’s economic base (Ketchum Municipal Code §17.96.020)

Ketchum Municipal Code (KMC) §17.96.070 adds that the purpose of Design Review is to ensure the addition of high-quality architecture for new development while maintaining the unique character of existing building stock found downtown. The Design Guidelines herein suggest appropriate methods to meet these Design Review standards.

Additionally, this document will guide new development to meet the community’s vision for Ketchum as identified in the 2014 Comprehensive Plan, including:

- Protect the visual quality of community and downtown entryways;
- Create great public spaces and streetscapes;
- Discourage commercial strip development and keep key commercial needs concentrated downtown;
- Encourage high-performing building and landscape design that reduces energy and water consumption;
- Encourage new development to be designed to fit in with Ketchum’s character as a small mountain town; and
- Protect and support our architectural heritage through appropriate historic preservation standards and guidelines.



# INTRODUCTION

## ***Creativity is Encouraged***

Architecture is a subjective art. Often-times what is considered beautiful to one person can be considered quite the opposite to the next. It is not the intent of this document to define one specific style for the entire downtown area but to provide inspiration for new development within the Community Core that contributes towards an overall vision.

The Design Guidelines provide a general framework of desired elements and characteristics for buildings and pedestrian spaces, rather than define a specific architectural style. Ultimately, the City of Ketchum is seeking contextual infill that is respectful of nearby historic buildings, embracing and enhancing the desired character of the Community Core. Through celebration of its historic elements and use of creative designs that are clearly readable as a product of the early 21st century, the development community can be a partner with the City of Ketchum in creating the vibrant and unique community envisioned.

## ***Amendment Procedures***

Ketchum City Council and the Planning and Zoning Commission may periodically review and adopt amendments to these Design Guidelines to ensure that the document continues to address current trends and provide a clear vision and framework for the development of the Community Core. A major update to these Design Guidelines should be prepared at least every five years or as directed by the Planning and Zoning Commission and/or City Council to ensure harmonious and coordinated development of Ketchum. All updates shall follow the standard City of Ketchum public hearing process with the Planning and Zoning Commission as the recommending body.



# COMMUNITY CORE CHARACTER

## **History and Today**

No one architectural style defines the Community Core. The community has grown organically overtime with a mix of styles, including simple, mining workers' housing, alpine lodge designs, and a broad range of residential design from the modernism movement in the 1930s to the 1960 to more contemporary trends from 1970s until the present day (2014 Comprehensive Plan). These diverse building types show how Ketchum has been developed incrementally since the town was first settled in the 1880s.

Main Street's built environment combines re-purposed historic buildings, like the Lane Mercantile built in 1887, with more modern development, like the Argyros Theater, to form a textured urban fabric with western mountain charm. The variation of building types and façade identities creates unique experiences that visually engage pedestrians and activate the streetscape.

Downtown is a focal point and plays a key role in how our community looks and feels to locals and visitors (2014 Comprehensive Plan). People value the opportunity to come together in the city's well-defined community spaces. Downtown is Ketchum's gathering place connecting locals, second homeowners, and tourists. These connections create community, and our community defines Ketchum's small-town character and sense of place.

When asked what defines the town's character, the community responded that Ketchum is:

*friendly • slow-paced • sophisticated • welcoming • unpretentious  
great mix of people and sense of community • resort area with small-town vibe safe  
pedestrian-friendly • rustic Western charm • authentic  
small-town feel with historic charm • views of the mountains  
access to outdoor amenities • ability to live where you work  
richness in early Idaho history • where old and new blend with a few tall buildings*

*"Ketchum character means knowing how we started (as a mining town), how we survived (as a sheepherding town), and how we became what we are today (a ski resort) and appreciating the ruggedness that went into our making and that will continue to be a part of our future"*

*"A town where I walk down the street and say hello to many I know and those I simply see every day. A town where I can see the mountains and remind myself how lucky I am."*

*"There's an authenticity to Ketchum that comes from the aesthetic diversity of our physical buildings. It is neither an instant mountain modern town or a faux Tyrolean Village. We can see our mining and agricultural history dotting the landscape and this reminds us that we have evolved over 150 years."*



# COMMUNITY CORE CHARACTER

## Process to Establish Community Core Character

In order to establish the right development guidance for the Community Core, it was paramount to understand what the community of Ketchum liked and disliked. This was accomplished in two parts. Part one included a series of existing images from around Ketchum's Community Core and the question: "What do you like or dislike about these images?". Part two included an exercise where several images from other communities were presented. Community members were asked to choose which images best represented the overall vision of the Community Core and those that did not along with reasoning for why each one was chosen. From those exercises, the community clearly articulated what the character of the community is and is not as represented in the next few pages.

## The Character of the Community Core Is...

- Wood, brick, and stone
- One to three story building height
- Upper floor step backs
- A mix of flat and pitched roofs

The existing character of Ketchum's Community Core is described as unique, western, a "hodge-podge" of architectural styles, reflective of its mining town roots. Buildings such as the Pioneer Saloon, Warfield and Picket Fence were repeatedly selected as the top choices for what represented the true character of Ketchum's built environment. Each of these buildings represents more of the historic fabric of the Community Core. The Kneebone Building was identified by many residents as a recent development with high-quality design that respects local context successfully integrating within the surrounding neighborhood. Outdoor dining areas, such as Maude's coffee shop at the corner of Sun Valley Road and 1st Avenue, were mentioned as a good example of using street bump outs to create additional space to gather. Maude's outdoor dining area at the corner of Sun Valley Road and 1st Avenue was mentioned as a key gathering space for community connection that activates the street corner.



