PUBLIC PARTICIPATION INFORMATION
Public information on this meeting is posted outside City Hall.

We welcome you to watch Planning and Zoning 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:

1. Join us live via Zoom.
   Please click this URL to join. https://ketchumidaho-org.zoom.us/j/87349055122
   Webinar ID: 873 4905 5122

2. Join us 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 (by noon the day of the meeting).

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

CALL TO ORDER:
COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE:
CONSENT CALENDAR - ACTION ITEMS:
1. ACTION - Minutes of November 30, 2021.
2. ACTION: Recommendation to Approve Findings of Fact for Design Review Amendment P21-068 to 3020 Warm Springs Road, Waddell-Roush Townhouses.

PUBLIC HEARINGS - ACTION ITEMS:
4. ACTION: Recommendation to approve Design Review Permit P21-085 for 380 1st Avenue (continued from November 9, 2021).
5. ACTION: Recommendation to approve rezoning application for 104 Neils Way to change the zoning from Limited Residential One Acre (LR-1 One Acre) to Limited Residential LR.

NEW BUSINESS:
7. ACTION: Recommendation to approve Planning and Zoning Commission Zoning Code Interpretation 21-003 for permitted outdoor amenities within setback areas.
8. ACTION: Recommendation to approve Planning and Zoning Commission Zoning Code Interpretation 21-004 for permitted structures within setback areas.

STAFF REPORTS & CITY COUNCIL MEETING UPDATE:
ADJOURNMENT
CALL TO ORDER
The meeting was called to order at 4:30 p.m. by Chairman, Neil Morrow.

PRESENT
Chairman, Neil Morrow
Vice-Chairman, Mattie Mead
Commissioner, Brenda Moczygemba
Commissioner, Tim Carter
Commissioner, Jennifer Cosgrove (via Zoom)

OTHER STAFF
Director, Planning and Building - Suzanne Frick
Senior Planner - Morgan Landers
Planner - Adam Crutcher
Counsel - Bill Gigray
PEG Companies - Nick Blayden
AJC Architects - Justin Heppler

COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE
None.

CONSENT CALENDAR — ACTION ITEMS

Counselor, Bill Gigray, advised the Commission to ensure Meeting Minutes accurately reflect decisions of the Commission.

Motion to approve the Minutes.
Motion made by Commissioner, Brenda Moczygemba, Seconded by Commissioner, Tim Carter.
Voting Yeas: Morrow, Mead, Moczygemba, Carter, Cosgrove.

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS
2. ACTION – Review and approve the Pre-Application Design Review Permit (P-20-019) for the PEG Hotel, LLC, located at 260/280 E River Street and 251 S. Main Street.

Applicants Nick Blayden, PEG Companies and Justin Heppler, AJC Architects provided the Commission a presentation on ‘Ketchum Tribute’. 
Chairman, Neil Morrow invited public comment.

Public Comment:

<table>
<thead>
<tr>
<th>Name</th>
<th>Duration</th>
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<tbody>
<tr>
<td>Spencer Cordovano</td>
<td>Video 01:06:00</td>
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<tr>
<td>Perry Boyle</td>
<td>Video 01:12:00</td>
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Chairman, Neil Morrow closed public comment.

PEG applicants addressed public comments.

Commissioners discussed the project and shared their views on support for the development.

**Motion to approve pre-application and design review permit for the PEG Hotel.**
Motion made by Commissioner, Tim Carter, Seconded by Commissioner, Jen Cosgrove.
Voting Yea: Morrow, Mead, Moczygemba, Carter, Cosgrove.

**STAFF REPORTS & CITY COUNCIL MEETING UPDATE**
Director, Planning and Building, Suzanne Frick, asked the Commission to review the recommended 2022 meeting schedule and she shared information on City Council’s Design Review recommendation – to hold a workshop for additional engagement of Community comment.

**ADJOURNMENT**

**Motion to adjourn at 6:13 p.m.**
Motion made by Chairman, Mattie Mead, Seconded by Commissioner, Brenda Moczygemba.
Voting Yea: Morrow, Mead, Moczygemba, Carter.

___________________________
Chairman, Neil Morrow
Planning and Zoning Commission

___________________________
Secretary, Tara Fenwick
FINDINGS OF FACT

The Planning and Zoning Commission considered this application during their special meeting on September 21st, 2021. The project before the Commission consisted of two parts:

- An amendment of the Planning and Zoning Commission approved Design Review Permit P20-031 which was approved by the Commission on July 13th, 2020. In light of the Commission and community input into the design and configuration of this project, staff determined the proposed amendment did not qualify as a minor modification subject to staff approval. The Commission was asked to decide if the proposed amendment to the design review approval was acceptable.

- An interpretation of the zoning ordinance to clarify if above-grade features such as hot tubs are permitted to be located in the required side yard setbacks.
Amendment to Design Review Approval: New Hot Tubs

The applicant submitted updated drawings proposing exterior modifications from the project plans approved with Design Review P20-031. The proposed amendments to the design review approval include the addition of two hot tubs for each townhouse unit within the duplex. The proposed hot tubs are located within the east and west side yard setback areas and sited on new paver patios. Exterior modifications also include the addition of new doors at the east and west side facades to access the new hot tubs. The east side hot tub is proposed to be screened with 6- and 4-foot-tall cedar fence panels. An elevation of the proposed screening is provided on Sheet L-03 of the project plans. The west side hot tub is proposed to be screened by landscaping, including Redtwig Dogwood.

The hot tubs are 3 feet tall. Notes on Sheets L-01 and L-03 of the project plans indicate the hot tubs are non-permanent features that are self-contained with internal equipment. The hot tubs will be placed on the new paver patio but not permanently attached to the patio. These hot tubs will be connected to the development site through their mechanical, electrical, and plumbing systems.

The siting of the hot tubs proposed for the Waddell-Rousch development encroaches within the side yard setback areas required for the principal, duplex building. The setback from side property lines required in the GR-L Zone is 1 foot for every 3 feet in building height or a minimum of 5 feet. Both hot tubs are sited within the duplex’s 11-foot-8-inch required side yard setback areas. The east townhome unit’s hot tub is proposed to be sited 5 feet from the side property line. The west townhome unit’s hot tub is proposed to be sited 7 feet 6 inches from the property line. While sited within the duplex’s side yard setback areas, the hot tubs meet the minimum 5-foot setback required from side property lines in the GR-L Zone.

Zoning Code Interpretation

The zoning code is unclear as to whether above-grade, accessory structures like hot tubs may be sited within the setback areas required for the principal building on the site. The zoning code is also unclear as to whether setbacks should be applied individually per detached structure based on each structure’s maximum height or if the maximum height of the principal building on the site should set the setbacks for all accessory structures on the site. For example, the zoning code doesn’t provide clear direction regarding whether the 3-foot-tall hot tubs should be setback the minimum 5 feet based on their height or if the hot tubs should be setback 11 feet 8 inches based on the maximum height of the duplex.

Ketchum Municipal Code Setback Regulations

Ketchum Municipal Code §17.08.020 defines setback as the minimum horizontal distance between a specified lot line (front, side, rear), measured along a straight line and at a right angle to such lot line, and the nearest point of an above- or below-grade building or structure. All buildings and structures are subject to setbacks. Structures include anything permanently constructed in or on the ground (KMC §17.08.020). The only elements not qualified as structures are fences less than 6 feet in height, decks less than 30 inches above grade, paved areas, and structural or nonstructural fill (KMC §17.08.020). Ketchum Municipal Code §17.08.020 defines the term building as any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, which is permanently affixed to the land and has one or more floor and a roof. Additionally, the definition of
building states that any appendage to said structure, such as decks, roof overhangs, and porte-cochere, are part of said building for the purposes of determining building coverage, setbacks, or other regulations unless otherwise specified.

Planning and Zoning Commission Interpretation
The Planning and Zoning Commission determined that the proposed hot tubs do not qualify as buildings or structures because they are not permanently constructed in or on the ground. The hot tubs will be placed on the new paver patio but not permanently attached to the patio. The Commission determined that the maximum height of the principal duplex building does set the setbacks for all accessory structures on the site. The Commission found that the hot tubs are nonpermanent and are permitted to be sited within the east and west side yard setback areas because they do not qualify as permanent structures or buildings subject to setbacks.
CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Design Review application for the development and use of the project site.

2. The Commission has authority to hear the applicant’s Design Review Amendment application pursuant to Chapter 17.96 of Ketchum Municipal Code Title 17.

3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §17.96.080.

4. The Design Review Amendment application is governed under Ketchum Municipal Code Chapters 17.96, 17.124, 17.08, 17.12, 17.18, and 17.128.


DECISION

THEREFORE, the Ketchum Planning and Zoning Commission unanimously approves this Design Review Amendment Application File No. P21-068 this Tuesday, September 21st, 2021.

Findings of Fact adopted this 14th day of December 2021.

______________________________
Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission
IN RE: Moseley Residence

KETCHUM PLANNING & ZONING COMMISSION
DESIGN REVIEW
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

Date: December 14, 2021
File Number: 21-096

PROJECT: Moseley Residence

APPLICATION TYPE: Design Review (Underground Structure Setback Encroachment)

REPRESENTATIVES: Aaron Belzer, Farmer Payne Architects & Ashley Boand, Ben Young Landscape Architects

OWNER: Colin Moseley

LOCATION: 119 Sage Road (Warm Springs Village 4th Addition: Block 2: Lot 9)

ZONING: General Residential Low Density (GR-L)

OVERLAY: Avalanche

NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on October 27th, 2021. The public hearing notice was published in the Idaho Mountain Express the on October 27th, 2021.

FINDINGS OF FACT

Findings Regarding Project Background
The applicant submitted a building permit application for the construction of a new single-family residence and associated site improvements, including a pool, located at 119 Sage Road on April 6th, 2021. The project plans did not comply with Ketchum Municipal Code as noncompliant features encroached within the 15-foot required setback from front property line. The code compliance issue was flagged by the Planning Department and communicated to the contractor and architect on May 14th, June 22nd, July 1st, August 26th, and September 13th. The revised plans submitted by the applicant failed to address the code violation. The applicant started construction without an approved building permit. The Building Official issued a Stop Work Order for the project on August 9th, 2021.
Findings Regarding Action Before the Planning and Zoning Commission
The Planning and Zoning Commission considered this application during their regular meeting on November 9th, 2021. In order to issue a building permit for the proposed residence, the project must comply with the Zoning Ordinance. There were two outstanding compliance issues presented for the Planning and Zoning Commission’s consideration. The first was the building foundation/structure encroaching into the front yard setback. Subject to Design Review approval, subterranean encroachments may be approved by the Planning and Zoning Commission. The second issue was the placement of an above-grade wall with a structural foundation and permanent stairs within the front setback area. The Commission was asked to consider the Design Review application for the subterranean encroachments and separately make a determination if the above-grade wall and stairs are considered permanent, structural elements that may not be located in the setback, or if the wall and stairs are nonpermanent, landscape features that can be removed in the future and that may be located in the required setback.

Findings Regarding Proposed Moseley Residence Project
The applicant submitted revised project plans on October 27th, 2021 showing their desired design and configuration for the residential development. The site plan indicates stairs and a steel-clad, concrete wall encroaching within the front setback area. The stairs connect the driveway access along Sage Road to the front door of the home. The grade change from Sage Road to the residence’s finished floor elevation is approximately 6 feet. The stairwell is comprised of 10 stair risers and includes a handrail.

The structural details on Sheet S4.1 show that the concrete wall is 9 feet-2 inches in height from the bottom of the footing to the top of the wall. As noted in the applicant’s letter, the wall has been engineered to withstand the avalanche forces that may impact the property. The foundation plan on Sheet S2.0 shows that the avalanche wall and building foundation footings are connected.

Findings Regarding Underground Structure Encroachment
As indicated on Sheet S2.0, the home’s building footing encroaches into the front setback area. Below-grade structures may encroach into required setbacks subject to the standards specified in Ketchum Municipal Code §17.128.020.K.

K. Encroachments of below grade structures into required setbacks are permitted provided all of the following standards are met:
1. Proposed encroachments shall receive design review approval from the Planning and Zoning Commission; and
2. Below grade encroachments into the riparian setback are not permitted; and
3. Construction activity shall not occur on adjacent properties; and
4. Encroachment of below grade structures into required setbacks 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; and
5. Egress openings required by adopted International Code Council Codes shall not encroach in required setbacks; and
6. Below grade encroachments into required setbacks shall be located entirely below natural, existing, or finished grade, whichever is lowest; and
7. The ground above below grade encroachments within required setbacks that is not otherwise covered by permitted decks, fences, hedges and walls shall be suitably landscaped in keeping with the general character of the surrounding neighborhood or as otherwise required by this Code.
   a. Required landscape plans shall address the compatibility of proposed landscaping with the below grade structure, including any necessary irrigation; and

8. Below grade encroachments into required setbacks shall not interfere with drainage.
   a. Required drainage plans shall address the ability of drainage to be managed on the subject property with respect to underground encroachments into required setbacks.

The Planning and Zoning Commission found that the project meets these required standards. The below-grade structure does not conflict with any applicable easements, sensitive ecological areas, or drainage. No construction activity is proposed to encroach onto adjacent properties. No egress opening encroaches within the setback area. The home’s primary egress and front door is sited within required setbacks. The building footing is located entirely underground. The Commission found that below-grade building footings and foundations may encroach into required the setback area so long as these structural elements are entirely underground.

Findings Regarding Zoning Code History
The City’s regulation of setbacks has evolved from yard requirements to how far a building or structure must be setback from a property line. The yard requirements regulated the portion of unobstructed open area on a lot from a lot line for a depth or width specified by the regulations of the zoning district. The definition for setback was not introduced into Ketchum Municipal Code until 2013 through the City’s adoption of Ordinance 1110. According to staff reports, the purpose of Ordinance 1110 was to reconcile inconsistencies and clarify unclear language within the zoning code. The Commission held a workshop to consider these zoning code amendments on July 30th, 2012. The workshop meeting minutes captured the Commission’s discussion regarding setbacks. They discussed that the purpose of setbacks is to ensure adequate separation between buildings and useable open space between structures relative to the desired character and visual density in neighborhoods. They commented that any elements permitted to be sited within setback areas must be clearly defined. The Commission discussed that decks at or below 30 inches in height above grade are not considered a structure and may be sited within setback areas. This allowance was tied to the height threshold—all decks greater than 30 inches in height above grade at any point were determined to be subject to setbacks. Additionally, this height threshold applied to features appurtenant to a deck. For example, attached guardrails or benches connected to a deck that were greater than 30 inches in height above grade were also considered to be subject to setbacks. The 30 inches above existing grade height threshold is aligned with building code. Building code requires that guardrails be provided for those portions of open-sided walking surfaces, including stairs, porches, balconies, decks, or landings that are located more than 30 inches measured vertically from the floor or grade below.

Findings Regarding Zoning Code Interpretation Questions
The zoning code is unclear as to whether above-grade, nonpermanent walls may be treated like fences and allowed within required setback areas. Ketchum Municipal Code §17.08.020 provides a definition for fence but does not include a definition for wall. Fence is defined as a hedge, structure, or partition,
erected for the purpose of enclosing a piece of land, or to divide a piece of land into distinct portions, or to separate two contiguous properties.

Ketchum Municipal Code §17.08.020 defines setback as the minimum horizontal distance between a specified lot line (front, side, rear), measured along a straight line and at a right angle to such lot line, and the nearest point of an above-grade or below-grade building or structure. Structures include anything permanently constructed in or on the ground (KMC §17.08.020). The only elements not qualified as structures are fences less than 6 feet in height, decks less than 30 inches above grade, paved areas, and structural or nonstructural fill (KMC §17.08.020). Ketchum Municipal Code §17.08.020 defines the term building as any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, which is permanently affixed to the land and has one or more floor and a roof. Additionally, the definition of building states that any appendage to said structure, such as decks, roof overhangs, and porte-cocheres, are part of said building for the purposes of determining building coverage, setbacks, or other regulations unless otherwise specified.

The zoning code is silent as to whether other non-permanent features like landscape steps may be permitted within required setback areas. Supplementary yard regulations specified in Ketchum Municipal Code §17.128.020 provide allowances for certain features to extend into required setback areas. For example, cornices, canopies, eaves, chimney chases, or similar architectural features may extend into a required yard not more than 3 feet and decks less than 30 inches in height from existing grade may be constructed to the property line.

Findings Regarding Planning and Zoning Commission Zoning Code Interpretation Determination
The Commission determined that a wall may be considered a non-permanent landscape feature like a fence so long as the wall is not structural element. These non-permanent walls must be able to be removed without compromising the structural integrity of the principal building or other accessory structures on the project site. Non-permanent walls may be sited within the required setback areas so long as the walls meet the maximum height standards specified in Ketchum Municipal Code §17.124.130. Permanent, structural walls must be sited within required setback areas.

