



AGENDA

PUBLIC PARTICIPATION INFORMATION

Public information on this meeting is posted outside City Hall.

We welcome you to watch Commission Meetings via live stream.

You will find this option on our website at www.ketchumidaho.org/meetings.

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

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

Join the Webinar: <https://ketchumidaho-org.zoom.us/j/86332870139>

Webinar ID: 863 3287 0139

- Address the Council in person at City Hall.

Submit your comments in writing at (*by noon the day of the meeting*)

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

CALL TO ORDER:

ROLL CALL:

COMMUNICATIONS FROM COMMISSIONERS:

CONSENT AGENDA:

ALL ACTION ITEMS - The Commission is asked to approve the following listed items by a single vote, except for any items that a commissioner asks to be removed from the Consent Agenda and considered separately.

1. ACTION ITEM: Approval of the October 15, 2024 Minutes

PUBLIC HEARING:

NEW BUSINESS:

2. Recommendation to review and provide final comments on HPC bylaws.
3. Recommendation to review and provide feedback on the revised Ketchum Municipal Code Section 16.07.060 – Historic Preservation

EXECUTIVE SESSION:

ADJOURNMENT:



CITY OF KETCHUM
MEETING MINUTES OF THE
HISTORIC PRESERVATION COMMISSION
Tuesday October 15, 2024

CALL TO ORDER:

Clyde Holt called to order at 4:33 p.m. *(00:00:46 in video)*

Roll Call:

Wendolyn Holland

Jakub Galczynski

Melissa Ravelo *remote

Clyde Holt

Matthew McGraw *arrived late *(00:01:23 in video)*

Also Present:

Morgan Landers – Director of Planning and Building

Abby Rivin – Senior Planner

Adam Crutcher – Associate Planner

Genoa Beiser – Zoning Technician

COMMUNICATIONS FROM THE COMMISSIONERS:

- None

CONSENT AGENDA: *(00:1:00 in video)*

1. ACTION ITEM: Approval of the September 3, 2024 Minutes
2. ACTION ITEM: Review and approve proposed 2025 Historic Preservation Commission meeting schedule

Motion made by Wendolyn Holland to approve the September 3, 2024 Minutes and the 2025 Historic Preservation Commission meeting schedule; Seconded by Jakub Galczynski *(00:01:45 in video)*

MOVER: Wendolyn Holland

SECONDER: Jakub Galczynski

AYES: Clyde Holt, Melissa Ravelo, Wendolyn Holland, Jakub Galczynski, & Matthew McGraw

NAYS: None

RESULT: UNANIMOUSLY ADOPTED

PUBLIC HEARING: *(00:2:00 in video)*

- None

NEW BUSINESS: *(00:02:06 in video)*

- Morgan Landers – Stating for the record that an incorrect day was listed on the proposed 2025 Historic Preservation Commission meeting list. The day will be listed correctly for the version signed by the Mayor. *(00:02:51 in video)*
3. Recommendation to review and discuss updates to approval criteria of applications as part of the Cohesive Ketchum: Land Use Regulations Update *(00:03:11 in video)*
- Staff Presentation, Review criteria “A” & “B” for alterations seem duplicative: Adam Crutcher, Associate Planner *(00:03:11 in video)*
 - Commission questions for Staff and Staff Responses *(00:6:24 in video)*
 - Staff Presentation, Some verbiage in alteration & demolition criteria should be modified to be in layman’s terms (e.x. “conjectural features”): Adam Crutcher, Associate Planner *(00:20:53 in video)*
 - Commission questions for Staff and Staff responses *(00:21:54 in video)*
 - Staff Presentation, The way criteria “C” is written, alterations and additions would need to closely match the existing structure: Adam Crutcher, Associate Planner *(00:36:03 in video)*
 - Commission questions for Staff and Staff responses *(00:37:00 in video)*
 - Staff Presentation, Due to previous discussions surrounding relocation of structures with HPC, staff does not support review criteria “C”: Adam Crutcher, Associate Planner *(00:43:39 in video)*
 - Commission questions for Staff and Staff responses *(00:44:14 in video)*
 - Staff Presentation, Staff doesn’t recommend including criteria “D” as it relates to mitigation efforts for demolition of buildings: Adam Crutcher, Associate Planner *(00:55:20 in video)*
 - Commission questions for Staff and Staff responses *(00:56:56 in video)*
 - Staff Presentation, Staff recommends review criteria “E” be moved to alterations section: Adam Crutcher, Associate Planner *(01:06:02 in video)*
 - Commission questions for Staff and Staff responses *(01:07:12 in video)*

ADJOURNMENT: *(01:14:02 in video)*

Motion to adjourn the meeting at 5:46 p.m.