# COMMUNITY CORE CHARACTER

General consensus amongst the community members that engaged in the outreach efforts, which included over 250 respondents, was that the Community Core should not be dominated by large, monolithic, glass and steel structures. The images and text below represent the top 5 choices for what the community did NOT want Ketchum to look like.

## The Character of the Community Core IS NOT...

- Too much glass
- Cold stark materials and colors
- Lacking in landscape elements
- Too modern and “big city”
- Uniform design and monotonous environment
- Uninterrupted facades and tall blank walls
- Dominating mass

It was stated over and over that this style didn't fit into the Ketchum culture. Although transparency on the first floor of buildings was welcome because it provides a storefront look, the opposition remained mostly around replacing building facades with walls of windows. The community acknowledges a need for a balance of windows that accommodates passive solar considerations. These acknowledgments were taken into account in the Design Guidelines that follow.



# COMMUNITY CORE CHARACTER

## The Character of the Community Core Should Have:

The following characteristics were determined by the Ketchum community to be desirable attributes of development in the future. These attributes fit with what the Community Core character currently is, and also include elements they would like to see in the future.

- Spaces for pedestrian gathering, both at the ground level and on rooftop or upper floor step backs – people contribute to the character of the community
- Wood and brick materials
- Landscaping, especially trees
- Pedestrian-oriented signage that is integrated into the buildings and streetscape
- A balance of glass and other building materials
- Definition at the roof line for flat roofs
- Mining town, Basque culture, sheep-herding, ski heritage and outdoor vibe
- Building height at street no more than three stories
- Creative use of architecture and spaces, authentic design



Images above are representative of the desired characteristics of the Community Core

# COMMUNITY CORE DESIGN GUIDELINES

## **Overview and Purpose**

The primary purpose of this section is to describe the overall vision for development in the Community Core, to guide applications as to the desired design elements, and guide staff and elected officials in the review of applications to achieve the desired Community Core character described in the previous section.

The following pages each describe a category of Design Guidelines that relate back to the overall vision of the community. The topics explored in this section are as follows:

- Building Orientation
- Building Massing and Form
- Building Articulation
- Building Materials
- Roof Forms
- Public Gathering Spaces

Each of these topics will be explored through the lens of an overarching design goal that relates to the vision determined by the Ketchum community for the downtown area. Each section will then show which Comprehensive Plan Policy these topics relate to and methods that can be used to achieve them.

## **How to Interpret the Design Guidelines**

The methods and goals mentioned in this section are intended to guide designers towards community determined best practices of design within the built environment. The appropriate methods listed in each section are not required actions but act as a list of options for developers to use when designing new development. These are suggested methods of design so that future development serves the highest good for Ketchum and achieves its long term goals for the downtown area.



# COMMUNITY CORE DESIGN GUIDELINES

## Building Orientation

### Design Goal:

New buildings should fit in with the adjacent context of the built environment and respond to existing patterns of development, as a way of enhancing the urban fabric of downtown Ketchum.

### 2014 Comprehensive Plan Policy CD-1.4:

New development should convey a positive image for the community—particularly through high quality design of residential and commercial building and resort accommodations. Each new project should be well-designed and attractive and should complement surrounding land uses and existing neighborhood character.

### Appropriate Methods to Achieve Design Goal Include:

- A. Consider context to the existing site features such as landscape, streetscape, grade, and adjacent building elevations for an integrated project with a sense of identifiable and authentic place.
- B. Orient buildings such that at least one primary building entrance per building faces a public right-of-way.
- C. Orient buildings such that utility meters, garbage disposal areas, surface parking lots, and loading/unloading facilities are located to the rear of the building and screened from public view.
- D. For buildings located on a corner lot, consider including features such as rounding or angling the building on the ground floor, or incorporating public spaces to soften the building edges for visual interest and an overall pleasant pedestrian experience.
- E. Ground floor uses should be active to add vibrancy at the street frontage.
- F. Parking and vehicle areas should be located and designed to minimize impacts to bicycle and pedestrian circulation and enhance the pedestrian streetscape.
- G. Site design should enhance the use of renewable energy resources, water conservation, and green infrastructure.



Examples of appropriate corner lot building orientation and treatment (left to right): pulled back and angled to allow for outdoor seating, angled with primary entrance, rounded

# COMMUNITY CORE DESIGN GUIDELINES

## Building Massing and Form

### Design Goal:

Infill and redevelopment projects should consider the context of the existing neighborhood and surrounding built environment.

### 2014 Comprehensive Plan Policy (D-1.3):

Infill and redevelopment projects should be contextually appropriate to the neighborhood and development in which they will occur. Context refers to the natural and man made features adjoining a development site; it does not imply a certain style.

### Appropriate Methods to Achieve Design Goal Include:

- A. Sculpt large buildings (over 100' in length) by varying the height of roof lines along a block face to reduce the vertical appearance of tall buildings, bring light to the street level, and avoid the “canyon” effect along a street.
- B. Consider providing variety in both vertical and horizontal features of long facades (over 100' in length) to reflect the original Ketchum town site plat dimensions in order to maintain a pedestrian scale.
- C. Include a distinct base, middle, and top on all facades fronting a public street or alley, public plaza or pedestrian space, or public parking lot.
- D. Incorporate additional roof step backs on front and side facades of all new or infill buildings adjacent to a property on the Historic Building/Site List to soften the visual presence of the new building as compared to the historic building.
- E. Incorporate first floor ceiling heights for commercial uses, of twelve to twenty feet (12'-20'), as a way to enhance its prominence compared to the second and third floors.
- F. Visually distinguish different uses within the building's interior program and interior circulation areas externally through different façade elements and architectural features.



Illustrative graphic to show general concepts

# COMMUNITY CORE DESIGN GUIDELINES

## Building Articulation

### Design Goal:

Architectural features should create unique urban spatial experiences that visually engage pedestrians and activate the streetscape.