The Commission concluded that the same setback standards provided for decks may be applied to stairs. Ketchum Municipal Code §17.128.020.H allows decks less than 30 inches from existing grade may be constructed to the property line. The Commission determined that stairs less than 30 inches in height above existing grade may be located within required setback areas. Ketchum Municipal Code §17.128.020.I requires decks more than 30 inches in height from existing grade at any point shall be subject to setbacks. The Commission determined that stairs greater than 30 inches in height from existing grade at any point shall be subject to setbacks. The Commission determined that the height measurement should include not only the stair risers and treads but also any appurtenance to stairs such as any required handrails (Ketchum Municipal Code §17.128.020.H).

The Commission approved the above-grade wall and stairs within the front setback area of the Moseley Residence project subject to the condition that no portion of the stairs, including the handrail, may exceed 30 inches height above existing grade.
CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Design Review application for the development and use of the project site.

2. The Commission has authority to hear the applicant’s Design Review Application pursuant to Chapter 17.96 of Ketchum Municipal Code Title 17.

3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §17.96.080.

4. The Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.124, 17.08, 17.12, 17.18, and 17.128.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission unanimously approves this Design Review Application File No. P21-096 for the Moseley Residence project located at 119 Sage Road this Tuesday, November 9th, 2021 subject to the following condition of approval.

CONDITION OF APPROVAL

1. No portion of the stairs within the front setback area may exceed 30 inches in height above existing grade.

Findings of Fact adopted this 14th day of December 2021.

__________________________________________
Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission
STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF DECEMBER 14th, 2021

PROJECT: 380 N 1st Ave Mixed-Use Building

FILE NUMBERS: P21-085

APPLICATION: Design Review

REPRESENTATIVE: Williams Partners Architects

OWNER: Corey Street Mass LLC

LOCATION: 380 N 1st Avenue (Ketchum Townsite: Block 37: Lot 5)

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

OVERLAY: None

NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivision on October 20th, 2021. The public hearing notice was published in the Idaho Mountain Express the on October 20th, 2021. A notice was posted on the City’s website on October 20th, 2021. The public hearing notice was posted on the project site on November 2nd, 2021. The public hearing for this project has been continued from the Planning & Zoning Commission Regular Meeting of November 9th, 2021.

380 N 1ST AVENUE MIXED-USE BUILDING

The 380 N 1st Avenue Mixed-Use Building project is a 5,095-square-foot addition to the McAtee House—a historic log cabin that was constructed in the 1930s. The project site is located at the southeast corner of 1st Avenue and 4th Street in the Mixed-Use Subdistrict of the Community Core (CC-2). The historic cabin will be repurposed as commercial office space and the new addition will accommodate two residential units, common area, and parking garages. The project is subject to Design Review pursuant to Ketchum Municipal Code 17.96.010 for the development of the mixed-use addition.

The McAtee House is representative of traditional residential architecture associated with Ketchum’s early settlement period. The design characteristics of these early homes reflected their natural alpine surroundings. Many of the residences built during this time were one- and two-story rectangular structures constructed with logs cut from the surrounding forest or milled lumber from local sawmills. Common architectural features included gable roofs, overhanging eaves, and low horizontal massing.
The Historic Preservation Commission reviewed the McAtee House Addition project on July 7th, 2021 and unanimously approved the applicant’s request to alter the historic building.

The original log cabin will be relocated closer towards the street corner. The minimum required setback from front and street side property lines in the CC-2 Zone is an average of 5 feet (Ketchum Municipal Code §17.12.040). The relocated McAtee House is setback 10 feet from 1st Avenue and 9 feet from 4th Street. Echoing traditional single-family yard areas, the project’s generous setbacks accommodate light and air creating a feeling of openness at the street corner.

The bulk of the proposed addition is concentrated towards the rear of the lot. The addition steps up from the McAtee House to a maximum height of 35 feet, which is 7 feet less than the maximum building height permitted in the CC-2 Zone (Ketchum Municipal Code §17.12.040). The addition’s rectangular mass echoes the original log cabin’s building form. The new flat roof elements highlight the restored gable roof. Achieving compatibility without mimicry, the addition complements the historic cabin sensitively responding to its surrounding context while maintaining its own unique design style. The project successfully distinguishes between old and new balancing the distinctive characteristics of each into one cohesive and authentic design.

The Planning & Zoning Commission previously considered the 380 N 1st Avenue Mixed-Use Building Design Review (Application File No. P21-085) during their meeting on November 9th, 2021. After considering the project plans, Staff’s analysis, the applicant’s presentation, and public comment, the Planning & Zoning Commission moved to continue their review of the project.

COMMISSION FEEDBACK

The Commission discussed the project and its location on the street corner in this vibrant area of downtown Ketchum. Commissioner Carter commented that while an active commercial use would be desirable, the project’s interesting and inviting design balances its more private office and residential uses.

While the Commission appreciated the project design, their feedback focused on providing more visual relief at the south interior side wall, the 4th Street facade, and the rear elevation. The Commission discussed the south wall’s monolithic appearance. Ketchum Municipal Code §17.96.070.B1 requires facades located more than 5 feet from interior side property lines to be designed with both solid surfaces and window openings. Facades located less than 5 feet from interior side property lines are not subject to this same standard due to fire separation requirements for zero-lot-line developments. The Commission emphasized that Ketchum Municipal Code §17.96.060.F5 requires that all building walls provide undulation or relief. The Commission directed the applicant to mitigate the flat appearance of the tall, blank wall at interior side property line through more exterior material differentiation.

In addition to the interior side façade, the Commission discussed the addition’s 4th Street and alley facades. The Commission discussed the 4th Street Heritage Corridor and its importance as downtown Ketchum’s pedestrian-friendly streetscape. Commissioner Carter recommended that more visual interest be incorporated into the design of the 4th Street façade through material differentiation or modulation of the building’s bulk and mass. Additionally, Chair Morrow suggested that more visual relief be provided at the alley-facing façade.
APPLICANT’S PROJECT PLAN UPDATES
The applicant has submitted updated project plans (Exhibit B) responding to the Commission’s feedback. Additionally, the applicant summarized their proposed revisions based on the Commission’s feedback in a memorandum attached as Exhibit A. The design of the interior side façade has been revised through the introduction of stone veneer and aluminum battens with a wood-resembling finish. The pattern and placement of these exterior materials provides visual interest at the south wall. The applicant has not proposed any changes to the design of the 4th Street or alley facades.

ANALYSIS
Staff’s comprehensive analysis of the project is included in the November 9th Staff Report, which is attached as Exhibit C. Staff finds that the project complies with all Design Review standards including Ketchum Municipal Code §17.96.060.F5, which requires that all building walls provide undulation or relief to reduce the appearance of bulk and mass. The addition’s 4th Street façade is 24.5 feet in length, which is only a quarter of the property’s street frontage along 4th Street. Exterior materials, including light tan wood rainscreen siding, stone veneer, and black steel panels, change concurrently with vertical and horizontal shifts in building mass. This design breaks up the mixed-use building into defined components that visually break up the mass of the building. The rear elevation is broken up into two distinct masses—the 24.5-foot-tall, two-story building mass along 4th Street steps up to the bigger 35-foot-tall, three-story building mass closer to the interior side property line. The alley façade is primarily clad in rainscreen siding. Visual relief is provided by the garage doors, window openings, and balcony guardrails.

STAFF RECOMMENDATION
After considering the project plans, Staff’s analysis, the applicant’s presentation, and public comment, Staff recommends the Planning & Zoning Commission move to approve the 380 N 1st Avenue Mixed-Use Building Design Review application. Should the Planning & Zoning Commission support the approval, Staff would return with findings and conditions reflecting the Commission’s decision.

RECOMMENDED CONDITIONS OF APPROVAL
1. This Design Review approval is subject to all comments and conditions as described in Tables 1, 2, and 3 (Tables 1, 2, and 3 are included in the November 9th Staff Report attached as Exhibit C).
2. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans for all on-site improvements must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
3. All governing ordinances, requirements, and regulations of the Fire Department (2018 International Fire Code and local Fire Protection Ordinance No.1217), Building Department (2018 International Building Code, the 2018 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy.
4. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho that include specifications for all improvements within the public right-of-way including sidewalks, circulation design, and drainage improvements to be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.
5. Prior to issuance of a Certificate of Occupancy for the project, the applicant shall secure a Right-of-Way Encroachment Permit from the City for the proposed pavers and snowmelt system within the public right-of-way. The ROW Encroachment Permit requires review by the Streets Department and City Engineer and final approval by the Ketchum City Council.

6. The term of Design Review approval shall be twelve (12) months from the date that the Findings of Fact, Conclusions of Law, and Decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations (KMC §17.96.090).

7. All Design Review elements shall be completed prior to issuance of a Certificate of Occupancy for the mixed-use development.

8. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and shall be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the building.

9. Prior to issuance of a Building Permit for the project, the applicant shall submit a construction management plan, which addresses each of the standards as set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards for review and approval by the Building, Planning, Streets, Utilities, and Fire departments.

10. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

EXHIBITS:

A. Applicant Memorandum Dated November 22nd, 2021
B. 380 N 1st Avenue Mixed-Use Building Updated Project Plans
C. Link: Staff Report to Planning & Zoning Commission for Regular Meeting of November 9th, 2021
Exhibit A
Applicant Memorandum
Dated
November 22\textsuperscript{nd}, 2021
We are pleased to submit revised drawings for the 380 North First Avenue Mixed-Use Building’s continued Design Review hearing scheduled for December 14, 2021.

At the south elevation, the applicant team proposes to wrap the stone veneer that is cladding the west facade of the ground floor unit and guardrail wall above for a length of approximately 15’-6” along the portion south elevation closest to First Avenue. From a pedestrian’s perspective along the adjacent road and sidewalks to the south, we believe this to be the most visible portion of the party wall, being from 26’-2” to 41’-8” from the front property line. This portion of wall is 16’-0” in height. At the remainder of the party wall, the applicant team proposes to add 2”x2” vertical aluminum battens clad with a wood-look finish that will closely match the tone of the horizontal wood rainscreen siding used on the other building elevations. The battens will be installed in a pattern that seeks to create texture, relief, and shadowing along the stucco. This portion of wall is 55’ in length and is approximately 25’-6” in height closest to First Avenue, stepping up to 35’-0” in height closest to the alley.

The proposed revisions are clouded in red in the drawing package and include:

CS Cover Sheet:
- Revised cover sheet image with additional neighboring building context shown

A4.2 Proposed building elevations:
- Revised south elevation

A5.1 3D views:
- Revised images with additional neighboring building context
- Revised south elevation to break up scale and to provide texture, relief, and shadowing along the interior party wall

A5.2 3D views:
- Three new images from a pedestrian’s viewpoint at the First Avenue street / sidewalk level with additional neighboring building context
- Revised south elevation to break up scale and to provide texture, relief, and shadowing along the interior party wall

A5.3 Materials board:
- Added imagery of 2x2 batten material adjacent to the stucco material image

We look forward to presenting to the Planning and Zoning Commission to discuss further.
Exhibit B
380 N 1st Avenue
Mixed-Use Building
Updated
Project Plans
REUSE OF DRAWINGS:

These drawings, or any portion thereof, shall not be used on any Project or extensions of this Project except by agreement in writing with Galena Engineering, Inc.

STRP = Stripe
EOA = Edge of Asphalt
EOP = Edge of Pavers
HC = Handicap
CW = Crosswalk

5826

Survey Control
Lot 6, Blk 37, Ketchum Townsite
Lot 5, Blk 37, Ketchum Townsite
380 N 1st Ave
380 N 1st Ave

NOTES

1. The content of this map is for topographical information as detailed on the date of this survey completed. Changes may have occurred to the over land and underground utilities since this survey was completed.

2. Boundary information is based on Found Monumentation. Please refer to the Official Map of the Village of Ketchum, Instr. #302967, records of Blaine County, Idaho.

3. Underground utility locations are based on above ground appurtenances/ utilities present at the time of the survey. Underground utility locations and The School Street drainage lines shall be located prior to any construction.

4. Benchmark is top of device documented in the corridor near the intersection of 1st Avenue South and 4th Street East, elevation - 5826.4.

Ground survey, 09/17/21

PREPARED FOR WILLIAM J. McMORROW
EXISTING TREES

EXISTING TREES TO BE REMOVED
QUAKING ASPEN, Populus tremuloides (*Multi-stem - 3 trunks)
CHOKECHERRY, Prunus sp.
CRABAPPLE, Malus sp.
COLORADO SPRUCE, Picea pungens

GENERAL NOTES
1. DRAWINGS OF EXISTING FACILITIES ARE BASED ON TOPOGRAPHICAL SURVEY PROVIDED BY OTHERS ALONG WITH ON-SITE MEASUREMENTS - AND ARE ONLY APPROXIMATE. EXACT LOCATIONS SHALL BE FIELD VERIFIED. REFER TO CIVIL DRAWINGS FOR MORE INFORMATION.
2. REFER TO ALL LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION AND SPECIFICATIONS.
3. REFER TO ARCHITECTURAL DRAWINGS FOR FINAL BUILDING DIMENSIONS AND DETAILS.
4. REFER TO ENGINEERING DRAWINGS FOR FINAL CIVIL AND MECHANICAL DETAILS.
5. ALL WORK SHALL BE PERFORMED IN FULL ACCORDANCE WITH ALL APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO THE UNIFORM BUILDING CODE AND UNIFORM FIRE CODE AS ADOPTED BY THE CITY OF KETCHUM, IDAHO.
LANDSCAPE + PLANTING NOTES
1. LOCATIONS OF PROPOSED PLANT MATERIALS ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO INSTALLATION.
2. UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE LOCATED AND VERIFIED IN THE FIELD PRIOR TO ANY EXCAVATION WORK INCLUDING INSTALLATION OF PLANT MATERIALS.
3. ALL PLANTING AREAS TO BE AERATED AFTER CONSTRUCTION AND PRIOR TO INSTALLATION.
4. ALL PLANT MATERIALS TO COMPLY WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
5. ALL EXISTING PLANTS THAT ARE IDENTIFIED TO REMAIN SHALL BE PROTECTED FROM ZONES, SOIL CONTAMINANTS, AND INJURY TO BRANCHES.
6. REFER TO IRRIGATION PERFORMANCE SPECIFICATIONS FOR ADDITIONAL INFORMATION.
7. REFER TO CITY STANDARDS FOR ALL PLANTING AND IRRIGATION SPECS FOR IMPROVEMENTS WITHIN THE R.O.W.

IRRIGATION NOTES
1. ALL PLANT MATERIALS TO BE IRRIGATED BY SUBSURFACE DRIPLINES.
2. TOTAL AREA OF LANDSCAPING AND PERMANENT IRRIGATION = 1,150 sf

PLANTING LEGEND - ROW
1. EVERGREEN TREES
   a. SUBALPINE FIR, Abies lasiocarpa
      - 600 SF
   b. TANNENBAUM PINE, Pinus mugo 'Tannenbaum'
      - 550 SF
2. DECIDUOUS TREES
   a. RUSSIAN HAWTHORN, Crataegus ambigua
      - 550 SF
3. SHRUBS
   a. ORNAMENTAL GRASSES
      - N/A

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

DATE: 09/30/2021
DESIGN REVIEW

NORTH  
SOUTH  
EAST  
WEST  

LANDSCAPE PLAN
380 N FIRST AVE
LOT 5 BLOCK 37
CITY OF KETCHUM

LANDWORK STUDIO LLC

OWNERSHIP OF DOCUMENTS: THIS ELECTRONIC DOCUMENT AND THE CONTENTS CONTAINED THEREON (I.E. DESIGNS, CONCEPTS, AND GRAPHIC ARTWORK) CREATED BY LANDWORK STUDIO LLC AND OWNED BY LANDWORK STUDIO LLC. THIS DOCUMENT MAY NOT BE USED IN WHOLE OR IN PART, BY ANY OTHER PERSON OR PERSONS WITHOUT THE WRITTEN AUTHORIZATION OF LANDWORK STUDIO LLC.
Notes:

Due to limited space, all job site staging, materials and stockpile will be housed at 1310 Citation Way in Hailey until needed on site.

Limited on site parking - Grabher Construction Employees/Sub Contractors will park at Grabher Construction office and be shuttled to job site on an as-needed basis to limit unnecessary on site parking.

Dumpster/Blue Rooms will need to move around as site is developed and access changes.