MOVER: Wendolyn Holland

SECONDER: Jakub Galczynski

AYES: Clyde Holt, Melissa Ravelo, Wendolyn Holland, Jakub Galczynski, & Matthew McGraw

NAYS: None

RESULT: UNANIMOUSLY ADOPTED

Clyde Holt
Historic Preservation Commission Chairperson

Morgan Landers, Director Planning and Building
City of Ketchum

BYLAWS
KETCHUM HISTORIC PRESERVATION COMMISSION

1. MEETINGS:

The Commission shall meet monthly with regular meeting dates established by Resolution of the ~~City Council~~Commission.

- a. Location: Commission meetings shall be held at the Ketchum City Hall or other such location(s) as provided in public notices of meetings. Site visits conducted by a majority of Commission members shall constitute a formal meeting of the Commission requiring compliance with notice requirements.
- b. Meeting Times: Meeting times shall be established by the Commission.
- c. Special meetings may be called as needed. Notices of any special meetings called shall be given at least twenty-four (24) hours prior to the special meeting. Notice for all agenda items shall comply with state and local notice requirements.
- d. Open to the Public: All regular and special meetings of the Commission, subcommittees and/or work sessions shall be open to the public. Receiving public comments for issues not requiring specific public hearings shall be at the discretion of the Commission.

2. ELECTION OF OFFICERS:

The Commission shall elect a Chairperson and Vice Chairperson at its first meeting of any calendar year. Said elections shall be by majority vote. After election, the Chairperson shall continue to have all the rights, privileges and immunities as any other member of the Commission including voting on all matters before the Commission. If a vacancy occurs in the office of Chairperson, the members of the Commission, at their next regular meeting, shall select a Chairperson from among their number for the unexpired term. The election shall be by majority ~~affirmative~~ vote. The term of service shall be that calendar year. There shall be no limit to the number of terms the officers may serve. Any other offices, committees or task forces may be established to assist in carrying out the Commission's responsibilities.

3. CHAIRING THE MEETINGS:

- a. The Chairperson shall preside at all meetings of the Commission and be recognized as the head of the Commission for all administrative and ceremonial

purposes. Robert's Rule of Order shall be utilized ~~as a guideline for~~ in the conduct of Commission meetings and business.

- b. During the Chairperson's absence or temporary inability to fulfil his/her duties, the Vice Chairperson shall act as Chairperson.
- c. If both the Chairperson and Vice Chairperson are absent, the members may elect a temporary Chairperson by majority vote.

4. RESIDENCY:

Each member shall ~~reside within the City of Ketchum or within the Ketchum Area of City impact~~ meet the requirements of the Ketchum Code of Ordinances 4.08.030.

5. QUORUM:

At all meetings of the Commission, a majority of members being present shall constitute a quorum for the transaction of business. Once the Chair has declared a quorum, if a member should recuse ~~him or herself~~ themselves from a matter under consideration, and the result is a number of members less than a majority, ~~the recused member shall still be counted a quorum shall be deemed to as being present for purposes of a quorum. continue to exist.~~ Furthermore, members may participate in a meeting and be counted as part of a quorum by electronic means such as video or telephone.

6. REMOTE PARTICIPATION:

Remote participation allowing member(s) who is/are not physically present to engage in discussion and vote shall be enabled through a remote, simultaneous communication method that provides, at a minimum, for the Board and remote participant(s) to hear one another in real time. These methods would include phone teleconferencing and video conferencing technologies. Acceptable remote participation would not include email, or text messaging.