### 2014 Comprehensive Policy CD-1.1:

Each neighborhood or district should include a mix of design elements that will reinforce its unique design quality.

### Appropriate Methods to Achieve Design Goal Include:

- A. Design building facades using obvious changes in planes, materials, window design, height, cornice treatment, or other architectural details to provide light, shadow, and texture for a pleasant pedestrian experience along the street frontage.
- B. Incorporate ground floor elements of traditional “Main Street” storefronts such as recessed entry doors, display windows, kick plates or bulkhead, transom windows, and pediments in order to provide clear views of storefront displays from the street and/or allow natural surveillance of the street and adjacent outdoor spaces.
- C. The majority of the ground floor should be transparent, typically more than 50% glass, to break up solid, blank wall surfaces.
- D. The middle of all buildings should contain a balance of solid and transparent elements, with less transparency than the base, typically between 30% and 50%, and include ornamentation or banding around windows to delineate the ground floor from upper floors; and
- E. Exterior materials should include detailing, depth, and patterns should provide visual interest and animate the façade.



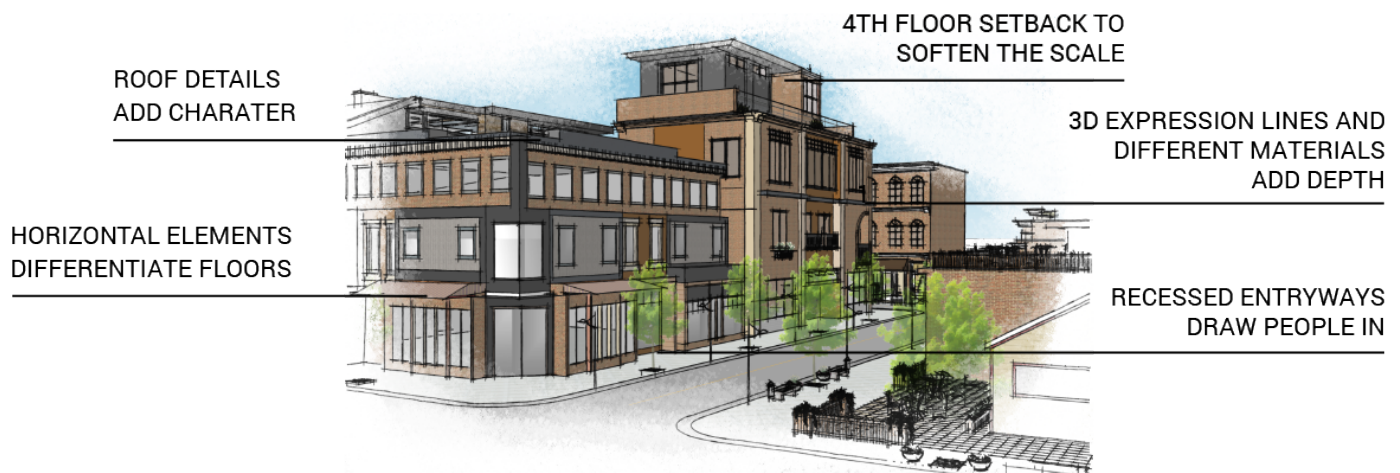
*Illustrative graphic to show general concepts*

# COMMUNITY CORE DESIGN GUIDELINES

## Building Articulation (continued)

F. To add visual interest and diversity as well as incorporate pedestrian scaled features, building facades on a public right away or pedestrian space (such as public sidewalk, plaza or seating area) should include some of the following features:

1. Contrasting material wainscot;
2. Decorative facade features;
3. Roof style changes, such as extended, pitched, or hip roof over an entry;
4. Column or tower accents that extend from the primary facade both horizontally and vertically;
5. Bump out or recess entire building sections to create depth and cast shadow patterns
6. Recessed entryways;
7. Extended entryways reminiscent of historic porches;
8. Canopies, awnings and overhangs to define separate storefronts;
9. Bay windows extending from the primary building facade;
10. Balconies or porches that do not extend into the public right-of-way;
11. Facade step backs on upper floors beyond Code requirements;
12. Window boxes or rooftop planters with plant material visible from the ground floor;
13. Building cap, such as cornices or eaves, to define the top of the building;
14. Design elements to differentiate between the ground floor and upper floors such as a cornice line, awning, balcony, change in plane, or change in building material;
15. Provide three dimensional expression lines (both vertical and horizontal) such as pop-out windows to animate façade; or
16. Add depth and detail to the cornice or roof parapet.



*Illustrative graphic to show general concepts*



# COMMUNITY CORE DESIGN GUIDELINES

## Building Materials

### Design Goal:

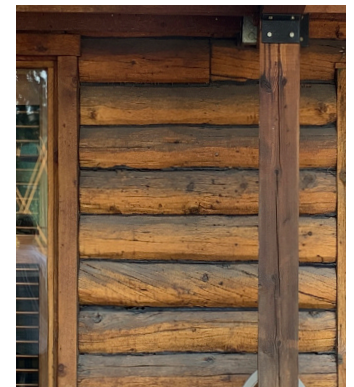
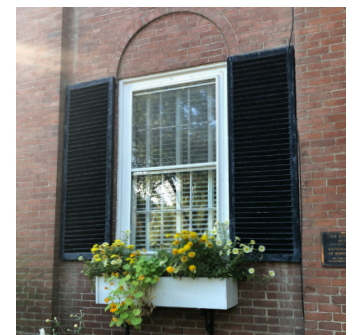
The composition, proportion, texture, and pattern of exterior materials should provide visual interest to building facades.