Entire job site will be fenced up to the road, similar to job site currently under construction across first avenue.
EXISTING CONDITIONS PHOTOS

ISSED:
DATE:
NUMBER:
OWNERSHIP OF DOCUMENTS:

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

DRAWINGS
REVISIONS
COMMENTS
PRESENTATION

380 N. 1st Ave., Mixed-Use Building
Lot 5, Block 37, Ketchum, Idaho 83340
P.O.B. 4373
KETCHUM, IDAHO
83340
208.726.0020
208.726.0019
WILLIAMS-PARTNERS.COM

VIEW LOOKING EAST

380 N. 1st Ave. Mixed-Use Building

VIEW LOOKING SOUTHEAST

VIEW LOOKING EAST

VIEW LOOKING NORTHEAST

1

3

1

2

32
The instruments of service herein are solely for use with respect to this project. Williams | Partners Architects, P.C. and the architect's consultants shall be deemed the authors and owners of their respective instruments of service and shall retain all common law, statutory and other reserved rights, including copyrights.
## Net Square Footage

<table>
<thead>
<tr>
<th>Floor</th>
<th>N.S.F.</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Floor</td>
<td>2,776 S.F.</td>
</tr>
<tr>
<td>Second Floor</td>
<td>1,375 S.F.</td>
</tr>
<tr>
<td>Total</td>
<td>4,151 S.F.</td>
</tr>
</tbody>
</table>

## Gross Square Footage

<table>
<thead>
<tr>
<th>Floor</th>
<th>G.S.F.</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Floor</td>
<td>3,479 S.F.</td>
</tr>
<tr>
<td>Second Floor</td>
<td>1,952 S.F.</td>
</tr>
<tr>
<td>Third Floor</td>
<td>38 S.F.</td>
</tr>
<tr>
<td>Total</td>
<td>5,469 S.F.</td>
</tr>
</tbody>
</table>

### First Floor Area Calcs (Gross SF)

- Existing Office: 742 S.F.
- New Office: 106 S.F.
- New Common Space: 442 S.F.
- New Common Parking/Trash/Meters: 774 S.F.
- New Unit 1 Living: 750 S.F.
- New Unit 2 Garage: 490 S.F.

### Second Floor

- Unit 2 Living: 1,952 S.F.
- Terrace: 710 S.F.

### Third Floor

- Unit 2 Living: 38 S.F.
- Common Mechanical: 377 S.F.
- Terrace: 792 S.F.

### Total Remodel (Existing Cabin)

- Total: 742 S.F.

### Total New

- Total: 5,103 S.F.

### Total G.S.F. (Including Garages)

- Total: 5,845 S.F.

### Total Towards F.A.R.

- Total: 5,359 S.F.

### F.A.R. Calculation

- F.A.R.: 0.97

### Net Square Footage

- First Floor: 1,678 S.F.
- Second Floor: 1,465 S.F.
- Third Floor: 0 N.S.F.
- Total N.S.F.: 3,143 S.F.

### F.A.R. Calculation

- F.A.R.: The sum of the horizontal areas of all floors in a building, including the horizontal areas of building elevators and stair towers, but not including the horizontal areas of open unenclosed decks, parking areas, and open unenclosed mechanical equipment rooms. The net floor area is the sum of the gross floor area and net interior areas.
380 N. 1st Ave., Mixed-Use Building
Lot 5, Block 37, Ketchum, Idaho 83340
P.O.B. 4373
KETCHUM, IDAHO 83340
208.726.0020
208.726.0019
WILLIAMS-PARTNERS.COM

PLANS
ISSUED:
DATE:
NUMBER:
OWNERSHIP OF DOCUMENTS:

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

DRAWINGS
REVIEWS
COK SCHEMATIC PRESENTATION
05/12/2021
06/10/2021
DESIGN REVIEW
09/30/2021

PROPOSED MASTER SIGNAGE PLAN

1/8" = 1'-0"

WINDOW SIGN: VINYL LETTERING (T.B.D.) ON GLAZING, NOT TO EXCEED 25% OF GLAZED SURFACE.
**Lot 5, Block 37, Ketchum, Idaho 83340**

**P.O.B. 4373**

**KETCHUM, IDAHO 83340**

**208.726.0020**

**208.726.0019**

**WILLIAMS-PARTNERS.COM**

---

**380 N. 1st Ave. Mixed-Use Building**

**EXTERIOR ELEVATIONS**

**ISSUED:**

**DATE:**

**DATE:**

**NUMBER:**

**OWNERSHIP OF DOCUMENTS:**

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

---

**DRAWINGS**

**REVISED**

**CO-SCHEMATIC PRESENTATION**

**COK SCHEMATIC PRESENTATION**

**5/12/2021**

**06/10/2021**

**DESIGN REVIEW**

**09/30/2021**

**WOOD SHINGLES TO BE REMOVED AND REPLACED WITH METAL STANDING SEAM CLASS 'A' ROOF**

**DINING ROOM ADDITION TO BE DEMOLISHED (SHOWN DASHED)**

**SCALLOPED PORTION OF FASCIA TO BE REMOVED (TYPICAL AT (3) GABLE ENDS)**

**LOGS TO BE REFINISHED (NATURAL STAIN)**

**WINDOW AND DOOR FRAMES TO BE REPLACED WITH LIKE STYLE, PAINTED BLACK; CASING TO BE REFINISHED (NATURAL STAIN)**

**KITCHEN ADDITION TO BE DEMOLISHED (SHOWN DASHED)**

**(2) EXISTING INTERIOR DOOR OPENINGS AND (1) PASS-THROUGH WINDOW OPENING: WALL TO BE DEMOLISHED AND REPLACED WITH WOOD FRAMED INTERIOR WALL CONSTRUCTION**

**WOOD SHINGLES TO BE REMOVED AND REPLACED WITH METAL STANDING SEAM CLASS 'A' ROOF**

**LOGS TO BE REFINISHED (NATURAL STAIN)**

**WINDOW AND DOOR FRAMES TO BE REPLACED WITH LIKE STYLE, PAINTED BLACK; CASING TO BE REFINISHED (NATURAL STAIN)**
None
SECOND FLOOR EXTERIOR LIGHTING

1. WALL FIXTURE - CENTER OF FIXTURE MOUNTING PLATE TO BE LOCATED AT 6'0" ABOVE FINISHED FLOOR - VERIFY THE FINAL LOCATIONS AND ELEVATIONS WITH ARCHITECT.

2. THE CENTER OF THE EXTERIOR STEP LIGHT FIXTURE APERTURE SHOULD BE LOCATED 12 INCHES ABOVE THE WALKING SURFACE. COORDINATE INSTALLATION WITH MASONRY CONTRACTOR.

3. THE WALL FIXTURE AT THIS LOCATION SHALL BE CENTERED IN THE HORIZONTAL LOG JUST ABOVE THE DOOR FRAME.

4. THE DOWNLIGHT AT THIS LOCATION IS CEILING MOUNTED

GENERAL ELECTRICAL NOTES:

- ALL EXTERIOR FIXTURES TO BE CONTROLLED BY TIMERS. UTILIZE LEVITON TYPE VPT24-16Z, A NEUTRAL IS REQUIRED FOR THIS DEVICE.

SECOND FLOOR EXTERIOR LIGHTING
SCALE: 1/4" = 1'-0"

NORTH

FIXTURE SCHEDULE

<table>
<thead>
<tr>
<th>Date/Part</th>
<th>Type</th>
<th>Description</th>
<th>Code/Color</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>X</td>
<td>X</td>
<td>240-04-WM-06 PL-12-LA</td>
<td>BLACK</td>
</tr>
</tbody>
</table>

- BLACK ORDER WITH 240-04-WM-06 PL-12-LA. (COLOR TEMPERATURE: SURFACE MOUNT, SQUARE PLATE)
MECHANICAL

TERRECE

OUTDOOR KITCHEN

GLASS RAILING

TRELLIS

FIRE PIT

"SYSWEST"

Lighting & Electrical Systems

16031 North Shore Dr

Leavenworth, WA 98826

ross@syswest.net

"OWNERSHIP OF DOCUMENTS"

"THE INSTRUMENTS OF SERVICE HEREIN ARE SOLELY FOR USE WITH RESPECT TO THIS PROJECT. WILLIAMS | PARTNERS ARCHITECTS, P.C. AND ARCHITECTS CONSULTANTS SHALL BE DEEMED THE AUTHORS AND OWNERS OF THEIR RESPECTIVE INSTRUMENTS OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHTS."
Exhibit C
Staff Report
to
Planning & Zoning Commission
for
Regular Meeting
of
November 9\textsuperscript{th}, 2021

https://mccmeetingspublic.blob.core.usgovcloudapi.net/ketchid-meet-67c6918f270f494391a77d958f18ec55/ITEM-Attachment-001-2f42ce0e0c6b42b782c7a97fac55490a.pdf
PROJECT: 104 Neils Way Rezone

FILE NUMBER: P21-057

APPLICATION TYPE: Amendment to the Official Zone District Map (Rezone)

REPRESENTATIVE: Mark Reitinger (Owner)

PROPERTY OWNER: Mark Reitinger

REQUEST: Request for a zoning map amendment to change the applicable zone district of 104 Neils Way from Limited Residential – One Acre (LR-1) to Limited Residential (LR).

LOCATION: 104 Neils Way – Lot 3, Mortgage Row Subdivision

ZONING: Limited Residential – One Acre (LR-1)

REVIEWER: Morgan R. Landers, AICP – Senior Planner

NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on November 24, 2021. The public hearing notice was published in the Idaho Mountain Express and the city’s website on November 24, 2021. A notice was posted on the project site on November 24, 2021.

SUMMARY
The Applicant is requesting to rezone Lot 3 of the Mortgage Row Subdivision, located at 104 Neils Way (the “subject property”) to Limited Residential (LR). The subject property is currently zoned Limited Residential – One Acre (LR-1) and includes an existing single family dwelling unit built in 1950 and a detached garage. The property owner currently owns and resides part time at the adjacent property, 106 Neils Way. As described in the cover letter included in Attachment A, the applicant intends to demolish the existing dwelling unit on the subject property and build a new single family dwelling unit designed to meet accessibility needs with a detached garage including a shop, accessory dwelling unit, and personal art studio.

Based on analysis of the surrounding area and evaluation of the request against the 2014 Ketchum Comprehensive Plan goals, policies, objectives, and Future Land Use Map (FLUM), staff believes the request meets the comprehensive plan and is supportive of the requested rezone. In the staff report below, staff provides an overview of the history of the Mortgage Row Subdivision, existing conditions of the area, and discussion of conformance with the comprehensive plan.

BACKGROUND
The City of Ketchum received the application for amendment to the zone district map on June 22, 2021. The application was deemed complete on October 14, 2021, after one review for completeness. As outlined above,
The application has been properly noticed per the requirements of the Ketchum Municipal Code Chapter 17.152 – Amendment and Reclassification.

The Mortgage Row Subdivision was annexed into the City of Ketchum from unincorporated Blaine County in 1993. At that time, the lots were assigned the zoning designation of Limited Residential One Acre (LR-1). The Mortgage Row Subdivision is primarily comprised of single-family dwellings, however there are some multi-family and commercial uses including a retail store and gas station, auto-related uses, and commercial storage. Lots in the subdivision range in size from +/- 12,000 to 35,000 sq ft.

At the time of annexation, all lots were non-conforming due to lot size and some lots contained non-conforming structures due to setback requirements from Highway 75. Over time, the area has seen some subdivision of property and amendments to the zone district map. Figure 1 to the right shows the current zone district map of the Mortgage Row area. Orange indicates properties zoned LR-1, and yellow indicates properties zoned LR. The subject property is on the northern end of the area and notated by a red star. As shown in the figure, the properties on either side of the subject property are zoned LR as are other lots fronting Highway 75.

**ANALYSIS**

According to Idaho Statute, the city should consult the adopted comprehensive plan when considering amendments to the zoning ordinance and official zoning map. The City of Ketchum adopted the 2014 Comprehensive Plan (the “plan”) on February 18, 2014. Amendments to the zoning ordinance, including amendments to the zone district map, require a public hearing with both the Planning and Zoning Commission and City Council for approval. To evaluate the rezone request, staff compared the two zone districts to determine the potential changes facilitated by the rezone and compared those changes to the goals, policies, and Future Land Use Map (CLUM) of the plan. Below is staff’s analysis of each.

**Zone District Comparison**

The permitted uses in the LR and LR-1 zone districts are identical. The substantive changes between the two districts are in the dimensional limitations. On the following page is a table outlining the difference between the two zone districts. All dimensional limitations are the same except for lot area, lot width, setbacks from Highway 75, and maximum building coverage.

*This area left blank intentionally, see next page.*
Table 1: Zone District Comparison Chart

<table>
<thead>
<tr>
<th></th>
<th><strong>Existing Zone District:</strong> Limited Residential One Acre (LR-1)</th>
<th><strong>Requested Zone District:</strong> Limited Residential (LR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>1 acre</td>
<td>9,000 sq ft</td>
</tr>
<tr>
<td>Average Width of Lot</td>
<td>100 ft</td>
<td>80 ft</td>
</tr>
<tr>
<td>HWY 75 Setbacks</td>
<td>80 ft</td>
<td>Where the street width is 66 ft, all buildings shall be set back a minimum of 32 ft. Where the street width is 80 ft, all buildings shall be set back a minimum of 25 ft.</td>
</tr>
<tr>
<td>Front Setback</td>
<td>15’</td>
<td>15’</td>
</tr>
<tr>
<td>Side Setback</td>
<td>&gt; of 1' for every 2' in building height, or 10'</td>
<td>&gt; of 1' for every 2' in building height, or 10'</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>25%</td>
<td>35%</td>
</tr>
<tr>
<td>Building Height</td>
<td>35’</td>
<td>35’</td>
</tr>
</tbody>
</table>

Dimensional limitations serve to manage the location and size of buildings on a piece of property. In general, the LR zone district is less restrictive than LR-1. The change would allow for a greater buildable area with a larger amount of square footage permitted. Below is a discussion of potential outcomes of the rezone based on changes in dimensional limitations:

- Minimum lot area and minimum lot width – No change anticipated - although the minimum lot area would decrease from one acre to 9,000 square feet, further subdivision of the property would not be permitted. The minimum lot width in the LR zone is 80 feet and the width of the subject property is 100 feet. A minimum width of 160 feet would be needed to subdivide the property into two lots. As discussed earlier in the staff report, the applicant owns the subject property and the adjacent lot to the south. Lot consolidation is a potential, however, that potential exists with the current zoning and would not change with the requested rezone.

- Maximum Building Coverage – change anticipated – The total lot area is 17,380 square feet. Under the current zoning, a total of 4,345 square feet of lot coverage is permitted. If the rezone were approved, 6,083 square feet of lot coverage would be permitted, a 40% increase. Although this is a change, staff believes the change to be minimal as the rezone does not create changes to the permitted building height or side setbacks to adjacent properties. Changes to building height and setbacks would create a greater impact on surrounding properties than an increase in lot coverage.

- Highway 75 setback – change anticipated – Currently, the required setback from Highway 75 is 80 feet. All existing structures on the property are fully within the 80-foot setback, therefore, no additions to the existing structures are permitted as additions would increase the non-conformity of the structures. Reducing the setback to 32 feet could facilitate an addition to the existing structure, however, that is not the stated intent of the applicant. The applicant’s intent is to demolish the existing structures and redevelop the property. Under the current zone district, redevelopment of the property would require structures be placed 80 feet or more from Highway 75. Under the requested zoning, structures could be placed 32 feet from Highway 75, increasing the amount of buildable area on the site and decreasing the distance from Highway 75 to structures. Although this may seem a large concession, most properties along Highway 75 in this area are within the 80-foot setback. For example, the structures existing on the subject property are set back approximately 35 feet. To the north and south, there are only three properties along Highway 75 that meet the 80-foot setback requirement. Therefore,
redevelopment of the property under the LR zone district would not result in a development pattern out of character or scale for this neighborhood.

In summary, although redevelopment of the property will look much different from what exists on the property today, the difference between what is currently permitted and what would be permitted under the requested zone district is minimal.

Conformance with the Comprehensive Plan
The City of Ketchum adopted the 2014 Comprehensive Plan (the “plan”) on February 18, 2014. The plan outlines the community vision and core values for the city. Using those, the plan outlines goals and policy objectives to reach key goals for the community related to the economy, housing, neighborhoods, parks and recreation, open space, public safety, and others. The plan also includes a FLUM that identifies possible future land uses for properties to achieve desirable land use patterns for the city. To support an application for rezone, staff must determine that the rezone forwards the goals and objectives of the Comprehensive Plan and aligns with the future vision for the property as designated in the FLUM.

The plan has limited references to the Mortgage Row neighborhood other than callouts in the buildout analysis, however, the plan includes goals and policies in Chapter 3: Housing and Chapter 4: Community Design and Neighborhoods that relate to the proposed application.

- **Chapter 3: Housing** - Policy H-1.5 Accessory Dwelling Units - The community will continue to support and encourage construction of accessory dwelling units within residential areas as a means to provide affordable housing.
  - Accessory dwelling units are a permitted accessory use in both the current and requested zone districts. However, the current setback requirement of 80 feet from Highway 75 limits the area that new structures can be located. A reduced setback from Highway 75 would provide for more design flexibility to accommodate an accessory dwelling unit on the property.