- a. A member participating remotely must, at a minimum, be able to be fully heard by all other members and other individuals in attendance at the meeting. A member participating remotely must also be able to hear all other members.
- b. A member remotely participating shall notify the presiding officer if leaving the meeting before it is adjourned or if rejoining the meeting after a period of absence.
- c. If due to technical difficulties, contact with the remotely participating member is lost entirely or if contact becomes unclear, the presiding officer may end remote participation for that member for the balance of the meeting for the purpose of

avoiding additional disruption to the meeting. If remote participation is established but is then interrupted or ends, the remotely participating member will be considered as excused from the meeting.

- d. When casting a vote, a member participating remotely shall be called upon individually by the presiding officer after all physically present members have voted to verbally cast ~~his or her~~their vote as “aye” or “nay” in such a manner as can be clearly heard by all members.

7. ATTENDANCE, EXCUSED ABSENCES:

Every member should be present at seventy-five (75) percent of the regularly scheduled meetings of the Commission. Upon failure of a member to do so (for reasons other than illness or conflict of interest) the Chair, with concurrence of a majority of the Commission, may recommend to the Council that a vacancy be declared and that the vacated position be filled. In the event a Commission member must be absent from a meeting, the member shall contact the Planning and Building Department Director and Chair to advise the Commission of the absence.

8. COMMISSION MEETING AGENDA:

The ~~Planning and Building Department Director~~Planning and Zoning Administrator shall arrange a list of such matters according to the order of business and prepare an agenda for the Commission. The agenda and all materials associated with the items on the agenda ~~may~~will be posted on the City of Ketchum website and will be made available to the Commission members and public with adequate time for review in advance of the regular meetings. Items on the agenda shall be assigned estimated durations and start times, thereby establishing an estimated period of time that is set aside for any given item on this agenda.

9. DUTIES OF THE COMMISSION:

The duties of the Commission shall be consistent with the provisions of Chapter 4.08 of the Ketchum, Idaho Code of Ordinances, as the same may be from time to time amended, including but not limited to recommendations to the City Council on matters pertinent to the recognition, and preservation of historic structures and sites, establishment and maintenance of a Historic Building/Site List, adding and/or removing structures and properties from the Historic Building/Site List, and approving, denying or approving with conditions applications for alterations to or demolition of historic structures on the Historic Building/Site List.

10. RULES OF ORDER, PROCEDURES AND MEETING CONDUCT:

- a. All Commission members shall familiarize themselves with the applicable fair hearing, conflict of interest, disclosure and disqualification laws that pertain to quasi-judicial proceedings. Quasi-judicial actions are defined as actions of the Commission which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions of adopting, amending or revising plans for the preservation of historic properties or sites, or other land use planning documents, or the adoption of area wide ordinances or the adoption of a ordinance amendments that are of area-wide significance.
- b. Rules of procedure not specified by statute, ordinance or Council resolution shall be ~~governed~~ guided by Robert's Rules of Order. The ~~Planning and Building Department Director~~ Planning and Zoning Administrator shall serve as parliamentarian and shall advise the Chairperson as to correct rules of procedure or questions of specific rule application.
- c. All members shall have available to them, during each meeting, a copy of the Comprehensive Plan, the Historic Building/Site List, and the ordinances being referred to during the review of a specific application.
- d. Every application shall be certified by the staff to be complete before review by the Commission.
- e. Commission review of applications is with the purpose of making a decision. The members should attempt to review plans and pertinent information available to them on the various applications prior to consideration. The Commission may approve or deny or recommend approval or denial of an application or continue an application due to insufficient information for its review and ability to act.
- f. The approval or denial of an application shall be based upon standards and criteria set forth in the City's Historic Preservation Ordinance, Comprehensive Plan or other applicable ordinances or regulations and shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, the relevant and/or contested facts relied upon, and the rational for the decision.
- g. Written staff review of applications and any recommendations shall be based on the applicable adopted ordinances, standards and criteria for review.