### Appropriate Methods to Achieve Design Goal Include:

- A. Include wood, metal, or brick frames around windows as well as sills or shutters of contrasting color or pattern around windows complementary of the overall facade architecture.
- B. Consider quality materials with a focus on longevity, and sustainability.
- C. Use materials consistent with local vernacular architecture, as well as those that are indigenous to the region such as: brick; painted or stained lap horizontal siding; vertical board on batten wood siding; painted, stained, or natural finish shingles; stained or natural finish wood logs; wrought iron; textured fiber cement; finished and painted wood trim; wood, aluminum, copper, steel, and vinyl clad wood frames for windows and doors; wood, metal, and glass doors.
- D. Use synthetic stone, non-reflective metal, wood timbers, or other innovative materials as accent that complement the primary materials.
- E. Changes in material should generally occur when there is a change in plane of the building façade.

### Methods to Avoid:

- A. Avoid use of highly reflective, darkly tinted, or mirrored glass for ground floor glazing.
- B. Avoid use of plywood, unfinished lumber, corrugated fiberglass, corrugated or standing seam metal, vinyl or lap aluminum siding, sheet metal or tin siding, textured T11 siding, and reflective materials for siding and roof materials.
- C. Avoid use of tilt-up walls and plain, smooth concrete on building facades.



These images are representative of desired building materials

# COMMUNITY CORE DESIGN GUIDELINES

## Roof Forms

### Design Goal:

Roof forms should align with the building's form and design. Vary roof heights to break up the building's bulk and mass.

### Appropriate Methods to Achieve Design Goal Include:

- A. Integrate the design of the roof form and its components, such as material, color, trim, and lighting, into the overall architecture.
- B. Incorporate parapet walls with varying heights, cornice treatments, capstone finishes, or similar features into flat roofs.
- C. Ensure that all roof top mechanical equipment is painted to match the color of the roof and/or hidden from ground floor view by way of parapet walls.
- D. Incorporate rooftop dining where appropriate that is integrated into other architectural features, colors and characteristics of the overall building architecture.
- E. Ensure that roof overhangs, balconies or awnings extend beyond the entry to allow snow to shed away from the building entry or primary pedestrian walkways.
- F. Provide a variety of roof forms and heights on a single building to provide visual interest.



*Illustrative graphic to show general concepts*

# COMMUNITY CORE DESIGN GUIDELINES

## Public Gathering Spaces

### Design Goal:

New developments should create an activated, pedestrian-friendly streetscape that will enliven Ketchum's dynamic downtown by facilitating the social connections that build community.

### 2014 Comprehensive Plan Policy CD-1.6:

Future buildings should be designed to include public amenities, particularly public gathering spaces.

### Appropriate Methods to Achieve Design Goal Include:

The guidelines below are applicable to public gathering spaces on private property and do not apply to the public realm within the right-of-way. Improvements to the public right-of-way are evaluated on a case by case basis and subject to review and approval by the City of Ketchum

- A. Incorporate landscape planters for a portion of the length of the facade on the ground level.
- B. Incorporate decorative paving such as colored, stamped or exposed aggregate concrete, pervious pavers, or brick to differentiate from the primary pedestrian sidewalks.
- C. Main Street, 4th Street and Sun Valley Road have been identified as priority pedestrian corridors and as such should incorporate additional pedestrian amenities where possible such as opportunities for outdoor seating/benches, outdoor dining, or plaza space.



*Images of existing successful public gathering spaces in Ketchum*

# COMMUNITY CORE DESIGN GUIDELINES

## **Public Gathering Spaces (continued)**

- D. If public art is used, it should be integrated into the overall design of a project.
- E. Fencing used to delineate outdoor seating or extended outdoor space of a building for the express use of that building, should be a maximum of forty-eight inches (48") tall and be comprised of durable materials complementary of the architecture.
- F. Incorporate street trees parallel to building facades. Street trees should have a minimum caliper size of three inches (3") and be installed in tree grates or tree wells, rather than planter beds. Root barriers are encouraged to limit future sidewalk damage from tree roots.
- G. Pedestrian lighting is encouraged in all pedestrian areas not illuminated by street and/or site lighting.
- H. Site furnishings are encouraged for all pedestrian gathering areas and/or plaza areas. Furnishings may include flagpoles, benches, seating/tables, planters, bike racks, drinking fountains, waste receptacles and other similar amenities.

PUBLIC AND  
PRIVATE SPACE  
BECOMES ONE



CREATION OF  
PUBLIC SPACE  
ENCOURAGES  
GATHERING

*Illustrative graphic to show general concepts*

# HISTORIC BUILDING DESIGN GUIDELINES

## Overview and Purpose

This section defines a framework for alterations, expansions and redevelopment of historic buildings in the Community Core to ensure architectural compatibility with the defining features of the existing buildings. All alterations or expansions to buildings and sites on the Historic Building/Site list should consider these guidelines as well as the general Community Core Design Guidelines in the previous section.

## Historic Building Significance

Buildings within Ketchum on the Historic Building/Site List were all chosen based on the criteria that the buildings have to be 50 years old or older, must retain physical integrity of original heritage or culture, and exemplify certain architectural, social/historic, or geographic criteria. These buildings have a significant economic and social contribution to the Community Core, and these Design Guidelines aim to preserve and enhance those contributions.