- **Chapter 3: Housing** - Policy H-3.3 Housing Designs and Floor Plans for an Aging and Special Needs Populations - The City should encourage new housing units and the retrofit of existing units, with basic accessibility features, such as zero-step entrances, doorways with wider clear passage, and first-floor bedrooms and bathrooms with maneuvering room for people with mobility limitations.
  - The applicant has indicated that a change in the zoning would allow for more design flexibility to accommodate a new home that meets their accessibility needs. Residences desirable for an aging population often utilize a ranch style type of design, one story that occupies a larger footprint on the property. Due to the large size of the lot, staff believes that redevelopment of the property with the desired outcomes is possible under the current zone district, but the requested zone district allows for more design flexibility for a variety of potential floor plans and layout of the property with primary and accessory uses.

- **Chapter 4: Community Design and Neighborhoods** - Policy CD-1.3 Compatible Infill and Redevelopment Projects Infill and redevelopment projects should be contextually appropriate to the neighborhood and development in which they will occur. Context refers to the natural and manmade features adjoining a development site; it does not imply a certain style.
  - As discussed in the comparison of the zone districts, the zone change would not result in a development pattern out of context with the surrounding neighborhood as many of the properties have reduced setbacks to Highway 75 with the same or similar limitations on building height, side setbacks and lot coverage.

- **Chapter 4: Community Design and Neighborhoods** - Policy CD-3.2 Transitional Residential Development Compatible with the Rural Landscape - Transitional residential areas at the fringe of the city or within the Area of City Impact should include rural design elements or be clustered to maintain the rural landscape.
  - The change of zone district does not increase the density of the property or change the intensity of the use above what is permitted today. The Mortgage Row area is a transitional residential area...
indicative of large lots with single family dwelling units and detached garages. The area as a whole is a cluster of residential development surrounded by Weyyakin Ranch to the east, Reinheimer Ranch to the north, and large lot residential to the west. A change in the zone district for this property maintains the rural landscape of the area and does not impact the role the neighborhood plays as a transitional residential development area south of town.

The FLUM of the Plan designates the entirety of Mortgage Row Subdivision as “Medium Density Residential”. Primary uses in the Medium Density Residential area include a broad variety of residential types, including “single-family residences, duplexes, and other attached-unit types”. Secondary uses include supporting and complementary uses to residential development, such as accessory dwelling units, community gardens, open space and recreation, schools, places of worship, and other public uses. Senior housing facilities are also listed as an appropriate secondary use within this area. The plan identifies West Ketchum and the Warm Springs neighborhoods as good examples of medium density residential. Those neighborhoods are a mix of single-family and multi-family uses with a higher overall density than what exists in the Mortgage Row neighborhood today. Although the requested zone district does not permit multi-family dwelling units, it allows for a larger buildable area of the site and an increase in lot coverage that may facilitate the redevelopment of the property with a primary dwelling unit and accessory dwelling unit that may be challenging to realize under the current zone district.

CONCLUSION
Based on the analysis above, staff believes that the rezone of the property does not constitute a substantial change from what is permitted today, is compatible with the surrounding neighborhood, and aligns with the goals, policies and FLUM of the comprehensive plan.

STAFF RECOMMENDATION
Staff recommends approval of the amendment of the zone district map, changing the applicable zone district of the subject property from LR-1 to LR.

RECOMMENDED MOTION
“I move to recommend approval of the application for an amendment to the zone district map, amending the applicable zone district for the property at 104 Neils Way from Limited Residential – One Acre to Limited Residential.”

ATTACHMENTS:
A. Application Materials
B. Public Comment
Attachment A:
Application Materials
Application for Amendment to Zoning Code Title 17 or Subdivision Code Title 16

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

<table>
<thead>
<tr>
<th>APPLICANT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Mark L. Reitinger</td>
</tr>
<tr>
<td>Mailing Address: PO Box 5433</td>
</tr>
<tr>
<td>Phone: 208-726-2237</td>
</tr>
<tr>
<td>Representative: Self/owner</td>
</tr>
<tr>
<td>Phone: 541-890-2704</td>
</tr>
<tr>
<td>Mailing Address:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AMENDMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section of code to be amended: 17.12.020</td>
</tr>
<tr>
<td>Please describe the proposed change or amended language (attach separate sheet if necessary):</td>
</tr>
<tr>
<td>Request for re-zone of LR-1 lot to LR of lot 3 in the Mortgage Row Subdivision Ketchum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDITIONAL INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please describe any additional information, if necessary:</td>
</tr>
<tr>
<td>Please see attached Description, Zoning Map, Mortgage Row plat and aerial photo of site.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICATION REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications should include the following:</td>
</tr>
<tr>
<td>a) Narrative describing zoning amendment</td>
</tr>
<tr>
<td>b) Description of how the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance support the proposed change</td>
</tr>
<tr>
<td>c) Proposed ordinance language showing all revisions suggested</td>
</tr>
</tbody>
</table>

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Mark [Signature] 06/02/2021

City of Ketchum Planning & Building Department
Amendment Application
Application for Rezone:

Subject Parcel: Mortgage Row- Lot 3 Ketchum, Idaho
104 Neil’s Way

Owners: Mark & Rebecca Reitinger

I. Description of Project:
Mark & Rebecca Reitinger purchased Lot 3 in the Mortgage Row Subdivision five years ago with the intent to build a new residence that is more suitable for aging in place. The existing zoning will not allow a big enough building envelope for a new home to be constructed.

Lot 3 is currently zoned LR-1, although the existing log home is 36’ from the Hwy 75 property line making it a non-conforming LR-1 lot with this current zone setback is 80’. With Hwy 75 being a 66’ right of way the LR zone would make the setback 32’.

A brief history of the development of these lots would be insightful. When the Reitinger’s originally purchased lot 4 in the early 2003 the property had city water and a failing septic system. All four of the North Mortgage Row lots access was off of the Hwy. 75. The City of Ketchum was in the process of extending the sewer line on Neil’s Way to provide city sewer services for the North end of Mortgage Row Subdivision located in the city limits of Ketchum, which we pushed for hard to tie our new house to.

After several meetings with P&Z staff personnel and the Senior Planner at the time, regarding options and choices, the city made it apparent that any future development applications would need to have evidence of a serious attempt to gain primary access off of Neil’s Way (at the back of the property) including abandonment of the existing driveway entrance off of Highway 75. While the city considered condemnation of this access they preferred that the Mortgage Row Homeowner’s pursue a private access agreement. In the end the neighbors and the city were able to collaborate on an access easement agreement that was finalized for Neil’s Way for Lots 1, 2, 3, and 4. This resulted in making the front of existing homes their back.

Once the process of creating the easement began; the Grantee’s were required by the Fire Department to provide a turnaround that would meet Fire Department standards since we were adding four more residences to Neil’s Way. This turnaround was placed on Lots 3 and 4. With the finalizing of the agreement a final berm plan was submitted to extend the existing Reitinger berm and continue the design along the frontage of Barry Baker’s Lot 3 to the North. This permanently closed off these properties access to Highway 75 with a varying height landscape berm. With this ingress and egress for Lots 1-4 changed it is now via Neil’s Way.

II. Compliance with Ketchum Comprehensive Plan
The Mortgage Row area has developed with a smattering of uses and appears to have been zoned after many of the existing structures were in place. It appears to have been originally zoned LR-1 with most of the existing structure being out of compliance with the zoning setbacks or uses. We have a smattering of homes, retail, industrial, and commercial businesses to the South. Over the
years several parcels during their development have then gone and switched to a zone that better fits the area and their project with most of these parcels being less than an acre.

Neighboring parcels to the South, starting with Base-Camp Gas & Grocery are zoned and have the following structure setback:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Zoning</th>
<th>Comply w/ Zone</th>
<th>Current Hwy 75 Setback</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 11 LR</td>
<td>Yes</td>
<td></td>
<td></td>
<td>Changed from LR-1</td>
</tr>
<tr>
<td>Lot 10 LR</td>
<td>Yes</td>
<td></td>
<td></td>
<td>Changed from LR-1</td>
</tr>
<tr>
<td>Basecamp Gas &amp; Grocery LR-1</td>
<td>No</td>
<td>Canopy- ~5’</td>
<td></td>
<td>Non-compliant w/ LR-1 zone setbacks</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Owner: David Wiendeland</td>
</tr>
<tr>
<td>Dick York Towing</td>
<td>LR-1</td>
<td>No</td>
<td></td>
<td>Behind lot 5- adjacent to back ½ of Lot 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Owner: David Wiendeland</td>
</tr>
<tr>
<td>Lot 5 LR-1</td>
<td>No</td>
<td>67’ from Hwy 75</td>
<td></td>
<td>Duplex on lot</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Owner: Mary Jane Brown (?)</td>
</tr>
<tr>
<td>Lot 4 LR</td>
<td>Yes</td>
<td>104’ from Hwy 75</td>
<td></td>
<td>Mark &amp; Rebecca Reitinger</td>
</tr>
<tr>
<td>Lot 3 LR-1</td>
<td>No</td>
<td>33’-6” from Hwy 75</td>
<td></td>
<td>Mark &amp; Rebecca Reitinger</td>
</tr>
<tr>
<td>Lot 2 LR</td>
<td>Yes</td>
<td>32’ from Hwy</td>
<td></td>
<td>Rezoned to LR from LR-1 due to Hwy 75 setback</td>
</tr>
<tr>
<td>Lot 1 LR-1</td>
<td>No</td>
<td>3’ from Hwy 75</td>
<td></td>
<td>Non-complying on multiple sides due to odd and small size of parcel</td>
</tr>
</tbody>
</table>

The current zoning for Lot 3 is LR-1. The log structure may be demolished in future because of its structural integrity has been diminished over the years. The existing 36’ from the property line at Hwy 75. Set back required for a new structure in the LR-1 zone is 80’ from Highway 75 and would place the proposed secondary structure towards the front of the existing property along Neil’s Way.

The new ‘front’ of the property on Neil’s Way creates some setback and driveway limits based on the need for a Fire Truck turn-around that ended up being placed on our property (lots 3 & 4) on Neil’s Way to consummate the easement agreement between the entire Mortgage Row HOA, East of Baldy HOA, and City of Ketchum. Being required to meet the 80’ setback from Hwy 75 required by LR-1 zone limits the foot print of our future house placement on site and creates further access difficulties for garage, yard, and driveway because of the limits on the new ‘front’ of Lot 3.
With a rezone of Lot 3 to LR it would allow a minimum 25’ setback and provide a favorable approach to a proposed garage structure. The actual proposed would probably be closer the existing log structure.

There are other positive attributes to rezoning with new set backs. The proposed structure would be more in line with the existing structures in the Mortgage Row subdivision on Hwy 75. We intend for this building to have a timeless feel as if it has always been there. By staying in keeping with the neighboring setbacks this will be better achieved.

The new rezoned setback would also provide better sound buffering from the Highway for the new residence and neighboring properties.

Rezoning from LR-1 to LR seems to allow for the best use of this property and be most in keeping with the development of the area.

**III. Phasing Plan**
The infrastructure for the Mortgage Row Subdivision, and Lot 3, more specifically is now in place. The septic system was removed/abandoned and hooked to city sewer a year before the Reitinger’s purchased this property (Lot 3). The new future structure will facilitate an accessible residence, garage, shop, an Art Studio and ADU. Design and construction will probably occur in 3 to 5 years.

**IV. Accessory Dwelling Unit**
Our intention is to provide an ADU as per the Comprehensive Plan Chapter 3: Housing:, Goals and Policies H-1.5 to provide affordable housing. We feel very strongly that this is the best way to integrate workers in our Mountain Community.

Both my wife and I lived in various ADU’s in Ashland, Oregon as single adults when we were in collage and beginning our careers. These ADUs gave us each a sense of independence and neighborhood connection. As newlyweds’ we continued to live in ADU’s while we saved and dreamed of owning our own home and future. The planning in Ashland strongly encouraged this kind of affordable housing option creation, and still does. Being immersed in a community through living in ADUs has created lifelong relationships. As part of that community we were mentored and were able to become contributors and give back to our community.

The use of our ADU may vary over time from general rental to Mother In-law suite, to affordable housing for our own employee, or healthcare assistance as we grow older.
Proposed Lot rezone Lot 3 104 Neil's Way

Reitinger Lot's 3 & 4

ZONING & VICINITY MAP
OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED ARE THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF THE ESTATE OF T. H. R. II., D.U., SLOANE COUNTY, SLOANE AND MORE INDENTIFIED OWNERS

NEVILLE, A SUNDAY, AND DUE TO RUBBISH FURNACE, ON LANDS OF SMALLER FUNCTION, THE YEAR OF COMPLETION BEING

AND THE BELOW-DESCRIBED DESCRIPTION OF SAID PROPERTY, WHICH TO BE DETERMINED AT THE ESTABLISHED

GROUNDS OF WHICH IS KNOWN AS THE SUNDAY, BEYOND THE PROPERTY, IN THE MANNER OF SMALLER FUNCTION, THE YEAR OF COMPLETION BEING

AND THE ABOVE-DESCRIBED DESCRIPTION OF THEIR PROPERTY, WHICH TO BE DETERMINED AT THE ESTABLISHED

GROUNDS OF WHICH IS KNOWN AS THE SUNDAY, BEYOND THE PROPERTY, IN THE MANNER OF SMALLER FUNCTION, THE YEAR OF COMPLETION BEING

HEALTH DEPARTMENT CERTIFICATE

THE COUNTY RECREATIONAL DISTRICTS CERTIFICATE

COUNTY ENGINEER'S CERTIFICATE

ENGINEER'S CERTIFICATE

ACKNOWLEDGEMENT

This is to certify that I, J. H. R. II., SLOANE COUNTY, have received the following plan and specifications for the above-mentioned property, which have been approved by the County Engineering Board and are acceptable by the County Public Works Department.

COUNTY COMMISSIONER'S ACCEPTANCE

COUNTY COMMISSIONER'S ACCEPTANCE

CERTIFICATE OF WAIVER

I certify that the waiver has been granted for the property described above, and that the owner agrees to the above waiver.

ZONING COMMISSION'S ACCEPTANCE

ZONING COMMISSION

This plan of mortgage has been approved and accepted by the County Planning and Zoning Commission.
Attachment B:
Public Comment
City of Ketchum
Planning & Building

Dear Sirs:

I support the zoning change on the Rentinger property at 104 Meik's Way.

I am a continuous property owner with 2 parcels on Meik's Way.

Thank you for resolving these old issues and bringing the subdivision under compliance with the amended zoning laws.

Thank you

E. Carlton Wilton, Jr.
PROJECT: Grossman Residence – Remodel/Addition

FILE NUMBER: P21-89

APPLICATION TYPE: Mountain Overlay Design Review

REPRESENTATIVE: Steve Cook, Steve Cook Architect

OWNER: Jill Grossman

REQUEST: Mountain Overlay Design Review

LOCATION: 215 Gem Street (Syringa Springs Sub Lot 6)

ZONING: Limited Residential District (LR)

OVERLAY: Mountain Overlay (MO)

NOTICE: Notice for the subject public hearing was mailed to all adjacent property owners on November 24th, 2021.

REVIEWER: Adam Crutcher, Associate Planner

BACKGROUND
The subject Mountain Overlay (MO) Design Review is for the development of an office addition and landscaping project at 215 Gem St (Syringa Springs Sub Lot 6). The site is located in the Limited Residential (LR) Zoning District and also within the Mountain Overlay. The subject property is currently occupied by a single family residence and the site is characterized by approximately 86 ft grade change from the Gem Street right-of-way to the rear property line. The subject property is 0.526 acres in size (22,937 square feet) and is 272.95' deep with a minimum elevation of approximately 5835' and a maximum elevation of approximately 5870', a slope of 13% on the southern property boundary (35’ of elevation gain), and 14% on the northern property boundary (28’ of elevation gain). There is a lot line shift application associated with the project that proposes to extend the building envelope for the property into the rear yard to allow for the construction of the addition and pergola.

Pursuant to Ketchum Municipal Code (KMC) §17.104.050.A, the construction or placement of structures within the MO District is subject to all applicable Design Review improvements and standards (KMC §17.96.060) as well as subject to the Mountain Overlay Design Review requirements set forth in KMC §17.104.070. The purpose of the MO Zoning District is to encourage land uses harmonious with existing natural resources, protect natural land features and wildlife habitat, prohibit detrimental alteration and minimize impacts to the existing topography, preserve hillsides and ridges, and minimize the visual impact of building sites by siting building footprint away from higher elevations.
ANALYSIS
Staff recommends the Planning & Zoning Commission consider the analysis contained in the Staff Report, the applicant’s presentation, and any public comment received, deliberate, and move to approve the design of the proposed addition and landscape project located at 215 Gem St. A full analysis of this recommendation is detailed within the Staff Report.