- h. New information presented at the meeting by the applicant or by an affected party may be cause for continuation of said item so that the new information can be adequately reviewed by the Commission, staff and interested persons before a decision is made.
- i. In reviewing all applications, the Commission shall adhere to ~~all elements of~~ due process per the provisions of the Ketchum Code of Ordinances and shall provide:
 - 1. ~~Adequate~~ Reasonable notice of the application or public hearing.
 - 2. ~~Adequate~~ Reasonable opportunity for the applicant to be heard and present and rebut information on ~~his or her~~ their behalf during the hearing.
 - 3. ~~Adequate~~ Reasonable opportunity for affected parties to be heard and present information during the meeting.
- j. A transcribable record shall be kept of all meetings and hearings where a quorum is present and minutes shall be prepared in conformance with Idaho Code Title ~~6774~~, Chapter ~~265~~, as may be amended from time to time.
- k. Motions. All resolutions and other items of business which require Commission approval or recommendation shall be in the form of an affirmative motion.
- l. Adjournment. Regular meetings shall be completed within a reasonable time frame providing for responsible, reasoned decisions. The Commission may consider establishing a policy stating the maximum length of time for regular meetings with the ability by majority vote of the Commission to exceed that length. Action items that may not be completed may be continued to a subsequent meeting of the Commission.

11. CONFLICT OF INTEREST PROHIBITED:

- a. No member of the Commission with a conflict of interest, defined as an “economic interest” in a property which is the subject of an application being considered by the Commission or an economic interest otherwise likely to be impacted by a decision of the Commission (I.C. 67-6506), shall participate in any aspect of the decision-making process concerning said matter. For purposes of this section the term "participation" means engaging in activities which constitute deliberations as a Commissioner pursuant to the Idaho open meeting act. Deliberation is defined as “receipt or exchange of information or opinion relating to a decision,” but shall not include informal or impromptu discussions of a general nature which do not

specifically relate to a matter then pending before the public body for decision. If a Commission member feels that he or she has a potential conflict of interest, no matter how remote, the member should disclose such facts to the Planning and Building Department Director and Commission Chair who may seek the opinion of the City Attorney as to whether a potential conflict exists. The opinion of the City Attorney shall be communicated to the Commission member, the Director and the Chairperson. Any conflict of interest in any proceeding shall be disclosed at or before any meeting at which the action is being heard or considered. The affected Member shall request to be excused from participating in the matter at hand, and upon majority vote of the Commission members, shall be excused.

- b. A member excused from participating due to a conflict of interest shall not be prohibited from testifying at, or presenting evidence to, a public hearing or similar public process after acknowledging nonparticipation in the matter due to a conflict of interest.

12. Ex Parte Contact:

- a. In order to afford all parties an opportunity for a fair hearing, full disclosure of information that is being considered and an opportunity to be heard, Commission members should avoid ex parte contacts (a communication with a party or parties interested in quasi-judicial matters that are before, or likely to appear before the Commission). In the event ex parte contact occurs, the Commission member shall disclose for the public record, the contact and the substantive information or facts that were received during the course of the contact as they relate to the matter at hand. Said disclosure shall occur prior to consideration of the matter by the Commission ~~and the member in question shall state for the record that the contact and any information received does not and will not influence his or her~~their thoughts on the matter.
- ~~b. Care should be taken to make sure that the Commission's impartiality not be undermined by a member's strong bias or prejudgment from whatever source derived towards a pending application. If a member believes that he or she has such a bias, the member should disclose the same and request to be recused from deliberation and consideration of the matter, and upon majority vote of the Commission members shall be excused from participation.~~

13. DISSENTS AND PROTESTS:

Any Commissioner shall have the right to express dissent from, or protest against any recommendation or resolution of the Commission and have the reason therefore entered in the minutes.

14. ORDER OF BUSINESS:

- a. The procedures to be used for all hearings of the Commission shall include:
 - 1. Staff or Chairperson reads the item on agenda which is up for consideration.
 - 2. Public Hearings. The Chairperson shall be responsible for opening and closing all public hearing or public comment periods. All persons wishing to make public comment must be recognized by the Chairperson.
 - a. Procedure. The Chairperson opens the public hearing/comment period and shall call on individuals wishing to speak requiring names and addresses be identified for the record of the meeting. After the public hearing is closed, the public may no longer address the Commission unless a member of the Commission specifically asks someone in the audience a question.
 - b. The Chairperson shall have the option to require that all persons wishing to be heard shall sign in, giving their names and addresses, and the agenda item they are interested in. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. All persons who have signed in and wish to be heard shall be heard, however, the Chairperson may establish speaker time limits and otherwise control presentations to facilitate the hearing and avoid repetition. The Chairperson may choose to require all proponents to speak first and all opponents to speak second. The Chairperson may add additional procedures or alter the foregoing procedures on a case by case basis.
 - c. Conduct. Anyone making "out of order" comments may be subject to removal from the meeting. Comments and testimony are to be directed to the Commission. Dialogue between and inquiries from citizens at the podium and members of staff or the seated audience shall not be permitted. Any belligerent or disparaging commentary

toward the Commission, staff, speakers, or other individuals will be grounds for removal from the meeting. If a member of the public fails to follow the rules after being warned once, the Commission may bar that individual from further testimony for the evening.