## Successful Historic Building Alterations

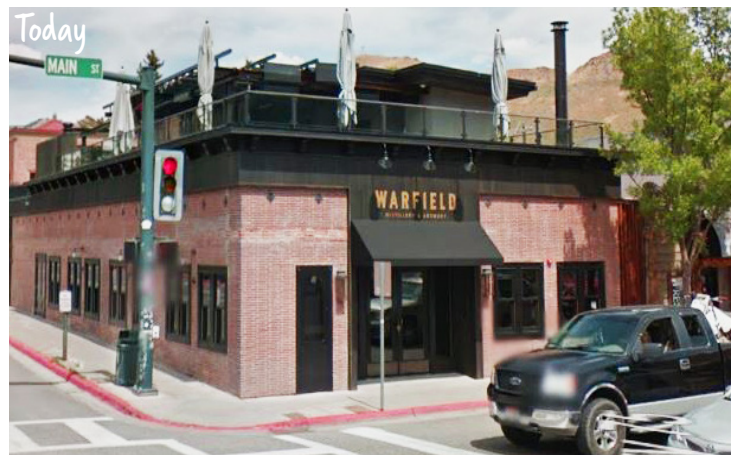
The City of Ketchum has seen several successful alterations of existing historic buildings over the years. The examples below illustrate three such alterations which capitalized on the character defining features of each building. The alterations highlighted these features with subtle treatments such as paint colors, awning replacement, and updated or repaired windows, lighting and signage. Successful alterations are respectful of the proportions and elements of historic context while refraining from exact replication of building styles from historic time periods.

### The Warfield - Historic Building Renovation

The Warfield renovation was successful in that it kept the original brick structure but updated the windows, doors, awnings, signage, lighting and upper deck with more contemporary materials and colors. Stepping back the upper floor building portion and providing a lighter, more transparent railing for the outdoor dining space further emphasized the original facade features that were preserved.



Before



After

# HISTORIC BUILDING DESIGN GUIDELINES

## Successful Historic Building Alterations (continued)

### TNT Taproom – Historic Building Renovation

The TNT Taproom renovation elements are subtle including replacement of the middle door with a contemporary window, removal of the shutters, new paint and windows on the upper floor, and a new roof, all of which maintain the original building form and primary materials.



Before



After

### Windermere Real Estate Office – Historic Building Renovation

The Windermere Real Estate Office, attached to the Chapter One Bookstore has seen many alterations over time with the latest being the addition of apartments on the second floor. The apartment addition was completed in a different architectural style from the original building and is stepped back from both the front and side facades so as to not detract from the primary building facade.



Before apartments added



After apartments added

# HISTORIC BUILDING DESIGN GUIDELINES

## Identifying Character Defining Features

To determine the appropriate design elements for alteration, addition, or redevelopment of a historic building or site, it is important to first understand the primary features that define the character of the existing building and determine which features should be preserved or enhanced. These are elements of the building or site that are representative of the original architectural style which contribute to the overall character of the building or site. Below is a list of possible character defining features that could be found in the City of Ketchum Community Core:

1. Brick work (different brick bond patterns)
2. Log construction
3. False building fronts
4. Wood siding
5. Stucco
6. One to two story building height
7. Steeply pitched roof lines
8. Multiple roof forms on an individual building
9. Picture windows
10. Arched or eyebrow windows
11. Swiss Chalet style ornamentation
12. Storefront or bulk head windows (commercial properties)
13. Detailed cornices and capstone on commercial brick panel buildings

Once the primary historic elements of the building have been determined, it will be clear where the proposed addition can add architectural features that respect the historic character while fulfilling the new needs of the building.



Images of buildings from Ketchum that highlight some of the features listed above

# HISTORIC BUILDING DESIGN GUIDELINES

## **Design Guidelines for Alteration, Addition, or Redevelopment of Historic Structures**

### *Design Goal:*

Having a variety of building styles, forms, and scales contribute to the unique character of the City of Ketchum's Community Core. Additions, alterations, and redevelopment of buildings on the Historic Building/Site List should emphasize and be harmonious with the existing historic structure.

### *Appropriate Methods to Achieve Design Goal Include:*

- A. Preserve the primary building facade and the primary character defining features of the building that make it eligible for local and national landmark designation.
- B. Incorporate new building components to be harmonious with the portions of the building being preserved and further highlight the historic features. For example, use complementary forms and materials rather than trying to match materials and forms.
- C. Preserve existing landscaping, specifically street trees to the maximum extent possible.
- D. Ensure that porches, patios and additional enclosures further complement the existing portions of the historic building.
- E. Buildings may be adapted to a new use as allowed in the Community Core Zone District use standards.
- F. Ensure interior alterations meet local and national historic preservation standards to preserve the ability for the property to receive funding for future improvements.