The proposed design of the addition and landscaping fulfills the purpose of the Mountain Overlay Zoning District to minimize the visual impact of building sites, limit alterations to the existing topography, and to preserve hills and ridgelines. The total building coverage for the proposed residence is 23% (5,329 sq ft building coverage/22,933 sq ft lot area), which is 2,697 sq ft less than the maximum allowable building coverage (35%) permitted in the LR Zone. The maximum building height is 28’, which is 7’ less than the maximum height (35’) permitted in the LR Zone.
COMPREHENSIVE PLAN ANALYSIS

The proposed addition and landscaping located at 215 Gem St is consistent with the uses, goals, and policies listed below as specified within the 2014 Comprehensive Plan.

Table 1: Comprehensive Plan Compliance Analysis

<table>
<thead>
<tr>
<th>SUPPORTING SECTION</th>
<th>SUMMARY OF COMPLIANCE WITH THE 2014 COMPREHENSIVE PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Future Land Use</td>
<td></td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>Primary Uses: Single-family and duplex residences and accessory units.</td>
</tr>
<tr>
<td></td>
<td>Secondary Uses: Supporting and complementary uses, including open space and recreation, agriculture/gardens, schools, places of worship, and other public uses. Senior housing facilities are also appropriate if compatible with the surrounding areas. The intent is for the average density of a residential area in this category is not to exceed about five units per acre.</td>
</tr>
<tr>
<td></td>
<td>Characteristics and Location: New residences should be within neighborhoods that have pedestrian-oriented, connected local streets and sidewalks. New housing should also have access to parks, open space, schools, and other civic activities. Neighborhoods within this category should be accessible via local streets with access to collector streets for circulation.</td>
</tr>
<tr>
<td>Community Design and Neighborhoods</td>
<td>Policy CD-2.2 - Mountain Overlay Zone  Continue to protect hillsides within the City and the Area of City Impact from further development. Enforce and encourage strengthening of the Mountain Overlay standards of the City and County, by using a variety of techniques; such as clustering at lower elevations, creating conservation easements, or purchasing private property on hillsides.</td>
</tr>
<tr>
<td>Policy CD-2.4 Development Designed for Natural Feature Preservation</td>
<td>Protect and incorporate natural features into newly developing areas. Conserve the natural patterns of streams, ridgelines, topography, riparian areas, and wildlife habitat areas.</td>
</tr>
</tbody>
</table>

Table 2: Zoning Standards Analysis

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Compliance with Zoning Standards</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No N/A</td>
<td>Guideline City Standards and Staff Comments</td>
<td>Minimum Lot Area</td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.12.040</td>
<td>Minimum Lot Area</td>
<td>Required: 9,000 square feet minimum.</td>
</tr>
<tr>
<td></td>
<td>Existing (Lot 6): 22,933 sq ft</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.12.040</td>
<td>Building Coverage</td>
<td>Permitted: 35%</td>
</tr>
<tr>
<td></td>
<td>Proposed: 23% (5,329 sq ft building coverage/22,933 sq ft lot area)</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.12.040</td>
<td>Minimum Building Setbacks</td>
<td></td>
</tr>
</tbody>
</table>
Staff Comment

**Minimum:**
- Front: 15’
- Side: > of 1’ for every 2’ in building height, or 10’
- Rear: 20’

**Proposed:**
- Front: 15’
- Side (N): 14’
- Side (S): 14’
- Rear: 20’

- ☒
- ☐
- ☐

17.12.040 Building Height

**Staff Comment**

**Maximum Permitted:** 35’

**Proposed:** 15’ addition (27’ existing residence)

- ☐
- ☐
- ☒

17.125.030.H Curb Cut

**Staff Comment**

**Permitted:**
A total of 35% of the linear footage of any street frontage can be devoted to access off street parking.

**Proposed:** Existing residence has driveway. No modifications are proposed to the driveway

- ☒
- ☐
- ☐

17.125.040.B Parking Spaces

**Staff Comment**

Off-street parking standards of this chapter apply to any new development and to any new established uses.

**Required:**
- One-Family Dwelling: 2 spaces per dwelling unit

**Existing:**
- 2 spaces (Garage)

- ☒
- ☐
- ☐

### Table 3: Mountain Overlay Design Review Standards

<table>
<thead>
<tr>
<th>IMPROVEMENTS AND STANDARDS: 17.104.070 – Mountain Overlay Design Review:</th>
<th>The following list of criteria and those contained in section 17.96.080 of this title must be considered and addressed by each applicant seeking design review approval.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>
| | | | | **Staff Comment**
| | | | | No ridges or knolls have been identified on the subject parcel—the ridge line is located beyond the extent of the rear property line. |
| | | | | The property is not located adjacent to an identified or protected view corridor. Vegetation and existing development sufficiently screens Gem Street from the Highway 75 corridor. |
| | | | | As the proposed building footprint is sited at the lower elevation of the site, the applicant has minimized visual impact to the Gem Street ridgeline. The proposed siting and design of the single-family residence protects the visual integrity of the hillside.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th>17.104.070 A (2)</th>
<th><strong>Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the city or within the city shall be minimized. “Material”, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this section.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>Building, excavation, filling, and vegetation disturbance will not have a material visual impact visible from a public vantage point entering into or within the city due to the siting of the building footprint and limits of disturbance sited at the lower elevation portion of the site. Outside of the limits of disturbance associated with the building and associated site improvements, the project will retain the site’s existing grade and vegetation.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (3)</td>
<td><strong>Driveway standards as well as other applicable standards contained in chapter 12.04 of this code shall be met.</strong></td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td><strong>Staff Comment</strong></td>
<td><strong>Existing driveway approved by Mountain Overlay Design Review (MO 94-05) and Building Permit (94063) in 1994. No work to be done on existing driveway.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (4)</td>
<td><strong>All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150’) of the furthest exterior wall of any building.</strong></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>Sufficient access is provided for fire and emergency apparatus to reach within 150 ft of the furthest exterior wall of the building. The Fire Department has reviewed the proposed design and has found that all access requirements for emergency vehicles has been met.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (5)</td>
<td><strong>Significant rock outcroppings shall not be disturbed.</strong></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>No significant rock outcroppings have been identified on the subject site.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (6)</td>
<td><strong>International building code (IBC) and international fire code (IFC) and Ketchum fire department requirements shall be met.</strong></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>The project must comply with the 2018 International Building Code, the 2018 International Fire Code and Ketchum Fire Department requirements, as well as Title 15 of Ketchum Municipal Code. All IBC, IFC, and Ketchum Fire Department requirements shall be verified and met prior to the issuance of a Building Permit for the project.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (7)</td>
<td><strong>Public water and sewer service shall comply with the requirements of the city.</strong></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>Existing water and sewer stubs serve the subject property located at 215 Gem Street. Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.104.070 A (8)</td>
<td><strong>Drainage shall be controlled and maintained to not adversely affect other properties.</strong></td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td><strong>Staff Comment</strong></td>
<td><strong>As indicated on Sheet L-3.0 of the Design Review submittal, drainage is proposed to be maintained and controlled through a system of drywells.</strong></td>
</tr>
<tr>
<td>Code</td>
<td>Topic</td>
<td>Description</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>-------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| ☒    | 17.104.070 A (9) | Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials. Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.  
**Staff Comment** No new roadway or driveway is proposed with the project. Both roadway and driveway are existing.  
As indicated on Sheet L-3.0, the eastern portion of the lot will remain undisturbed with native vegetation. KMC §17.104.070.A9 recommends that revegetation of hillsides maintain a 30 ft clear zone around all structures in order to serve as defensible space to reduce the potential for damage to homes from wildfires. In this zone, plant species should be low-growing and fire-resistant. The proposed landscape plan (Sheet L-5.0) includes shrub groupings comprised of five (5) Serviceberry as well as five (5) Diabolo Purple Ninebark. Fourteen (14) Quaking Aspen are proposed to be planted as to replace the existing aspens that are proposed for removal. While Serviceberry and Ninebark are appropriate species, the applicant is encouraged to use hardscapes and minimize overlapping shrub groupings within the defensible space zone. |
| ☒    | 17.104.070 A (10) | No other sites on the parcel are more suitable for the proposed development in order to carry out the purposes of this section.  
**Staff Comment** The existing building was built on the most downward site of the lot leaving the rear yard the only remaining developable land. The applicant has utilized the area of the property most suitable for development, which is characterized by a more gradual slope compared to steep grade at the eastern portion of the site. |
| ☒    | 17.104.070 A (11) | Access traversing twenty five percent (25%) or greater slopes does not have significant impact on drainage, snow and earthslide potential and erosion as it relates to the subject property and to adjacent properties.  
**Staff Comment** The existing driveway access does not traverse 25% or greater slopes. |
| ☒    | 17.104.070 A (12) | Utilities shall be underground.  
**Staff Comment** Existing utilities are located underground to serve the existing residence. |
| ☒    | 17.104.070 A (13) | Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.  
**Staff Comment** Sheet L-3.0 indicates the limits of disturbance associated with the project. |
| ☒    | 17.104.070 A (14) | Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.  
**Staff Comment** The project scope does not propose any cuts or fills other than those required for building construction—all excavation, fill, and vegetation disturbance is associated with the construction of the office addition and landscaping. |
<p>| ☒    | 17.104.070 A (15) | 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. |</p>
<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060(A)(1) Streets</td>
<td>The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff Comments</td>
<td>Existing driveway connects to Gem Street.</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060(A)(2) Streets</td>
<td>All street designs shall be approved by the City Engineer.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff Comments</td>
<td>§ N/A</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060(B)(1)</td>
<td>All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff Comments</td>
<td>N/A as sidewalks are not required or existing in the subject low density residential area.</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060 (B)(2)c</td>
<td>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.</td>
</tr>
<tr>
<td></td>
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<td>Staff Comments</td>
<td>N/A</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060 (B)(3)</td>
<td>Sidewalks may be waived if one of the following criteria is met:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>a. The project comprises an addition of less than 250 square feet of conditioned space.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>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.</td>
<td></td>
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<tr>
<td></td>
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<td>Staff Comments</td>
<td>N/A</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060 (B)(4)</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff Comments</td>
<td>N/A</td>
</tr>
<tr>
<td>☒</td>
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<td>☒</td>
<td>17.96.060 (B)(5)</td>
<td>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.</td>
</tr>
<tr>
<td></td>
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<td>Staff Comments</td>
<td>N/A</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>17.96.060 (B)(6)</td>
<td>The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Staff Comments</td>
<td>N/A</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☑</td>
<td>17.96.060(C)(1)</td>
<td>All storm water shall be retained on site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff Comments</td>
<td>All storm water shall be retained on site. As indicated on Sheet L-3.0 of the Design Review submittal, drainage is proposed to be maintained and controlled through a system of drywells.</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
<td>☑</td>
<td>17.96.060(C)(2)</td>
<td>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The proposed drainage improvements span the width of the subject lot. See above analysis for KMC §17.96.060(C)(1).</td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(C)(3)</td>
<td>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</td>
<td></td>
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</tr>
<tr>
<td>Staff Comments</td>
<td>Drainage facilities shall be constructed per City standards. All drainage improvements shall be verified, reviewed, and approved by the City Engineer prior to issuance of a Building Permit for the project.</td>
<td></td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(C)(4)</td>
<td>Drainage facilities shall be constructed per City standards.</td>
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</tr>
<tr>
<td>Staff Comments</td>
<td>Drainage facilities shall be constructed per City standards. All drainage improvements shall be verified, reviewed, and approved by the City Engineer prior to issuance of a Building Permit for the project.</td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(D)(1)</td>
<td>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>All utilities for the development shall be improved and installed at the expense of the applicant.</td>
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</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(D)(2)</td>
<td>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</td>
<td></td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>All on-site utilities shall be located underground. The project will connect to existing power and gas lines within the existing residence and the associated existing infrastructure is underground.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(D)(3)</td>
<td>When extension of utilities is necessary all developers will be required to pay for and install two (2”) inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>Extension of utilities shall be done in accordance with the City of Ketchum standards and at the discretion of the City Engineer.</td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(E)(1)</td>
<td>The project’s materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</td>
<td></td>
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</tr>
<tr>
<td>Staff Comments</td>
<td>As indicated on Sheet A.7, the proposed office addition will be composed of stucco and composite roofing material that will match the existing residence. The proposed materials and colors are complementary to both existing homes within the Gem Street neighborhood and also to the adjacent hillside.</td>
<td></td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(E)(2)</td>
<td>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.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>N/A. There are no identified landmarks on the property.</td>
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</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(E)(3)</td>
<td>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.</td>
<td></td>
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</tr>
<tr>
<td>Staff Comments</td>
<td>N/A. Residence built in 1994.</td>
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<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(F)(1)</td>
<td>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>N/A as sidewalks are not required to be installed within low density residential street right-of-ways.</td>
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</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(F)(2)</td>
<td>The building character shall be clearly defined by use of architectural features.</td>
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</tr>
<tr>
<td>Staff Comments</td>
<td>Building elevations are included on Sheet A.7 of the Design Review submittal. The addition uses the same architectural features as the existing building with the same roof form and materials. The addition uses windows to break up the stucco material. Architectural features of the addition will only be seen by the adjacent property owners as the addition is small in nature and located on the rear of the building.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(F)(3)</td>
<td>There shall be continuity of materials, colors and signing within the project.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The proposed materials and color palette match the existing residence. The materials and colors complement the surrounding landscape.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ ☐ 17.96.060(F)(4)</td>
<td>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</td>
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</tr>
</tbody>
</table>
The addition complements the existing structure by using the same stucco and roofing materials. The landscape features include an outdoor dining area, pathway, and trellis with a fire pit that complement the single-family residence. Retaining walls, decks/patios, and boulders complement the outdoor living areas and enhance the landscaping.

Staff Comments

The design incorporates variation in architectural features and materials along all facades. The proposed elevation views provided by the applicant show that all building walls provide undulation and relief, serving to reduce the appearance of flatness at all facades.

17.96.060(F)(5)

Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.

Staff Comments

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.

17.96.060(F)(8)

Building(s) shall orient towards their primary street frontage.

Staff Comments

N/A. Existing residence faces Gem Street.

17.96.060(F)(7)

Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.

Staff Comments

N/A. The project does not propose a satellite receiver. The project is located within a low density residential zoning district, which does not include an exterior commercial garage receptacle requiring screening.

17.96.060(G)(1)

Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.

Staff Comments

N/A. The subject property is a site located within a residential neighborhood. The site is not contiguous to an existing pedestrian, equestrian, or bicycle access.

17.96.060(G)(2)

Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.

Staff Comments

N/A.

17.96.060(G)(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.

Staff Comments

The proposed single-family residence will be accessed from Gem Street. The private driveway serves is low traffic as it serves two other residences.

17.96.060(G)(4)

Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.

Staff Comments

The driveway is located over 200 ft away from the nearest intersection of Gem Street and Leadville Avenue.

17.96.060(G)(5)

Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.

Staff Comments

Unobstructed access to the site is provided through Gem Street.

17.96.060(H)(1)

Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.

Staff Comments

N/A as no change to existing snow storage is proposed

17.96.060(H)(2)

Snow storage areas shall be provided on-site.

Staff Comments

See above Staff comment for Ketchum City Code 17.96.060.H(1)

17.96.060(H)(3)

A designated snow storage area shall not have any dimension less than five (5’) feet and shall be a minimum of twenty five (25) square feet.

Staff Comments

See above Staff comment for Ketchum City Code 17.96.060.H(1)
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Text</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.96.060(H)(4)</td>
<td>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>17.96.060(I)(1)</td>
<td>Landscaping is required for all projects.</td>
<td>The required landscape plan is indicated on Sheet L-5.0 of the Design Review submittal.</td>
<td></td>
</tr>
<tr>
<td>17.96.060(I)(2)</td>
<td>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.</td>
<td>The proposed landscape plan (Sheet L-5.0) includes shrub groupings comprised of five (5) Serviceberry as well as five (5) Diabolo Purple Ninebark. Fourteen (14) Quaking Aspen are proposed to be planted as to replace the existing aspens that are proposed for removal. Serviceberry, ninebark and aspen are all drought tolerant species and adaptable to the Wood River Valley climate. The landscape plan complements the single-family residence and adjacent neighborhood.</td>
<td></td>
</tr>
<tr>
<td>17.96.060(I)(3)</td>
<td>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</td>
<td>See above Staff analysis for Ketchum Municipal Code §17.96.060(I)(2).</td>
<td></td>
</tr>
<tr>
<td>17.96.060(I)(4)</td>
<td>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.</td>
<td>The landscaping will be provide a buffer between the adjacent dwelling units and complements existing landscaping in the neighborhood as well as the native vegetation of the adjacent hillside.</td>
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</tr>
<tr>
<td>17.96.060(J)(1)</td>
<td>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.</td>
<td>N/A. Sidewalks are not required for the project.</td>
<td></td>
</tr>
</tbody>
</table>
STAFF RECOMMENDATION:
Staff recommends the Planning & Zoning Commission consider the analysis contained in the Staff Report, the applicant’s presentation, and any public comment received, deliberate, and move to approve the design of the proposed office addition and landscaping located at 215 Gem Street and adopt the attached findings of fact for the project.