~~d. General Comment from the Public. Time may be reserved on each regular meeting agenda to provide an opportunity for members of the public to directly address the Commission on items of interest to the public and that are not specifically listed on the agenda. A time limit for such comments may be established based on the anticipated number of members of the public interested in making comments. Questions from the public are best noted with further discussion and response from staff or the commission after adequate time to investigate and report at a later date.~~

3. Applications for addition or removal from the Historic Building/Site List, or applications for demolition of or alteration to a Historic Structure:
~~APPLICATIONS FOR ADDITION TO OR REMOVAL FROM THE HISTORIC BUILDING/SITE LIST, OR APPLICATIONS FOR DEMOLITION OF OR ALTERATION TO A HISTORIC STRUCTURE:~~

~~a. Staff gives a presentation of the staff review and recommendations including aspects requiring particular attention by the Commission before reaching its decision.~~

~~a.b.~~ Applicant gives a presentation. The applicant's presentation shall be confined to ~~fifteen~~ twenty (2015) minutes; an extension of time may be allowed by the Chair following consultation with Commission members.

~~b. Staff gives a presentation of the staff review and recommendations including aspects requiring particular attention by the Commission before reaching its decision.~~

c. Historic Preservation Commission questions to the applicant and to the staff.

d. Public ~~support~~ hearing or public opposition, as outlined below. Individual supporters or opponents should confine comments and testimony to ~~five~~ three (53) minutes. ~~Opponents speaking through a group representative should confine comments and testimony to~~

~~fifteen (15) minutes.~~ Extensions of time may be allowed by the Chair following consultation with Commission members.

- e. Applicant's rebuttal, if any. Applicant's rebuttal shall be confined to ten (10) minutes. An extension of time may be allowed by the Chair following consultation with Commission members.
- f. Historic Preservation Commission discussion and action.

15. VOTING:

The votes during all meetings of the Commission shall be transacted as follows:

- a. Unless otherwise provided for by statute, ordinance or resolution, all votes shall be taken by voice. If a roll call vote is requested, the order of the roll call vote shall be determined by the Chairperson. Members participating remotely shall identify themselves for the record and vote pursuant to the procedure cited in Section 6.
- b. In case of a tie in votes on any proposal or motion, the motion shall be considered lost.

16. COMMITTEES:

- a. Special Study Committees. Special study committees may be created by the Commission for a particular purpose or when the issue at hand is so complex and time consuming that it cannot be reasonably handled at a Commission or committee of the whole meeting. Commission special study committees shall consist of two Commission members appointed by the Chairperson and may include other members from the public at-large, but in no case shall include a majority of sitting Commission members.
- b. Commission liaisons. The Chairperson may assign Commission member(s) to liaise with the Ketchum City Council, other City commissions, various local groups, organizations or boards to give the Commission a presence at those groups, organizations or boards activities.

~~c. Minutes need not be taken of committee meetings.~~

17. RECONSIDERATION:

Any action of the Commission, including final action on applications for addition to or deletion from the Historic Buildings/Site List, and or to allow, deny, or approve with conditions an application to alter or demolish a building or structure, but excluding a reconsideration of any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline shall be subject to a motion to reconsider. Such motions can only be made by a member of the prevailing side on the original action. A motion to reconsider must be made at the same meeting as the action subject to the request for reconsideration, no later than the next succeeding regular Commission meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table anew at the next regular or special Commission meeting with time on the agenda available for any action the Commission deems advisable. Any decision for reconsideration must comply with Idaho Statute, as amended from time to time.