*Examples of successful additions to historic structures*



Attachment F:  
Historic Building/Site List -  
Adopted by HPC  
August 19, 2021

**CITY OF KETCHUM - HISTORIC PRESERVATION COMMISSION PROPOSED HISTORIC BUILDING/SITE LIST**

<b>Common Name:</b>	<b>Street Address:</b>	<b>GIS Address</b>	<b>RPK #</b>
Greenhow & Rumsey Store, NRHP listed (Culinary Institute)	211 North Main Street	211 N Main St	RPK0000018004B
Forest Service Park, NRHP listed	Between River and 1 <sup>st</sup> Street	131 E River St	RPK0000040001A
Comstock & Clark Mercantile (Enoteca Restaurant)	300 North Main Street	300 N Main St	RPK0000040010
Lewis Bank (Rocky Mountain Hardware)	180 North Main Street	180 N Main St	RPK08410000D0
Dynamite Shed (TNT Taproom)	271 Sun Valley Road	271 E Sun Valley Rd	RPK0000017004A
Bert Cross Cabin (Vintage Restaurant)	271 ½ Leadville Avenue North	271 N Leadville Ave	RPK000003007A
Horace Lewis Home (Elephant's Perch)	280 East Avenue North	280 N East Ave	RPK0000043003A
Ketchum Kamp Hotel (Casino)	220 North Main Street	220 N Main St	RPK000000302AA
Pioneer Saloon	308 North Main Street	320 N Main St	RPK000004002A
First Telephone Co. (Chapter One Bookstore)	340 North 2 <sup>nd</sup> Street	340 E 2nd St	RPK000002004B
Fagan Property (Country Cousin Store)	411 Sun Valley Road	411 E Sun Valley Rd	RPK00000240010
Bonning Cabin	531 5 <sup>th</sup> Street East	500 N East Ave	RPK00000460010
McCoy/Gooding/Miller House (Residence)	111 N east Ave	111 N East Ave	RPK0000022005B
Former Post Office (Former Formula Sports)	460 North Main Street	460 N Main St	RPK000005003A
Michel's Christiania Restaurant	303 Walnut Avenue	303 N Walnut Ave	RPK00000440050
E.B Williams House (Ketchum Grill)	520 East Avenue North	520 N East Ave	RPK00000460020
Alonzo Price/Esther Fairman House	180 Leadville Avenue North	180 N Leadville Ave	RPK00000220040
Thornton House (Picket Fence)	560 East Avenue North	560 N East Ave	RPK0000046004A
McAtee House (Former Taste of Thai)	380 1 <sup>st</sup> Avenue	380 N 1st Ave	RPK00000370050
George Castle Cabin	431 ½ Walnut Avenue (in the alley)	431 N Walnut Ave	RPK00000450060
Community Library/Gold Mine Thrift Store	331 Walnut Avenue	331 N Walnut Ave	RPK00000440060
Jack Frost Motel (Gold Mine Consign Building)	591 4 <sup>th</sup> Street East	571 E 4th St	RPK00000450050
St. Mary's Catholic Church (Mesh Gallery)	380 Leadville Avenue North	420 E 4th St	RPK00000240040
Louies/The Church (Picket Fence)	560 N East Ave	560 N East Ave	RPK0000046004A

Adopted by HPC October 19, 2021

# Attachment F: Public Comment



**AIA**  
**Idaho**

November 15, 2021

Dear Ketchum City Council and Planning Commissioners,

The Idaho Chapter of the American Institute of Architects (AIA Idaho) respectfully submits this letter of opposition to the proposed *Ketchum Community Core Design Guidelines*. The American Institute of Architects (AIA) serves as the voice of over 95,000 architect members practicing nationwide. The AIA Idaho Board represents over 370 architects and professional affiliate members located throughout the state of Idaho. With this letter we are voicing the concern of 40 of our members plus their employees and construction industry partners who reside and work in Ketchum and the Wood River Valley (AIA Idaho Mountain Section).

AIA Idaho State Advocacy Committee and AIA Idaho Mountain Section Board have reviewed the draft of the *Ketchum Community Core Design Guidelines*. Our members strongly oppose the proposed Guidelines for the following reasons:

1. The concept of 'style' should be separated from the pertinent issues our beloved City currently faces. Housing shortages, increasing land and construction costs, labor and material shortages, parking, traffic and safety issues are just a few of the hurdles our citizens face. Implementing Ordinances focused on forcing 21<sup>st</sup> century development to mimic 19<sup>th</sup> and early 20<sup>th</sup> building stock should not be a priority for City staff or budget resources.
2. Form-Based codes similar to the ones contained in these Guidelines were removed from City Ordinance around 2013 through successful yet laborious coordination efforts involving the Building Department, Planning and Zoning Commissioners, Industry professionals, and the Public. Implementing them again now should be considered regressive.
3. The proposed Guidelines will impact the financial feasibility of downtown projects. The Guidelines add to Ketchum's exclusionary zoning problem, making it ever more difficult to accomplish housing that is affordable to a mix of income levels. While other cities are taking progressive steps such as eliminating single-family zoning, requiring less parking and streamlining their permitting processes, City of Ketchum is adding additional - and subjective - regulatory hurdles to a locale where the building permit and entitlement process is already nearly at a standstill.
4. Lack of sustainability goals. The Guidelines are at cross-purposes the City's sustainability objectives. Mandating a limited palate of traditional materials eliminates the opportunity for the introduction of new technologies to address environmental concerns. Clean energy production, low embodied energy building materials, and passive solar design are not encouraged, and potentially even disallowed.
5. Process. The City's expedited timeline and reliance upon an out-of-town planning consultant has resulted in flawed data being presented as valid research and public buy-in. Cities across the Country - including the City Boise - are currently undergoing revisions or rewrites to their Zoning Codes via comprehensive public engagement with adequate timelines. Ketchum has created an unnecessary sense of urgency with recent interim ordinances and a demolition moratorium on 'historic' buildings. Our citizens are now at risk of enduring socially and economically damaging Ordinances brought about in an attempt to reconcile a dated vision for our Community, with the inevitable prospect of growth.

We appreciate your time, consideration, and support for our industry, and for allowing us to weigh in as experts on this important decision. We strongly urge you to consider our input and opposition to the proposed *Ketchum Community Core Design Guidelines*. We recommend that the City of Ketchum take a step back and include the development community as willing participant in redrafting the proposed Guidelines.

Sincerely,

Chad Blincoe, AIA

President, Idaho Chapter of the American Institute of Architects (AIA Idaho)

The American Institute of Architects – Idaho

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11351 W Trestlewood St | Boise, ID 83709

November 21, 2021

Ketchum, City Council and Planning Commissioners

Re: Ketchum Community Core Design Guidelines

Dear Council Members and Commissioners:

Thank you for the opportunity to provide additional input on the proposed Community Core Guidelines. I will preface my remarks with some background on my qualifications to establish a more professional and objective outlook.

I am both a practicing architect and was a professor of architecture for 14 years. I hold a Doctor of Architecture degree with an underpinning in philosophy. I have worked as an architect in a wide variety of typologies from high-rise office buildings to ski resorts to numerous residential projects including many in the Ketchum/Sun Valley area. I was co-partner-in-charge of over 2000 square miles of land-use and environmental studies. And I was elevated to Fellow in the American Institute of Architects, a national honor, in the Design category.