RECOMMENDED CONDITIONS
1. The applicant shall comply with all City Department conditions as described in Tables 2, 3, and 4.
2. All governing ordinances pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met prior to Certificate of Occupancy.
3. Design review approval shall expire one (1) year from the date the Findings of Fact, Conclusions of Law, and Decision are adopted by the Planning & Zoning Commission, unless an extension is requested and granted consistent with KMC §17.96.090.
4. Design review elements shall be completed prior to final inspection and issuance of a Certificate of Completion for the project.
5. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Mountain Overlay Design Review Plans unless otherwise approved in writing by the Commission or Planning & Building Department. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
6. Construction fencing at the limits of disturbance shall be located on the site prior to any excavation or earthwork.
7. A final drainage/grading plan for the subject property and the City right-of-way shall be submitted to the Planning & Building Department for review and approval by the Planning Department, Streets Department, and City Engineer prior to the issuance of a Building Permit for the project.
8. All exterior lighting must comply with City Code, Chapter 17.132 Dark Skies.
9. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.
10. Fencing around the limit of disturbance will be installed during the construction period.
11. The proposed bench and retaining walls as indicated on sheets A.7 and L-3.0 of the MO Design Review submittal shall not exceed 30 inches from existing grade when located outside of the building envelope.

ATTACHMENTS:
A. Application
B. Mountain Overlay Design Review Submittal
C. Draft Findings of Fact, Conclusions of Law, and Decision
Attachment A.

Application
# Mountain Overlay Design Review Application

## Owner Information

- **Project Name:** GROSSMAN RESIDENCE - REMODEL/ADDITION
- **Owner Name:** JILL M. GROSSMAN
- **Mailing Address:** P.O. BOX 6638 KETCHUM, ID 83340
- **Phone:** 415.990.7437
- **Email:** Jill.grossman1@comcast.net

## Project Information

- **Architect/Representative:** STEVE R COOK
- **Phone:** 208.720.2167
- **Mailing Address:** P.O. BOX 860 KETCHUM, ID 83340
- **Email:** steve@stevecookearchitecture.com
- **Engineer of Record:** TBD
- **Engineer Email:** TBD
- **Legal Land Description:** SYRINGA SPRINGS SUBDIVISION BLOCK I, LOT 6
- **Project Address:** 215 GEM STREET KETCHUM, ID
- **Lot Area:** 9.3 ACRES - 22,933 S.F.
- **Zoning District:** LB-MO
- **Anticipated Use:** EXISTING SINGLE FAMILY RESIDENCE

## Type of Construction

- [ ] New
- [ ] Remodel
- [ ] Addition
- [ ] Other, please explain:

## Total Floor Area

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Existing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement</td>
<td>267 S.F.</td>
<td>978 S.F.</td>
</tr>
<tr>
<td>1st Floor</td>
<td>267 S.F.</td>
<td>3,615 S.F.</td>
</tr>
<tr>
<td>2nd Floor</td>
<td></td>
<td></td>
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<tr>
<td>3rd Floor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decks</td>
<td></td>
<td></td>
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<tr>
<td>Mezzanine</td>
<td>267 S.F.</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>532 S.F.</td>
<td>4,590 S.F.</td>
</tr>
<tr>
<td>Building Coverage:</td>
<td>532 S.F.</td>
<td>4,590 S.F.</td>
</tr>
</tbody>
</table>

## Proposed Setbacks

<table>
<thead>
<tr>
<th></th>
<th>Front:</th>
<th>Side:</th>
<th>Rear:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NA</td>
<td>17'</td>
<td>55'</td>
</tr>
</tbody>
</table>

## Additional Information

- **Building Height:** 15'
- **Parking Spaces Provided:** 3 + 5 Guest
- **Will Fill or Excavation Be Required?** Yes
- **If Yes, Amount in Cubic Yards:** Fill: 14, Excavation: 68
- **Will Existing Trees or Vegetation Be Removed?** Yes

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Mountain Overlay Design Review Application, in which the City of Ketchum is the prevailing party, to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

---

City of Ketchum Planning & Building Department
Mountain Overlay Design Review Application

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Signature of Owner/Representative: 
Date: 10.12.2021
Attachment B.
Mountain Overlay
Design Review
Submittal
GROSSMAN RESIDENCE - REMODEL
SYRINGA SPRINGS - LOT 6
215 GEM STREET - KETCHUM, ID.
ZONE LR / MOD.

VICINITY MAP

DRAWING INDEX

<table>
<thead>
<tr>
<th>SHEET NO.</th>
<th>DRAWING NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-0</td>
<td>COVER PAGE</td>
</tr>
<tr>
<td>A-1</td>
<td>EXISTING UPPER LEVEL FLOOR PLAN</td>
</tr>
<tr>
<td>A-2</td>
<td>PROPOSED UPPER LEVEL FLOOR PLAN</td>
</tr>
<tr>
<td>A-3</td>
<td>EXISTING LOWER LEVEL FLOOR PLAN</td>
</tr>
<tr>
<td>A-4</td>
<td>PROPOSED LOWER LEVEL FLOOR PLAN</td>
</tr>
<tr>
<td>A-5</td>
<td>EXISTING EXTERIOR ELEV - EAST / WEST</td>
</tr>
<tr>
<td>A-6</td>
<td>EXISTING EXTERIOR ELEV - NORTH / SOUTH</td>
</tr>
<tr>
<td>A-7</td>
<td>PROPOSED EXTERIOR ELEV - EAST / NORTH</td>
</tr>
<tr>
<td>A-8</td>
<td>EXISTING MAIN ENTRANCE CROSS SECTION</td>
</tr>
<tr>
<td>A-9</td>
<td>PROPOSED MAIN ENTRANCE CROSS SECTION</td>
</tr>
<tr>
<td>A-10</td>
<td>ROOF FRAMING PLAN</td>
</tr>
</tbody>
</table>

C-1 | SITE SURVEY - EXISTING
C-2 | PERMANENT EASEMENT - SITE PLAN
C-3 | FUTURE EASEMENT benchmarks

PLAT MAP

PROJECT TEAM

ARCHITECT | STEVE COOK ARCHITECT - 208.701.2137
LANDSCAPE ARCHITECT | BYLA, CHASE GOULEY - 208.721.8951
STRUCTURAL ENGINEER | K & B ENGINEERING, DAVE CONRAD - 208.598.7910
GENERAL CONTRACTOR | ADAM ELZAD - 208.721.4490

CIVIL ENGINEER | CONSTRUCTION ASSOCIATES - 208.668.1580

ADJUSTMENTS TO SINGLE FAMILY RESIDENTIAL ZONE (R1)

DATING RESIDENTIAL - General of Calculations
UPPER LEVEL - 2,335 S.F.
LOWER LEVEL - 2,345 S.F.
ATTIC AREA - 300 S.F.
ATTIC - 200 S.F.
BASEMENT - 500 S.F.
BASEMENT - 200 S.F.

PROPOSED ADDITION
UPPER LEVEL - 820 S.F.
LOWER LEVEL - 820 S.F.
ATTIC - 200 S.F.
BASEMENT - 820 S.F.
HOME TOTAL - 6,773 S.F.

JET RISER
Size: 10" F.I.P.
Size: 4" F.I.P.
Size: 6" F.I.P.

RAISED CUPBOARD ADJUSTMENTS
Existing Rectangular - 42.0 SF (Building A)
Existing Rectangular - 41.6 SF (Building B)
Existing Rectangular - 40.6 SF (Building C)
Existing Rectangular - 42.0 SF (Building D)
Existing Rectangular - 41.0 SF (Building E)
Existing Rectangular - 40.0 SF (Building F)

FRONT OF LOT EASEMENT
1,249' - 0" by 200' or 249,800 SF = 249 Actual
249 Actual

CUT AND FILL

SURVEYOR'S NARRATIVE:
1. THE PURPOSE OF THIS PLAT IS TO AMEND THE BUILDING ENVELOPE ON LOT 6, SYRINGA SPRINGS SUBDIVISION.

2. DOCUMENTS USED IN THE COURSE OF THIS SURVEY:
   A. ORIGINAL PLAT OF "SYRINGA SUBDIVISION", INSTRUMENT NO. 302320.
   B. PLAT OF LOT 7B, BLOCK 1, SYRINGA SPRINGS SUBDIVISION, INSTRUMENT NO. 523816.

NOTES:
1. REFER TO THE ORIGINAL PLAT OF SYRINGA SPRINGS SUBDIVISION, RECORDED AS INSTRUMENT NO. 302320 AND TO THE RECORDED CC&R'S FOR PLAT NOTES, EASEMENTS, CONDITIONS & RESTRICTIONS REGARDING THIS PROPERTY.

2. THE CURRENT ZONING IS LR, LIMITED RESIDENTIAL. REFER TO THE CITY OF KETCHUM ZONING CODE FOR MORE INFORMATION ABOUT THIS ZONE.

3. ANY AREAS OF CUT AND FILL SHALL BE REVEGETATED.


HEALTH CERTIFICATE
Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Prepared By: Benchmark Associates, P.A.
P.O. BOX 733 - 100 BELLE DRIVE, KETCHUM, IDAHO, 83340
PHONE: 208/726-9512  FAX: 208/726-9514

Prepared for: Jill Grossman
Date: 11-24-2021

South Central Public Health District, REHS

Project No. 21113
File: 21113PG1.DWG
Sheet: 1 of 2

Date of Review: 11-24-2021
Date of Signing: 11-24-2021

Dated: _______________.
GRADING NOTES

1. VERIFY EXISTING TOPOGRAPHY TO REMAIN.
   
2. CONTRACTOR TO VERIFY TOP OF WALL ELEVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO STARTING CONSTRUCTION.
   
3. REFER TO ARCHITECTURAL AND STRUCTURAL ENGINEERING PLANS FOR ALL FINISHED FLOOR ELEVATIONS (FEE).
   
4. GRADING SHOWN ON PLAN IS CONCEPTUAL AS SHOWN FOR DESIGN PURPOSED ONLY. LANDSCAPE ARCHITECT TO VERIFY FINAL GRADING ONSITE WITH CONTRACTOR.
   
5. CONTRACTOR SHALL UTILIZE BEST MANAGEMENT PRACTICES (BMP) TO CONTROL EROSION AND SEDIMENTATION BEFORE AND DURING CONSTRUCTION.
   
6. CONTRACTORS ARE REQUIRED TO BE INSTALLED PER GEO-TECHNICAL ENGINEER RECOMMENDATIONS. ALL GRADING AND TRENCHING WITHIN THE DRIPLINE OF EXISTING TREES TO BE DONE BY HAND WITH CARE TAKEN NOT TO CUT OR DAMAGE ROOTS OVER 1-INCH DIAMETER. TREES TO REMAIN UNDISTURBED AND IN THEIR CURRENT LOCATION.
   
7. CATCH BASINS AND DRYWELLS TO BE INSTALLED PER CONTRACTOR.
   
8. ALL GRADING AND TRENCHING WITHIN THE DRIPLINE OF ALL EXISTING TREES TO REMAIN DURING CONSTRUCTION.
   
9. EXCAVATION CONTRACTOR TO LEAVE ALL REGIONS OF DISTURBED NATIVE AREA WITHIN 1'-0" OF FINISHED GRADE ALONG PROPERTY LINE AS TURFED OR COVERED WITH BIODEGRADABLE EROSION CONTROL MAT.

10. CONTRACTORS ARE REQUIRED TO VERIFY SITE UTILITIES AND INFRASTRUCTURE LOCATIONS PRIOR TO BEGINNING OF CONSTRUCTION. CONTRACTOR SHALL UTILIZE 'BEST MANAGEMENT PRACTICES' (BMP) TO CONTROL EROSION AND SEDIMENTATION BEFORE AND DURING CONSTRUCTION.

11. ALL RECLAIMED SLOPES GREATER THAN 3:1 MUST UTILIZE GEOTEXTILE EROSION CONTROL MATS. ALL RECLAIMED SLOPES GREATER THAN 3:1 MUST UTILIZE GEOTEXTILE EROSION CONTROL MAT.

12. CONTRACTORS ARE REQUIRED TO VERIFY SITE UTILITIES AND INFRASTRUCTURE LOCATIONS PRIOR TO BEGINNING OF CONSTRUCTION. CONTRACTOR SHALL UTILIZE 'BEST MANAGEMENT PRACTICES' (BMP) TO CONTROL EROSION AND SEDIMENTATION BEFORE AND DURING CONSTRUCTION.

13. ALL RECLAIMED SLOPES GREATER THAN 3:1 MUST UTILIZE GEOTEXTILE EROSION CONTROL MAT.

14. CONTRACTORS ARE REQUIRED TO VERIFY SITE UTILITIES AND INFRASTRUCTURE LOCATIONS PRIOR TO BEGINNING OF CONSTRUCTION. CONTRACTOR SHALL UTILIZE 'BEST MANAGEMENT PRACTICES' (BMP) TO CONTROL EROSION AND SEDIMENTATION BEFORE AND DURING CONSTRUCTION.

15. ALL RECLAIMED SLOPES GREATER THAN 3:1 MUST UTILIZE GEOTEXTILE EROSION CONTROL MAT.

16. CONTRACTORS ARE REQUIRED TO VERIFY SITE UTILITIES AND INFRASTRUCTURE LOCATIONS PRIOR TO BEGINNING OF CONSTRUCTION. CONTRACTOR SHALL UTILIZE 'BEST MANAGEMENT PRACTICES' (BMP) TO CONTROL EROSION AND SEDIMENTATION BEFORE AND DURING CONSTRUCTION.

17. ALL RECLAIMED SLOPES GREATER THAN 3:1 MUST UTILIZE GEOTEXTILE EROSION CONTROL MAT.
IRRIGATION OR ELECTRICAL WITHIN DRIP LINES OF EXISTING TREES. COORDINATE ALL TRENCHING REQUIRED FOR UTILITY WORK WITH THE LANDSCAPE PLANS.

MORTAR SET AREAS

730 SF

Flagstone

See plans for sand set vs telephone cable puller or a "ditch witch" prior to adjacent excavation. The trenching shall be to a minimum depth of 24" or the depth of excavation. The contractor shall stage the limit of depth pruning for the plan. Limits of trenching shall be approved by the landscape architect prior to any trenching in the field. Do not trench for irrigation or electrical within drip lines of existing trees. Coordinate all trenching required for utility work with the landscape plans.

TREE DAMAGE MITIGATION: WHEN EXCAVATION NEAR A TREE TO BE PROTECTED MUST BE CARRIED OUT, DAMAGE CAN BE LIMITED BY ROOT PRUNING. ROOT PRUNING SHALL BE COMPLETED BEFORE EXCAVATION TO PREVENT SOIL STRESSING ON THE TREE. ROOT PRUNING SHALL BE PERFORMED WHEN REQUESTED TO MAINTAIN EXISTING TREES DURING THE COURSE OF CONSTRUCTION.
OUTDOOR DINING AREA - PLAN ENLARGEMENT

INTEGRATED WOOD BENCH

STEPPED FLAT BOULDERS
PLANTING NOTES:

1. All soil preparation and planting operations shall be conducted under favorable weather conditions only. Soil shall not be worked when excessively dry or wet. The owner's representative reserves the right to stop any work taking place during a period when conditions are considered detrimental to soil structure or plant growth.

2. Retail a 6'-6" layer of mulch around all trees and shrubs in all plant areas unless otherwise noted. Create a natural mounding where planting has not been previously disturbed.

3. Planting and preparation of bare root material shall be performed with extreme care. Digging should be at the specified planting depth and as close to the trunk as possible. Plant by the method recommended by the supplier. All plant material shall be treated in such a fashion to provide the plants shown on all plans.

4. Plant quality. All plant material shall be inspected at the owner's representative. The landscape architect reserves the right to reject and subject plant materials to any plant from delivery to delivery without prejudice. Contractor to replace material during current planting season. All material shall conform to the specified varieties established by the current American Standards for Nursery Stock. Published by the American Association for Nurseries.

5. Planting dates. The planting plan and schedule is drawn by the landscape architect in consultation with the owner to complete the planting shown on all plans.

SOIL PREPARATION NOTES:

1. Soil preparation should occur in planting areas by root zone amendment and topdressing to a depth of 6". Soil surface in all planted areas. Trench soil to ensure thorough and complete mixing. All plant material shall be prepared to the proper depth. Plant material shall be prepared to the proper depth. Plant material shall be prepared to the proper depth. Plant material shall be prepared to the proper depth.

2. The landscape architect reserves the right to adjust planting to suit conditions as required. In the event of extreme weather conditions, the landscape architect reserves the right to adjust the planting plan to suit conditions as required. In the event of extreme weather conditions, the landscape architect reserves the right to adjust the planting plan to suit conditions as required. In the event of extreme weather conditions, the landscape architect reserves the right to adjust the planting plan to suit conditions as required.