18. New Members:

Orientation to the process and operation of the Commission may be provided by City staff in advance of a new Commissioner participating in Commission business. A new Commissioner may choose to abstain from voting until he/she/the Commissioner has achieved a level of comfort in participation.

Each Commissioner shall take and subscribe before some person authorized to administer oaths an oath substantially in the following form:

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution and the Laws of the State of Idaho; that I will faithfully and impartially discharge the duties of the office of Historic Preservation Commissioner of the City of Ketchum, Idaho according to the best of my ability. So help me God!

The oath must be taken and subscribed by each Commissioner before they enter upon the performance of their duties, and the oath, after it is taken and subscribed, shall be filed with the City Clerk and kept as an official record of the City of Ketchum, Idaho.

19. VIDEOTAPE RECORDING, PHOTOGRAPHY, LIVE OR TAPE BROADCAST OF COMMISSION MEETINGS:

The Chairperson may allow any member of the public to broadcast, video tape, tape record, or photograph any part of any regular or special meeting of the Commission. If any two Commissioners desire to have the meeting broadcast, videotaped, tape recorded or

photographed, they may request the Chairperson to allow the action by affirmative motion. If such ability is incorporated into the normal public relations activity of the City, then broadcasting, videotaping, tape recording and photographing shall be allowed at all Commission meetings according to the City's communications policies.

20. EMPLOYEES AND EXPENDITURES

Any expenditures of the Commission shall be within amounts appropriated and authorized by the City Council prior to said expenditure. Paid staff positions may be created and filled only at the discretion of the City Council.

16.07.060. Historic Preservation¹⁸⁷







A. Purpose

The purpose of this section is to promote the educational, cultural, economic, and general welfare of the public through the identification, evaluation, designation, and protection of buildings, sites, areas, structures, and objects that reflect significant elements of the City's, the state's, and the nation's historic, architectural, archaeological, and cultural heritage.

B. Applicability

1. The regulations and procedures set forth in this section shall apply to any structure listed on the adopted historic building/site list. All other buildings over 50 years of age shall follow the process for demolition of buildings per section 15.16.040 of the Ketchum Municipal Code.¹⁸⁸
2. Except as provided in §16.07.060.C.2.c, 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). The following types of modifications require HPC review:
 - a. Partial or total demolition of any portion of the structure;
 - b. Exterior alterations, including windows or siding replacement;
 - c. Additions to any structure; or
 - d. On-site moving of any structure.¹⁸⁹
3. This section 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 Administrator¹⁹⁰.

C. Alteration to Historic Structure Procedure

PRE-APPLICATION MEETING	PRE-APPLICATION NEIGHBORHOOD MEETING	APPLICATION SUBMITTAL AND PROCESSING	STAFF REVIEW	PUBLIC NOTICE AND PUBLIC HEARINGS	REVIEW AND DECISION	APPEAL
16.07.020.A	16.07.020.B	16.07.020.C	16.07.020.E	16.07.020.E.5	16.07.020.E	16.07.090.A
						

¹⁸⁷ Current Chapter 17.20. Content of 17.20.060, Relief from regulations, relocated across associated sections in Code.

¹⁸⁸ Removed "except that no demolition permit shall be issued for any structure over 50 years old until a complete Building Permit application for a replacement project on the property and required fees have been accepted by the City" because it is applicable to all buildings regardless of age.

¹⁸⁹ New.

¹⁹⁰ Replaced "Director of Planning and Building."



1. Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C.

2. Review and Action: Public Hearing Approvals

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

a. Public Notice and Public Hearings

The application shall be scheduled for at least one public hearing before the HPC and shall be noticed within 60 days of the application being deemed complete.

b. Enforcement and Maintenance

- (1) If any alteration is made without approval of an alteration application, the City shall 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.
- (2) 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.

c. Remediating of Dangerous Building Conditions

- (1) 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 at the expense of the owner.
- (2) 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.
- (3) 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.

d. Subsequent Development Permits

Except as provided in §16.07.060.C.2.c, above, 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 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.

e. Effect of Approval

Approval of each individual alteration application is unique to that property and does not constitute a precedent for other properties.