Since moving to Sun Valley in 1975, I have served on numerous boards of directors, the Ketchum Planning and Zoning Commission, the Ketchum Advisory Council and the Sun Valley and Elkhorn Design Review Boards. I was also the president of AIA Idaho in 2000.

Professional opinion is not the same as that of an amateur. To make an extreme analogy, in do-it-yourself brain surgery, the patient always dies. There are no exceptions. Working in the field of architecture without an education in it is analogous to working in the medical field without the schooling and practice that attends it. I wonder how the medical doctors in our community would react if the city government gave them guidelines on how to practice medicine. Architects are no less educated nor less qualified in their field than medical doctors, having completed rigorous education, licensing requirements, internships, practice and continuing education in our field. We are educated in a broad spectrum of disciplines. We are licensed to protect and benefit the public in health, safety, and welfare. Our mission is to enhance the living conditions of the public, not to superficially decorate their facades as the proposed guidelines suggest.

Reading the outline of the proposed design guidelines I felt that I had heard the same pitch decades ago. The design guidelines proposed are philosophically flawed. As a student and teacher of art and architectural history, I have great respect for what history can teach us. *We look back to see forward, but we don't look back and stay there.* Historical preservation and renovation are critical to preserve our understanding and appreciation of our heritage, but replication of those artifacts can be nothing but superficial and dishonest to our current reality. Honesty of purpose, integrity of materials, clarity of structure, and truth to our times, are an appropriate philosophical base, not the resurrection of dead forms.

The nature of the aesthetic judgement is complex and understanding this goes a long way in reducing a subjective view of its nature. Design tenets and or guidelines need to be as objective and broad as possible; not narrow and prescriptive, but performative, and based on a professional outlook.

Prescriptive codes impede and indeed prohibit creativity. *Making visible that which was previously invisible is creative.* Predication on a prescriptive formula of history from a literal point of view is limiting and precludes real creativity. Recipes and formulas do not work in architectural design. *Architectural form should not be imposed but emergent.* It must be a resultant of many things

including function, clarity of structure, appropriate use of materials for our times and our environmental responsibilities. Form comes from within, not from an exterior facadism based on outdated and artificial historical reference. Architecture is not about objects in space, but objects only resulting from within that place we inhabit.

When one speaks of historical context in Ketchum, one should first identify it. There are no real historical areas or zones here. There are only a few remaining buildings from earlier times, some in brick, some in stone, some in western framing, and very few in log. If we are to design in context, the context needs to be identifiable and clear, not superficial and made up from some notion of revisionist history. If we are to be guided by history let history teach us to identify its true roots.

Please note the living, changing, evolving part of history. If there are to be design guidelines at all, which I have serious reservations about, let those guidelines be co-written by the design professionals in the field, not by external consultants who are not equivalently educated in architecture. The result, we have discovered, is a flawed prescriptive formula haphazardly applied to Ketchum. The inclusion of two architects on the Planning Commission is commendable. Design review boards made up entirely of non-professionals perpetuate mediocrity in the form of popular opinion or design by consensus. Professional Planning should be clearly separated from Professional Design.

Like *sensus communis*, or truth at the end of inquiry, members of a truth-seeking community should be informed professionally and should not form subjective opinions on what may or may not be appropriate for a growing and thriving community. The "I live here now - gang plank syndrome" has not worked since Ketchum / Sun Valley first gained notoriety in 1936. Ketchum has changed dramatically over the years, but it is still a great place to live. Growth is inevitable. You can't stop it, but you can plan for it.

I urge the council and commissioners to reconsider their current direction in the promulgation of design guidelines and more clearly define the relationship, if any, between historical preservation issues and design guidelines for future growth.

Not touched on here, but of critical importance, is the lack of affordable housing in our community. This should be at the forefront of our efforts in both planning and architecture.

Please accept our offer of professional input in all of your future efforts to plan appropriately for our growing community.

Respectfully,

A handwritten signature in black ink, appearing to read "Jack Smith". The signature is fluid and cursive, with a large loop at the end.

Jack Smith, FAIA, D. Arch., NCARB  
President, Smith Associates P.A.

**From:** [Gretchen Wagner](#)  
**To:** [Participate](#)  
**Subject:** follow-up to hearing  
**Date:** Wednesday, November 17, 2021 9:45:58 AM

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Neil, Tim, Brenda, Jennifer, Suzanne, Morgan, and Abby:

Apologies if it felt like you were bombarded with negativity from the architects in town last night. The letter from the AIA was a group effort and well-considered, but the troops were rallied yesterday morning. I am a nervous public speaker and it's easier if I write things down.

I want to recognize what was evident in the beginning of the packet--that you did take great pains to remove restrictive language in this first round of critique and seem to be on the same page with the architecture community. I realize that you are trying to put some teeth in the code with which to guide developers and pass judgement fairly. This is a difficult task. Thank you for taking the time to consider it.

Some brief suggestions rather than criticisms:

- Design Review guidelines are suggestive. But standards are very clear and allow room for interpretation in how the standards are met. Most architects will tell you it's infinitely easier to work with objectives and requirements, no matter how restrictive, than a suggestion of how someone wants a building to look.
- When an out-of-town developer approaches the City, schedule an hour with them to review Standards, Municipal Code, and process. Then, take a walk with them for another hour to point out what you view as successes and failures in our town and give them an opportunity to ask questions. Share the Ketchum values that aren't defined by buildings.
- Challenge them to do things that are contextual but are not copies of other buildings in town. Thinking that red brick, black cornices, and roof decks are the magic formula will result in too much of the same thing.
- Require developers to submit studies of town to create their own 'design guidelines' to which you can react before they design anything.
- Require either the developer or the architect or the builder to be local.
- The trifecta of bank/retail on the first floor, offices on the second, and penthouses on the third works for developers, but is a much more difficult building type than a single use building like a fire station, art center, or brewery. I think these buildings need to be thought about in a completely different way.
- One of my mentors once said, 'deliberate use of ordinary materials used in extraordinary ways can be transformative.' This philosophy should be encouraged, and innovative use of materials embraced so that expense isn't confused with quality design.
- I love the idea of more stakeholder meetings with small breakout sessions in which the small groups re-mix throughout to avoid a single dominant opinion.