PLANT AREA SCHEDULE

| SHELF | PERIMETER | 1200 ft | | SHELF | PERIMETER | 1200 ft |
|-------|-----------|---------| |-------|-----------|---------|

PLANT LIST:

<table>
<thead>
<tr>
<th>QTY</th>
<th>CONTAINER</th>
<th>SIZE</th>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>B&amp;B</td>
<td>4&quot; Ht.</td>
<td>Diabolo Purple Ninebark</td>
<td>Physocarpus opulifolius 'Diabolo'</td>
<td>1397</td>
</tr>
<tr>
<td>5</td>
<td>B&amp;B</td>
<td>4&quot; Ht.</td>
<td>Quaking Aspen</td>
<td>Populus tremuloides</td>
<td>1241</td>
</tr>
<tr>
<td>7</td>
<td>B&amp;B</td>
<td>4&quot; Ht.</td>
<td>Clump Form Quaking Aspen</td>
<td>Populus tremuloides</td>
<td>1397</td>
</tr>
<tr>
<td>14</td>
<td>B&amp;B</td>
<td>4&quot; Ht.</td>
<td>Colorado Spruce</td>
<td>Picea engelmannii</td>
<td>1397</td>
</tr>
</tbody>
</table>

IRRIGATION NOTES:

1. Codes: Irrigation system shall be installed in accordance with all local codes and specifications. The landscape architect by telephone or in writing of any changes required by the local codes and specifications. The landscape architect by telephone or in writing of any changes required by the local codes and specifications. The landscape architect by telephone or in writing of any changes required by the local codes and specifications.

2. Seedbeds and revegetated areas shall be irrigated by overhead irrigation with a temporary automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system.

3. Lawn areas shall be irrigated by overhead irrigation with a permanent automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system.

4. Trees shall be irrigated by drip irrigation with a permanent automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system.

5. Drift irrigation with a separate zone, coordinate all irrigation with appropriate contractor. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system.

6. Seeding to be installed by landscape contractor prior to irrigation work. Contractor shall not adjust. All seed shall remain on the ground. Seed shall be distributed through the irrigation system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system. The system may be adjusted to any automatic system.

7. Utilities. Utilities shall be installed by landscape contractor prior to irrigation work. Utilities shall be installed by landscape contractor prior to irrigation work. Utilities shall be installed by landscape contractor prior to irrigation work. Utilities shall be installed by landscape contractor prior to irrigation work.

8. Construction shall vary in location of all on-site utilities. Restoration of damaged utilities shall be made at the contractors expense to the satisfaction of the owner.

9. New irrigation system to be retrofitted to existing irrigation system.

L 5.0
STONE PAVING - SAND SET

STONE PAVING - MORTAR SET

STONE PAVING - PLAN LAYOUT

MORTAR SET STONE SLAB EDGE

STONE SLAB STEPS - FULL DEPTH

STONE BOULDER IN LANDSCAPE

WOOD BOARDWALK
OVERHEAD TRELLIS / SHADE STRUCTURE

A. PLAN VIEW - PRIMARY STEEL STRUCTURE

B. PLAN VIEW - STRUCTURE OVERHEAD ELEMENTS

C. ELEVATION - NORTH / SOUTH

D. ELEVATION - EAST / WEST

NOTES:
1. FINISH AND COLOR OF ALL TRELLIS MATERIALS TO BE DETERMINED

8" X 8" TUBE STEEL COLUMNS

8" X 8" TUBE STEEL OVERHEAD BEAM; WELD TO COLUMN

6" X 6" WOOD BEAM, TYPICAL

(END OVERHANGS STEEL STRUCTURE BY 6")

3" X 2" STEEL ANGLE IRON

(ALIGN WITH OUTSIDE EDGE OF STEEL STRUCTURE BELOW)

SITE WALLS - SHOWN FOR REFERENCE PURPOSES ONLY; SEE SITE MATERIALS PLAN FOR MORE INFO.

TRELLIS COLUMN AT STONE PAVERING

TRELLIS COLUMN AT WALL

TRELLIS DOWNLIGHT

6" OVERHANG TYP.

215 GEM ST., KETCHUM, ID 83340
SITE DETAILS

1. FIRE PIT
   - Diameter: 1'-3" +/- 2'-8"
   - Fire Pit Aggregate Media TBD
   - Fire Pit Cap: Material TBD (smooth, consistent worn surface)
   - Grass Burner Fire Pit Size: Approximately 1' x 1' opening
   - Fire Pit Base Plate: Size TBD

2. TRELLESS COLUMN AT WALL
   - 1 1/2" = 1'-0"
   - Steel Column: 3" x 3"
   - Tube Steel Column: Weld to Embed Base Plate
   - Embed Base Plate: Size TBD
   - Nelson Studs: Quantity, Size, and Spacing per Structural Engineer
   - Concrete Pedestal and Footing: Size and Steel Reinforcement per Structural Engineer

3. TRELLESS COLUMN AT STONE PAVING
   - 1" = 1'-0"
   - Steel Column: 2" x 3"
   - Tube Steel Column: Weld to Embed Base Plate
   - Embed Base Plate: Size TBD
   - Concrete Pedestal: Size TBD
   - Nelson Studs: Quantity, Size, and Spacing per Structural Engineer
   - Concrete Pedestal and Footing: Size and Steel Reinforcement per Structural Engineer

4. TRELLESS OVERHEAD ELEMENTS CONNECTION
   - 6" x 6" Wood Beam: Connect to Tube Steel Overhead Beam
   - 2" x 2" Wood Beam: Connect to Tube Steel Overhead Beam
   - 1 1/2" Tube Steel: Connect to Wood Beam
   - Metal Flashing: Connection Hardware

5. TRELLESS DOWNLIGHT
   - 2" x 2" Wood Beam: Connect to Tube Steel Overhead Beam
   - 1 1/2" Tube Steel: Connect to Wood Beam
   - Metal Flashing: Connection Hardware
   - Cavity in Wood Beam for Recessed Light Fixture (sized appropriately for fixture dimensions)

6. TRELLESS LIGHT FIXTURE
   - See Lighting Plan for more information on fixture type and wiring needs
   - Cavity in Wood Beam for Recessed Light Fixture (sized appropriately for fixture dimensions)
   - Metal Flashing: Connection Hardware

- Design Review Set: 10/11/2021
- Issue Date: 11/02/2021
- Revision: 1

GROSSMAN / FRADKIN RESIDENCE
215 GEM ST., KETCHUM, ID 83340
Landscape Remodel
Issued to: Owner
By: BYLA Landscape Architects
Attachment C.
Draft Findings of Fact,
Conclusions of Law, and
Decision
IN RE: 215 Gem Street Addition & Landscaping

KETCHUM PLANNING AND ZONING COMMISSION

FINDINGS OF Fact, CONCLUSIONS OF LAW, AND

DECISION

Date: November 1, 2021

File Number: P21-089

PROJECT: 215 Gem St Addition & Landscaping

APPLICATION TYPE: Mountain Overlay Design Review

FILE NUMBER: P21-089

OWNER: Jill Grossman

REPRESENTATIVE: Steve Cook, Steve Cook Architect

REQUEST: Mountain Overlay Design Review

LOCATION: 215 Gem Street (Syringa Springs Sub Lot 6)

NOTICE: A public hearing notice was mailed to all property owners within 300 feet of the project site and political subdivisions on November 24, 2021. The public hearing notice was published in the Idaho Mountain Express on November 19, 2021.

ZONING: Limited Residential District (LR) Zoning District

BACKGROUND FACTS
The subject Mountain Overlay (MO) Design Review is for the development of an office addition and landscaping project at 215 Gem St (Syringa Springs Sub Lot 6). The site is located in the Limited Residential (LR) Zoning District and also within the Mountain Overlay. The subject property is currently occupied by a single-family residence and the site is characterized by approximately 86 ft grade change from the Gem Street right-of-way to the rear property line. The subject property is 0.526 acres in size (22,937 square feet) and is 272.95’ deep with a minimum elevation of approximately 5835’ and a maximum elevation of approximately 5870’, a slope of 13% on the southern property boundary (35’ of elevation gain), and 14% on the northern property boundary (28’ of elevation gain). There is a lot line shift application associated with the project that proposes to extend the building envelope for the property into the rear yard to allow for the construction of the addition and pergola.

Pursuant to Ketchum Municipal Code (KMC) §17.104.050.A, the construction or placement of structures within the MO District is subject to all applicable Design Review improvements and standards (KMC §17.96.060) as well as subject to the Mountain Overlay Design Review requirements set forth in KMC §17.104.070. The purpose of the MO Zoning District is to encourage land uses harmonious with existing natural resources, protect natural land features and wildlife habitat, prohibit detrimental alteration, and minimize impacts to the existing

114
topography, preserve hillsides and ridges, and minimize the visual impact of building sites by siting building footprint away from higher elevations.

Findings of Fact

Table 1: Findings Regarding Zoning and Dimensional Standards

<table>
<thead>
<tr>
<th>Compliance with Zoning and Dimensional Standards</th>
<th>Compliant</th>
<th>No</th>
<th>N/A</th>
<th>Standards and Commission Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ketchum Municipal Code Standard</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>City Standards and Commission Findings</td>
</tr>
<tr>
<td>17.12.030 Minimum Lot Area</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>Required: 9,000 square feet minimum. Existing (Lot 6): 22,933 sq ft</td>
</tr>
<tr>
<td>17.12.030 Building Coverage</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>Permitted: 35% Proposed: 23% (5,329 sq ft building coverage/22,933 sq ft lot area)</td>
</tr>
<tr>
<td>17.12.030 Building Height</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>Maximum Permitted: 35’ Proposed: 15’ addition (27’ existing residence)</td>
</tr>
<tr>
<td>17.125.030.H Curb Cut</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. Proposed: Existing residence has driveway that was approved by Mountain Overlay Design Review and Building Permit in 1994. No modifications are proposed to the driveway</td>
</tr>
<tr>
<td>17.125.020.A.2 &amp; 17.125.050 Parking Spaces</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>Off-street parking standards of this chapter apply to any new development and to any new established uses. Required: One-Family Dwelling: 2 spaces per dwelling unit Existing: 2 spaces (Garage)</td>
</tr>
</tbody>
</table>

Table 2: Findings Regarding Mountain Overlay Design Review Standards

<table>
<thead>
<tr>
<th>Mountain Overlay Design Review Standards (KMC §17.107.070.A)</th>
<th>Compliant</th>
<th>No</th>
<th>N/A</th>
<th>Reference</th>
<th>Standards and Commission Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section</td>
<td>Findings</td>
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<tr>
<td>17.104.070.A.1</td>
<td>There is no building on ridges or knolls which would have a material visual impact on a significant skyline visible from a public vantage point entering the City or within the City. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance. <strong>Commission Findings</strong> No ridges or knolls have been identified on the subject parcel—the ridge line is located beyond the extent of the rear property line. The property is not located adjacent to an identified or protected view corridor. Vegetation and existing development sufficiently screens Gem Street from the Highway 75 corridor. As the proposed building footprint is sited at the lower elevation of the site, the applicant has minimized visual impact to the Gem Street ridgeline. The proposed siting and design of the single-family residence protects the visual integrity of the hillside.</td>
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<td>17.104.070.A.2</td>
<td>Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the City or within the City is minimized. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance. <strong>Commission Findings</strong> Building, excavation, filling, and vegetation disturbance will not have a material visual impact visible from a public vantage point entering into or within the city due to the siting of the building footprint and limits of disturbance sited at the lower elevation portion of the site. Outside of the limits of disturbance associated with the building and associated site improvements, the project will retain the site’s existing grade and vegetation.</td>
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<tr>
<td>17.104.070.A.3</td>
<td>Driveway standards as well as other applicable standards contained in Street Standards Chapter 12.04 are met. <strong>Commission Findings</strong> Existing driveway approved by Mountain Overlay Design Review (MO 94-05) and Building Permit (94063) in 1994. No work to be done on existing driveway.</td>
<td></td>
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<tr>
<td>17.104.070.A.4</td>
<td>All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150’) of the furthest exterior wall of any building. <strong>Commission Findings</strong> Sufficient access is provided for fire and emergency apparatus to reach within 150 ft of the furthest exterior wall of the building. The Fire Department has reviewed the proposed design and has found that all access requirements for emergency vehicles has been met.</td>
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<tr>
<td>17.104.070.A.5</td>
<td>Significant rock outcroppings are not disturbed. <strong>Commission Findings</strong> No significant rock outcroppings have been identified on the subject site.</td>
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<tr>
<td>17.104.070.A.6</td>
<td>International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met. <strong>Commission Findings</strong> The project must comply with the 2018 International Building Code, the 2018 International Fire Code and Ketchum Fire Department requirements, as well as Title 15 of Ketchum Municipal Code. All IBC, IFC, and Ketchum Fire Department requirements shall be verified and met prior to the issuance of a Building Permit for the project.</td>
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</tr>
<tr>
<td>17.104.070.A.7</td>
<td>Public water and sewer service comply with the requirements of the City. <strong>Commission Findings</strong> Existing water and sewer stubs serve the subject property located at 215 Gem Street. Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.</td>
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<td></td>
</tr>
<tr>
<td>17.104.070.A.8</td>
<td>Drainage is controlled and maintained to not adversely affect other properties. <strong>Commission Findings</strong> As indicated on Sheet L-3.0 of the Design Review submittal, drainage is proposed to be maintained and controlled through a system of drywells. Prior to issuance of a Building Permit, the applicant shall submit a final drainage and grading plan stamped by an Idaho licensed engineer with associated specifications and details for the proposed drywells and catch basins. All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</td>
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<tr>
<td>Section</td>
<td>Text</td>
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<tr>
<td>17.104.070.A.9</td>
<td>Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials. Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.</td>
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<tr>
<td>Commission Findings</td>
<td>No new roadway or driveway is proposed with the project. Both roadway and driveway are existing. As indicated on Sheet L-3.0, the eastern portion of the lot will remain undisturbed with native vegetation. KMC §17.104.070.A9 recommends that revegetation of hillsides maintain a 30 ft clear zone around all structures in order to serve as defensible space to reduce the potential for damage to homes from wildfires. In this zone, plant species should be low-growing and fire-resistant. The proposed landscape plan (Sheet L-5.0) includes shrub groupings comprised of five (5) Serviceberry as well as five (5) Diabolo Purple Ninebark. Fourteen (14) Quaking Aspen are proposed to be planted as to replace the existing aspens that are proposed for removal. While Serviceberry and Ninebark are appropriate species, the applicant is encouraged to use hardscapes and minimize overlapping shrub groupings within the defensible space zone.</td>
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<tr>
<td>17.104.070. A.10</td>
<td>There are not other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this Ordinance.</td>
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<tr>
<td>Commission Findings</td>
<td>The existing building was built on the most downward site of the lot leaving the rear yard the only remaining developable land. The applicant has utilized the area of the property most suitable for development, which is characterized by a more gradual slope compared to steep grade at the northern portion of the site.</td>
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<tr>
<td>17.104.070. A.11</td>
<td>Access traversing 25% or greater slopes does not have significant impact on drainage, snow and earth slide potential and erosion as it relates to the subject property and to adjacent properties.</td>
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<tr>
<td>Commission Findings</td>
<td>The existing driveway access does not traverse 25% or greater slopes.</td>
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<tr>
<td>17.104.070. A.12</td>
<td>Utilities shall be underground.</td>
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<tr>
<td>Commission Findings</td>
<td>All on-site utilities shall be located underground.</td>
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<tr>
<td>17.104.070. A.13</td>
<td>Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.</td>
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<tr>
<td>Commission Findings</td>
<td>Sheet L-3.0 indicates the limits of disturbance associated with the project.</td>
<td></td>
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<tr>
<td>17.104.070.A.14</td>
<td>Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.</td>
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<tr>
<td>Commission Findings</td>
<td>The project scope does not propose any cuts or fills other than those required for building construction—all excavation, fill, and vegetation disturbance is associated</td>
<td></td>
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<tr>
<td>17.104.070. A.15</td>
<td>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.</td>
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<tr>
<td>Commission Findings</td>
<td>No significant landmarks have been identified on-site.</td>
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</tbody>
</table>
Table 3: Findings Regarding Design Review Standards

<table>
<thead>
<tr>
<th>Design Review Requirements</th>
<th>IMPROVEMENTS AND STANDARDS: 17.96.060</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
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<td>☐</td>
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</tbody>
</table>
| ☐ | ☐ | ☒ | 17.96.060(B)(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. |
| ☐ | ☐ | ☒ | 17.96.060(B)(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. |
| ☐ | ☐ | ☒ | 17.96.060(B)(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. |
| ☐ | ☐ | ☒ | 17.96.060(B)(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 one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy. |
| ☒ | ☐ | ☐ | 17.96.060(C)(1) | All storm water shall be retained on site. |
| ☐ | ☐ | ☒ | 17.96.060(C)(2) | Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street. |