f. Expiration of Approval

- (1) The term of the application shall be 12 months from the date that findings of fact, conclusions of law, and decision are adopted by the Planning and Zoning Commission.
- (2) Application must be made for a Building Permit with the Planning and Building Department during the 12-month term. Once a Building Permit has been issued, the alteration approval shall be valid for the duration of the Building Permit.
- (3) Unless an extension is granted as set forth below, failure to file a complete Building Permit application for a project pursuant to these provisions shall cause the approval to be null and void.

g. Extension of Approval





- (1) For approvals pertaining to "civic" buildings, the Administrator may, upon written request by the holder, grant a maximum of two 12-month extensions to an unexpired alteration approval.
- (2) For approvals pertaining to all other buildings, the City may, upon written request by the holder, grant a maximum of two 12-month extensions to an unexpired alteration approval. The first 12-month extension shall be reviewed by the Administrator. The second 12-month extension shall be reviewed by the HPC. Whether or not an extension is warranted shall be based on the following considerations:
 - (A) Whether there have been significant amendments to ordinances that will apply to the subject alteration approval;
 - (B) Whether significant land use changes have occurred in the project vicinity that would adversely impact the project or be adversely impacted by the project;
 - (C) Whether hazardous situations have developed or have been discovered in the project area; or
 - (D) Whether community facilities and services required for the project are now inadequate.
- (3) If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension will not be granted and the City shall issue this decision in writing; otherwise the City shall approve such an extension. No extensions shall be granted for an expired Design Review approval.

3. Review Criteria¹⁹¹

In reviewing a request for alteration of a historic structure, the HPC shall determine if the application complies with the following:

- a. The proposed work preserves, enhances or restores and does not damage or destroy the exterior architectural features of the historic structure;
- b. The historic property remains recognizable as a physical record of its time, place, and use. The alteration will not create a false sense of historical development by adding conjectural features or elements from other historic properties or time periods;
- c. Changes to the property that have acquired historic significance in their own right are retained and preserved to the extent possible; and
- d. In the case of partial demolition, the applicant must establish that the partial demolition is required for the renovation, restoration, or rehabilitation of the structure.

D. Demolition of Historic Structure Procedure

PRE-APPLICATION MEETING	PRE-APPLICATION NEIGHBORHOOD MEETING	APPLICATION SUBMITTAL AND PROCESSING	STAFF REVIEW	PUBLIC NOTICE AND PUBLIC HEARINGS	REVIEW AND DECISION	APPEAL
16.07.020.A	16.07.020.B	16.07.020.C	16.07.020.E	16.07.020.E.5	16.07.020.E	16.07.090.A
						
				HPC Public Hearing Required	Decision by HPC	Appeal to Council

1. Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C.

2. Review and Action: Public Hearing Approvals

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

a. Public Notice and Public Hearings

The application shall be scheduled for at least one public hearing before the HPC and shall be noticed within 60 days of the application being deemed complete.

¹⁹¹ New. Paragraphs (4)-(6) are Secretary of the Interior’s Standards for Rehabilitation.

b. Conditions of Approval¹⁹²

- (1) If demolition is granted, the applicant shall propose and install a monument, plaque, photo exhibit, three-dimensional model, or similar site element with a narrative inscription describing the historical significance of the building, or a public arts project commemorating the same. The monument or commemoration should be incorporated into the project at or near the original location of the historically significant building and will be installed at the applicant's expense.
- (2) Any new construction following demolition shall be compatible with the size, scale, and exterior architectural features of the original structure being demolished.

c. Effect of Approval

- (1) Approval of each individual demolition application is unique to that property and does not constitute a precedent for other properties.
- (2) Except as provided in §16.07.060.C.2.c, no permit shall be issued authorizing any demolition to a structure listed on the historic building/site list until the HPC approves the request for 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.

d. Expiration of Approval

- (1) The term of the application shall be 12 months from the date that findings of fact, conclusions of law, and decision are adopted by the Planning and Zoning Commission.
- (2) Application must be made for a Building Permit with the Planning and Building Department during the 12-month term. Once a Building Permit has been issued, the demolition approval shall be valid for the duration of the Building Permit.
- (3) Unless an extension is granted as set forth below, failure to file a complete Building Permit application for a project pursuant to these provisions shall cause the approval to be null and void.

e. Extension of Approval

- (1) For approvals pertaining to "civic" buildings, the Administrator may, upon written request by the holder, grant a maximum of two 12-month extensions to an unexpired demolition approval.
- (2) For approvals pertaining to all other buildings, the City may, upon written request by the holder, grant a maximum of two 12-month extensions to an unexpired demolition approval. The first 12-month extension shall be reviewed by the Administrator. The second 12-month extension shall be reviewed by the HPC. Whether or not an extension is warranted shall be based on the following considerations:

¹⁹² New.