I also want to explain my seemingly shocking comments about the Warfield. Mimicry was perhaps too strong a word, but Jack had just used it. It was, in fact, adaptive re-use of a building that existed as 'B' Restaurant when the current owner took possession of it. It had been four other restaurants

before this. And as I mentioned at the hearing, the original Slavey's of the 1950's was a windowless brick bar with an angled façade. You can see an image of it immortalized on wall murals in the bathrooms upstairs. This building, had it been restored, would have been inappropriate for its use and would never have checked a single box in the Design Review Standards under which we applied, not to mention the building code.

We did our own studies of adjacent buildings, historical vernacular, downtown context, and materials. We interviewed the former owners of Slaveys and the current owner extensively about his needs. We documented every inch of the existing building and the condition of its structure and systems. We reviewed the structural issues with the brick at the Cornerstone, which had recently been remodeled. And then, following all the standards and design guidelines Ketchum had in 2015, we designed the best remodel of that building that we could. I understood the assignment. But to see it held up as an example of historic context was surprising. Yes, it is a building that people like and that we are proud of, but we invented its history. Then, this 'history' became the context against which we contrasted the modern metal-clad middle, another faux-historical preservation technique.

Historic Preservation is a complicated process that unfortunately can't just be applied when it's convenient or in a popular style. There are rigorous criteria for it, not least of which are architectural merit and the percentage of the original building still intact that can be saved. Many Modern buildings that are now old enough to qualify for Historic Preservation were not popular with some people when they were built or now but are lauded as monuments by others.

Variety and diversity create richness in a community. Our fear is that design guidelines will narrow the possibilities to create a less interesting town and won't result in better architecture. Blue Lakes Boulevard has many buildings with stepped back facades, pasted on gables, traditional vertical windows, and material changes that meet a lot of criteria but in the end are uninspiring.

I do not take the position that architects know best. But design is what we were trained in and the complex world we are immersed in every day. Most architects also look at architecture in many formats—online, magazines, social media, design competitions--for fun, all the time. We're design nerds. So the sheer volume of buildings we look at with a critical eye qualifies us more than the average person to evaluate design. Lean on us!

I have lots more small things to critique about the design guidelines but was pleased to hear that you were rather surprised by them as well. There is clearly a lot to review. Thank you so much for your careful consideration of this. I appreciate your thoughtfulness.

Gretchen

Gretchen Wagner, Principal, AIA, NCARB  
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**From:** [Brett Simon](#)  
**To:** [Participate](#)  
**Subject:** Letter of Opposition to proposed Community Core Design Guidelines  
**Date:** Tuesday, November 16, 2021 4:21:13 PM

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Ketchum City Council and Planning Commissioners:

I am writing on behalf of MDA and each of us who work for the firm to notify the City of Ketchum, its Council Members and Mayor, and the Planning Commissioners of our opposition to the proposed Ketchum Community Core Design Guidelines. MDA agrees fully with the letter of opposition submitted by the Idaho Chapter of the American Institute of Architects.

Sincerely,

Michael Doty Associates, Architects

Mike Doty

Mike Allaire

Chris Nielson

Brett Simon

**b r e t t s i m o n**

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**From:** [Brett Simon](#)  
**To:** [Participate](#)  
**Subject:** Opposition to Proposed Ketchum Community Core Design Guidelines  
**Date:** Tuesday, November 16, 2021 4:26:59 PM

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Ketchum City Council, Mayor, and Planning Commisioners:

I am writing to state my opposition to the proposed Ketchum Community Core Design Guidelines. I oppose them from a deep concern with how these guidelines, if implemented, will further impede progress toward a sustainable, diverse, and inclusive City of Ketchum. In practice, if not in word, these guidelines contradict many of the goals stated in Ketchum's comprehensive plan. It is not news that our community faces housing and workforce problems. It is not news that Ketchum—and the rest of the world—faces a climate crisis that must ultimately be addressed in every community at the local level. These issues are intertwined. These issues are what the City of Ketchum should be focused on.

Implementing these guidelines will make it more difficult to address these 21<sup>st</sup> century, present-day, challenges. Limited budgets will be spent conforming to aesthetic criteria derived from a different context. Buildings are solutions to problems. We need 21<sup>st</sup> century solutions. In deference to the past the city will limit its future. Concretely, this will occur in the form of added setback requirements for future development adjacent to historic buildings. For a community concerned about its authenticity these guidelines are an affront. These guidelines will result in Ketchum contriving a past and history it never had and will entrench the unsustainable, and for many, unlivable, status quo.

Sincerely,

Brett Simon

**From:** [Kingsley H Murphy](#)  
**To:** [Participate](#)  
**Subject:** Up Date-ed ordinances  
**Date:** Tuesday, November 16, 2021 3:59:11 PM

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I would ask that the P&Z not pass the new ordinances being presented by staff. At a time when the community is trying to reduce the cost of building, these new rules and regulation would greatly increase the cost of building in the city of Ketchum.

Please stop and take the time to think this through. As I hope you are aware most of the people that are effected by these changes are against these changes. Please take the time to hear from them.

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