**Commission Findings**

- **17.96.060(A)(1) Streets**: Existing driveway connects to Gem Street.
- **17.96.060(A)(2) Streets**: N/A
- **17.96.060(B)(1)**: N/A as sidewalks are not required or existing in the subject low density residential area.
- **17.96.060(B)(3)**: N/A
- **17.96.060(B)(4)**: N/A
- **17.96.060(B)(5)**: N/A
- **17.96.060(C)(1)**: N/A
- **17.96.060(C)(2)**: As indicated on Sheet L-3.0 of the Design Review submittal, drainage is proposed to be maintained and controlled through a system of drywells.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.96.060(C)(3)</td>
<td>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</td>
<td>The proposed shall drainage improvements span the width of the subject lot. See above analysis for KMC §17.96.060(C)(1).</td>
</tr>
<tr>
<td>17.96.060(C)(4)</td>
<td>Drainage facilities shall be constructed per City standards.</td>
<td>The final drainage plan shall be submitted with the Building Permit to be verified, reviewed, and approved by the City Engineer and the Streets Department prior to issuance of a Building Permit for the project.</td>
</tr>
<tr>
<td>17.96.060(D)(1)</td>
<td>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</td>
<td>N/A</td>
</tr>
<tr>
<td>17.96.060(D)(2)</td>
<td>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</td>
<td>All on-site utilities shall be located underground. The project will connect to existing water and sewer lines within Gem Street and the associated existing infrastructure is underground.</td>
</tr>
<tr>
<td>17.96.060(D)(3)</td>
<td>When extension of utilities is necessary all developers will be required to pay for and install two (2&quot;) 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.</td>
<td>N/A. Residence built in 1994.</td>
</tr>
<tr>
<td>17.96.060(E)(1)</td>
<td>The project’s materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</td>
<td>N/A. There are no identified landmarks on the property.</td>
</tr>
<tr>
<td>17.96.060(E)(2)</td>
<td>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.</td>
<td>N/A as sidewalks are not required to be installed within low density residential street right-of-ways.</td>
</tr>
<tr>
<td>17.96.060(E)(3)</td>
<td>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.</td>
<td>Building elevations are included on Sheet A.7 of the Design Review submittal. The addition uses the same architectural features as the existing building with the same roof form and materials. The addition uses windows to break up the stucco material. Architectural features of the addition will only be seen by the adjacent property owners as the addition is small in nature and located on the rear of the building.</td>
</tr>
<tr>
<td>17.96.060(F)(1)</td>
<td>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</td>
<td>The building character shall be clearly defined by use of architectural features.</td>
</tr>
<tr>
<td>17.96.060(F)(2)</td>
<td>The building character shall be clearly defined by use of architectural features.</td>
<td>The proposed materials and color palette match the existing residence. The materials and colors complement the surrounding landscape.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(F)(4)</td>
<td>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</td>
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<tr>
<td>Commission Findings</td>
<td>17.96.060(F)(5)</td>
<td>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(F)(6)</td>
<td>Building(s) shall orient towards their primary street frontage.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(F)(7)</td>
<td>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(F)(8)</td>
<td>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.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(G)(1)</td>
<td>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(G)(2)</td>
<td>Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(G)(3)</td>
<td>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.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(G)(4)</td>
<td>Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(G)(5)</td>
<td>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</td>
</tr>
<tr>
<td>Commission Findings</td>
<td>17.96.060(H)(1)</td>
<td>Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
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<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>☒ ☐ ☐ 17.96.060(H)(2)</td>
<td>Snow storage areas shall be provided on-site.</td>
<td></td>
</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The applicant has proposed both a snowmelt system and 2,300 sq ft of snow storage on site.</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.96.060(H)(3)</td>
<td>A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty five (25) square feet.</td>
<td></td>
</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The designated snow storage exceed these dimensions.</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.96.060(H)(4)</td>
<td>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</td>
<td></td>
</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The applicant has proposed a snow melt system for all vehicular circulation areas.</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.96.060(I)(1)</td>
<td>Landscaping is required for all projects.</td>
<td></td>
</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The required landscape plan is indicated on Sheet L-5.0 of the Design Review submittal.</td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐ 17.96.060(I)(2)</td>
<td>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.</td>
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</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The proposed landscape plan (Sheet L-5.0) includes shrub groupings comprised of five (5) Serviceberry as well as five (5) Diabolo Purple Ninebark. Fourteen (14) Quaking Aspen are proposed to be planted as to replace the existing aspens that are proposed for removal. Serviceberry, ninebark and aspen are all drought tolerant species and adaptable to the Wood River Valley climate. The landscape plan complements the single-family residence and adjacent neighborhood.</td>
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<tr>
<td>☒ ☐ ☐ 17.96.060(I)(3)</td>
<td>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</td>
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<tr>
<td><strong>Commission Findings</strong></td>
<td>See above Staff analysis for Ketchum Municipal Code §17.96.060(I)(2).</td>
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<tr>
<td>☒ ☐ ☐ 17.96.060(I)(4)</td>
<td>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.</td>
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</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>The landscaping will be provide a buffer between the adjacent dwelling units and complements existing landscaping in the neighborhood as well as the native vegetation of the adjacent hillside.</td>
<td></td>
</tr>
<tr>
<td>☐ ☐ ☒ 17.96.060(J)(1)</td>
<td>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.</td>
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</tr>
<tr>
<td><strong>Commission Findings</strong></td>
<td>N/A. Sidewalks are not required for the project.</td>
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</tbody>
</table>
CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum City Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which city ordinances govern the applicant’s application for the development and use of the project site.

2. The Commission has authority to hear the applicant’s Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17.

3. The City of Ketchum Planning Department provided adequate notice for the review of this application.


5. The project does meet the standards of approval under Chapter 17.104 of Zoning Code Title 17 subject to conditions of approval.

DECISION

THEREFORE, the Ketchum Planning & Zoning Commission approves the 215 Gem Street Mountain Overlay Design Review Application this Tuesday, December 14th, 2021 subject to the following conditions:

CONDITIONS OF APPROVAL

1. The applicant shall comply with all City Department conditions as described in Tables 2, 3, and 4.

2. All governing ordinances pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met prior to Certificate of Occupancy.

3. Design review approval shall expire one (1) year from the date the Findings of Fact, Conclusions of Law, and Decision are adopted by the Planning & Zoning Commission, unless an extension is requested and granted consistent with KMC §17.96.090.

4. Design review elements shall be completed prior to final inspection and issuance of a Certificate of Completion for the project.

5. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Mountain Overlay Design Review Plans unless otherwise approved in writing by the Commission or Planning & Building Department. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.

6. Construction fencing at the limits of disturbance shall be located on the site prior to any excavation or earthwork.

7. A final drainage/grading plan for the subject property and the City right-of-way shall be submitted to the Planning & Building Department for review and approval by the Planning Department, Streets Department, and City Engineer prior to the issuance of a Building Permit for the project.

8. All exterior lighting must comply with City Code, Chapter 17.132 Dark Skies.

9. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

10. Fencing around the limit of disturbance will be installed during the construction period.

11. The proposed bench and retaining walls as indicated on sheets A.7 and L-3.0 of the MO
Review submittal shall not exceed 30 inches from existing grade when located outside of the building envelope.

Findings of Fact adopted this 14th day of December 2021

______________________________
Neil Morrow, Chair
City of Ketchum
Planning & Zoning Commission

______________________________
Suzanne Frick, Planning & Building Director
MEMORANDUM

TO: Ketchum Planning and Zoning Commission

FROM: Abby Rivin, Senior Planner

MEETING DATE: December 14, 2021

RE: Zoning Code Interpretation 21-003: Outdoor Amenities within Setback Areas

SUMMARY:
On September 21st, 2021, the Planning and Zoning Commission reviewed an amendment to Design Review Permit P20-031 for the Waddell-Roush Duplex project that proposed adding hot tubs within the east and west side yard setback areas required for the townhome development. In addition to considering the proposed amendment, the Planning and Zoning Commission provided direction to Staff on how setbacks should be applied to accessory outdoor features like hot tubs. Staff has incorporated the Commission’s feedback into the draft zoning code interpretation attached as Exhibit A.

STAFF RECOMMENDATION:
Staff recommends the Planning and Zoning Commission consider the attached interpretation, direct Staff to incorporate any revisions, and move to approve the zoning code interpretation for outdoor amenities within setback areas.

Recommended Motion: “I move to approve the zoning code interpretation allowing for certain outdoor amenities within setback areas.”

EXHIBIT:
A. Draft Zoning Code Interpretation Outdoor Amenities within Setback Areas
INTERPRETATION QUESTION
The zoning code is unclear as to whether accessory structures, such as hot tubs, may be sited within the setback areas required for the principal building on the development site. The zoning code is also unclear as to whether setbacks should be applied individually per detached structure based on each structure’s maximum height or if the maximum height of the principal building on the site should set the setbacks for all accessory structures on the site.

PERTINENT ZONING REGULATIONS
Ketchum Municipal Code §17.08.020: Definitions
BUILDING:
A. Any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which:
   1. Is permanently affixed to the land; and
   2. Has one or more floors and a roof.
B. Any appendages to said structure, such as decks, roof overhangs and porte-cocheres, are part of said building for purposes of determining building coverage, setbacks or other regulations unless otherwise specified.

SETBACK: The minimum horizontal distance between a specified lot line (front, side, rear), measured along a straight line and at a right angle to such lot line, and the nearest point of an above grade or below grade building or structure; below grade structures may encroach into required setbacks subject to subsection 17.128.020.K of this title.

STRUCTURE: Anything permanently constructed in or on the ground, or over the water, including gas or liquid storage tank that is principally above ground and manufactured homes; excluding fences less than six feet in height, decks less than 30 inches above grade, paved areas, and structural or nonstructural fill.

ENCLOSED: An area surrounded on at least three sides by walls and on top by a roof or similar covering.

Ketchum Municipal Code §17.12.030: Dimensional Standards
The required setback from side property lines is a function of maximum building height. Ketchum Municipal Code §17.12.030 also establishes minimum side setback dimensions. For example, the required side setback in the GR-L Zone is 1 foot for every 3 feet in building height or a minimum of 5 feet. In the LR Zone, the required side setback is 1 foot for every 2 feet in building height or a minimum of 10 feet.
Ketchum Municipal Code §17.128.020: Supplementary Yard Regulations

Ketchum Municipal Code §17.128.020 provides allowances for certain features to extend into required setback areas. For example, cornices, canopies, eaves, chimney chases, or similar architectural features may extend into a required yard not more than 3 feet and decks less than 30 inches in height from existing grade may be constructed to the property line.

PLANNING AND ZONING COMMISSION INTERPRETATION:

All structures and buildings are subject to setbacks from front, side, and rear property lines as specified in Ketchum Municipal Code §17.12.030. Buildings as defined by Ketchum Municipal Code §17.08.020 include any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, which: (1) are permanently affixed to the land and (2) have one or more floors and a roof. Structures include anything permanently constructed in or on the ground (KMC §17.08.020).

Outdoor amenities, like hot tubs or barbecues, that are not: (1) permanently affixed to the land or (2) enclosed may be sited within the setback areas required for the principle building on a development site.

Zoning Code Interpretation adopted this 14th day of December 2021.

______________________________
Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission
MEMORANDUM

TO: Ketchum Planning and Zoning Commission

FROM: Abby Rivin, Senior Planner

MEETING DATE: December 14, 2021

RE: Zoning Code Interpretation 21-004: Permitted Structure in Setbacks

SUMMARY:
On November 9, 2021, the Planning and Zoning Commission reviewed a Design Review Permit P21-096 for 119 Sage Road to permit underground features to be located in the required setback. In order to issue a building permit for the proposed residence, the project must comply with the Zoning Ordinance. There were two outstanding compliance issues presented for the Planning and Zoning Commission’s consideration. The first was the building foundation/structure encroaching into the front yard setback. Subject to Design Review approval, subterranean encroachments may be approved by the Planning and Zoning Commission. The second issue was the placement of an above-grade wall with a structural foundation and permanent stairs within the front setback area. The Commission was asked to consider the Design Review application for the subterranean encroachments and separately make a determination if the above-grade wall and stairs are considered permanent, structural elements that may not be located in the setback, or if the wall and stairs are nonpermanent, landscape features that can be removed in the future and that may be located in the required setback.

Staff has incorporated the Commission’s feedback into the draft zoning code interpretation attached as Exhibit A.

STAFF RECOMMENDATION:
Staff recommends the Planning and Zoning Commission consider the attached interpretation, direct Staff to incorporate any revisions, and move to approve the zoning code interpretation for outdoor amenities within setback areas.

Recommended Motion: “I move to approve the zoning code interpretation allowing for certain outdoor amenities within setback areas.”

EXHIBIT:
Draft Zoning Code Interpretation 21-004
KETCHUM PLANNING AND ZONING COMMISSION
ZONING CODE INTERPRETATION 21-004
PERMITTED STRUCTURES IN SETBACKS

INTERPRETATION QUESTION
The application of the Zoning Ordinance has been inconsistent for underground footings and above
grade walls attached to a structure when placed in required setbacks. This interpretation clarifies the
application of the setback requirements for underground structural footings and above grade walls
attached to the building or structure. In addition, the interpretation clarifies the question whether
permanent stairs are permitted to be placed in required setbacks.

PERTINENT ZONING REGULATIONS
Below Grade Footings

Below-grade structures may encroach into required setbacks subject to the standards specified in
Ketchum Municipal Code §17.128.020.K.

K. Encroachments of below grade structures into required setbacks are permitted provided all of
the following standards are met:
1. Proposed encroachments shall receive design review approval from the Planning and
   Zoning Commission; and
2. Below grade encroachments into the riparian setback are not permitted; and
3. Construction activity shall not occur on adjacent properties; and
4. Encroachment of below grade structures into required setbacks 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; and
5. Egress openings required by adopted International Code Council Codes shall not
   encroach in required setbacks; and
6. Below grade encroachments into required setbacks shall be located entirely below
   natural, existing, or finished grade, whichever is lowest; and
7. The ground above below grade encroachments within required setbacks that is not
   otherwise covered by permitted decks, fences, hedges and walls shall be suitably
   landscaped in keeping with the general character of the surrounding neighborhood or as
   otherwise required by this Code.
   a. Required landscape plans shall address the compatibility of proposed
      landscaping with the below grade structure, including any necessary irrigation;
      and
8. Below grade encroachments into required setbacks shall not interfere with drainage.
a. Required drainage plans shall address the ability of drainage to be managed on the subject property with respect to underground encroachments into required setbacks.

Planning and Zoning Commission Interpretation for below grade footings
The Commission finds that below-grade building footings and foundations may encroach into required setbacks so long as these structural elements are entirely underground.

Walls Attached to a Structure and stairs in the setback
Ketchum Municipal Code §17.08.020 defines setback as the minimum horizontal distance between a specified lot line (front, side, rear), measured along a straight line and at a right angle to such lot line, and the nearest point of an above-grade or below-grade building or structure. Structures include anything permanently constructed in or on the ground (KMC §17.08.020). The only elements not qualified as structures are fences less than 6 feet in height, decks less than 30 inches above grade, paved areas, and structural or nonstructural fill (KMC §17.08.020). Ketchum Municipal Code §17.08.020 defines the term building as any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind, which is permanently affixed to the land and has one or more floor and a roof. Additionally, the definition of building states that any appendage to said structure, such as decks, roof overhangs, and porte-cochere, are part of said building for the purposes of determining building coverage, setbacks, or other regulations unless otherwise specified.

Planning and Zoning Commission Interpretation for walls attached to a structure and stairs in setbacks
The Commission finds that a wall attached to a structure may be considered a non-permanent landscape feature like a fence so long as the wall is not a structural element. These non-permanent walls must be able to be removed without compromising the structural integrity of the principal building or other accessory structures on the project site. Non-permanent walls may be sited within the required setback areas so long as the walls meet the maximum height standards specified in Ketchum Municipal Code §17.124.130. Permanent, structural walls must be sited within required setback areas.

The Commission finds that the same setback standards provided for decks may be applied to stairs located in required setbacks. Ketchum Municipal Code §17.128.020.H allows decks less than 30 inches from existing grade to be constructed to the property line. The Commission finds that stairs less than 30 inches in height above existing grade may be located within required setback areas. Ketchum Municipal Code §17.128.020.I requires decks more than 30 inches in height from existing grade at any point shall be subject to setbacks. The Commission finds that stairs greater than 30 inches in height from existing grade at any point shall be subject to setbacks. The Commission finds that the height measurement should include not only the stair risers and treads but also any appurtenance to stairs such as any required handrails (Ketchum Municipal Code §17.128.020.H).

Zoning Code Interpretation adopted this 14th day of December 2021.