- (A) Whether there have been significant amendments to ordinances that will apply to the subject alteration approval;
 - (B) Whether significant land use changes have occurred in the project vicinity that would adversely impact the project or be adversely impacted by the project;
 - (C) Whether hazardous situations have developed or have been discovered in the project area; or
 - (D) Whether community facilities and services required for the project are now inadequate.
- (3) If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension will not be granted and the City shall issue this decision in writing; otherwise the City shall approve such an extension. No extensions shall be granted for an expired demolition approval.

3. Review Criteria¹⁹³

In reviewing a request for demolition of a historic structure, the HPC shall determine if the application complies with the following:

- a. The structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to properly maintain the structure.
- b. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property.
- c. The structure cannot be practically moved to another site in the city.
- d. The proposal mitigates the following:
 - (1) Any impacts that occur to the visual character of the neighborhood.
 - (2) Any impact on the historic importance or architectural integrity of the structure located on the property and adjacent properties.







¹⁹³ New.

E. Designation of a Historic Building/Site¹⁹⁴

1. Historic Building/Site List Established

- a. The historic building/site list shall be 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 criteria below to determine if a structure should be added or removed from the historic building/site list.

2. Procedure

PRE-APPLICATION MEETING	PRE-APPLICATION NEIGHBORHOOD MEETING	APPLICATION SUBMITTAL AND PROCESSING	STAFF REVIEW	PUBLIC NOTICE AND PUBLIC HEARINGS	REVIEW AND DECISION	APPEAL
16.07.020.A	16.07.020.B	16.07.020.C	16.07.020.E	16.07.020.E.5	16.07.020.E	16.07.090.A
						
				HPC and Council Public Hearing Required	Recommendation by HPC Decision by Council	

a. Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C.

b. Review and Action: Public Hearing Approvals

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

(1) Maintenance

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 that, 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 that would have an adverse effect upon such designated structures.

¹⁹⁴ Added subheadings throughout for clarity.

c. Review Criteria

In reviewing a request for designation of a historic building/site, the HPC shall determine if the application complies with the following:

(1) General Criteria

- (A) Historic buildings must be at least 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.
- (B) 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:
 - i. Shows character, interest, or value as part of the development, heritage or cultural characteristics of Ketchum, the region, state, or nation;
 - ii. Retains a significant amount of the original design features, materials, character or feeling of the past;
 - iii. Is in the original location or same historic context after having been moved;
 - iv. Has been accurately reconstructed or restored based on documentation.

(2) Additional Criteria

In addition to a. above, historic buildings or sites shall meet one or more of the following criteria, (A), (B) or (C):

(A) Architectural

- 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

- 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.

16.07.070. Ordinance Amendments

A. Code Amendment

1. Purpose¹⁹⁵

The purpose of a Code Amendment is to make amendments to this Code to reflect changes in public policy, changed conditions, or to advance the welfare of the City.

2. Applicability¹⁹⁶

A Code Amendment is required to incorporate new text in this Code or revise or delete text in this Code.

3. Procedure

PRE-APPLICATION MEETING	PRE-APPLICATION NEIGHBORHOOD MEETING	APPLICATION SUBMITTAL AND PROCESSING	STAFF REVIEW	PUBLIC NOTICE AND PUBLIC HEARINGS	REVIEW AND DECISION	APPEAL
16.07.020.A	16.07.020.B	16.07.020.C	16.07.020.E	16.07.020.E.5	16.07.020.E	16.07.090.A
➤	⊘	➤	➤	➤	★	
				P&Z and Council Public Hearing Required	Recommendation by P&Z Decision by Council	

a. Preapplication Conference

A preapplication meeting shall be held pursuant to §16.07.020.A.

b. Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C.

¹⁹⁵ New.

¹⁹⁶ New.