



**CITY OF KETCHUM, IDAHO REGULAR CITY COUNCIL MEETING**

**Monday, January 04, 2021, 4:00 PM**

**480 East Avenue, North, Ketchum, Idaho**

## **Agenda**

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

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

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

**Dial-in: +1 253 215 8782  
Meeting ID: 925 7334 9954**

- CALL TO ORDER: By Mayor Neil Bradshaw
- ROLL CALL
- COMMUNICATIONS FROM MAYOR AND COUNCILORS
  1. ACTION ITEM: Elect President of the Council
- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
  2. Approval of Minutes: Joint Special Meeting with Planning & Zoning Commission December 10, 2020
  3. Approval of Minutes: Regular Meeting December 21, 2020
  4. Authorization and approval of the payroll register
  5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$510,702.52 as presented by the Treasurer.
- NEW BUSINESS (no public comment required)
- PUBLIC HEARING
  6. ACTION ITEM: Recommendation to approve a Lot Line Shift for Karen Likness and Gould Cabin to reconfigure Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to create amended Lots 1A and 2A of the Cliffhanger Subdivision. The properties are located at 563, 571, and 575 Wood River Drive - Continued from December 21, 2020 - Suzanne Frick, Director of Planning & Building
  7. ACTION ITEM: Second reading of Ordinance #1214 amending Chapter 17.08.020 and repealing and replacing Chapter 17.88 of the Ketchum Municipal Code, Floodplain Management Overlay District and Definitions - Suzanne Frick, Director of Planning & Building

- 8. ACTION ITEM - Recommendation to conduct public hearing and take action on Interim Ordinance 1216 that appoints members of the Historic Preservation Commission; establishes a list of historic and architecturally significant structures in the Community Core District (CC); establishes review standards for demolition or alteration of historic structures; establishes minimum maintenance requirements for historic structures; provides remedies for dangerous buildings; provides enforcement standards; and provides for an effective period for the interim ordinance - Suzanne Frick, Director of Planning & Building
- EXECUTIVE SESSION
- 9. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)
- ADJOURNMENT

If you need special accommodations, please contact the City of Ketchum in advance of the meeting. This agenda is subject to revisions and additions. Revised portions of the agenda are underlined in bold. Public information on agenda items is available in the Clerk's Office located at 480 East Ave. N. in Ketchum or by calling 726-3841.

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**CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING**  
Thursday, December 10, 2020, 4:00 PM  
480 East Avenue, North, Ketchum, Idaho

## Minutes

**Due to safety and COVID-19 physical distancing requirements, there will be no in-person public attendance at the Joint Workshop with City Council and Planning and Zoning Commission. Members of the public may observe the meeting live on the City's website at <https://www.ketchumidaho.org/meetings>.**

**If you would like to submit written comment, please e-mail [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) by noon the day of the meeting.**

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:00pm.

- ROLL CALL

### PRESENT

Mayor Neil Bradshaw

City Council President Amanda Breen (Teleconference)

City Councilor Michael David (Teleconference)

City Councilor Courtney Hamilton (Teleconference)

City Councilor Jim Slanetz (Teleconference)

Planning & Zoning Commission Chairman Neil Morrow (Teleconference)

Planning & Zoning Commission Vice-Chairman Mattie Mead (Teleconference)

Planning & Zoning Commissioner Tim Carter (Teleconference)

Planning & Zoning Commissioner Brenda Moczygemba (Teleconference)

Planning & Zoning Commissioner Jennifer Cosgrove (Teleconference – arrived at 4:25pm)

### ALSO PRESENT

Director of Planning & Building Suzanne Frick

City Attorney Matt Johnson (Teleconference)

Logan Simpson Consultant Jennifer Gardner (Teleconference)

Logan Simpson Consultant Melissa Ruth (Teleconference)

- DISCUSSION ITEMS AND DIRECTION TO STAFF

1. Presentation on project update and recent community outreach

Mayor Neil Bradshaw welcomed everyone and issued a reminder that no decisions would be made at the meeting. He identified the purpose of the meeting as an opportunity to hear from

the consultants on community feedback, review the updated list of historic structures, and to provide direction to staff on preservation options that could be included in an interim ordinance. He then turned it over to the consultants.

Logan Simpson consultant Jennifer Gardner provided an overview of the process. The Phase 1 timeline of the project was presented with a reminder that an interim ordinance is the final step of Phase 1. The interim ordinance will be presented to the Planning & Zoning Commission on December 22, 2020, and will be brought to City Council in January 2021.

Logan Simpson Consultant Melissa Ruth went over the public participation that has taken place so far and the key themes that have come out of the feedback.

Jennifer Gardner then provided an overview of the four topics that could be addressed in an interim ordinance (1) designation of Ketchum Historic Preservation Commission (2) documentation of designated historic structures (3) demolition of historic buildings and (4) alterations to existing historic structures.

2. Review updated historic building survey
3. Review policy options to address preservation/protection of historic buildings in interim ordinance
4. ACTION ITEM: Provide feedback and direction to staff on interim ordinance

Mayor Bradshaw asked the City Council and Planning & Zoning Commission to weigh in on the four topics presented by Logan Simpson consultants.

#### Topic 1 – Ketchum Historic Preservation Commission

Commissioner Mead questioned how the commission was formed and how it operates.

Director of Planning & Building Suzanne Frick clarified that the Historic Preservation Commission could consist of the the Planning & Zoning Commission with supplementary members from the community or it could be an entirely independent commission. Suzanne mentioned that the first option is the preferred approach since many historic preservation issues are tied to development applications that the Planning & Zoning Commission also reviews. However, she commented that staff is open to whichever approach the City Council and Planning & Zoning Commission would prefer.

Commissioner Mead said that his main concern would be to ensure that the Historic Preservation Commission consists of a group of unbiased individuals and encouraged the inclusion of a cross-section of professionals.

#### Topic 2 – Designation of Historic Structures



Mayor Bradshaw introduced the topic, commenting that the initial survey of historic buildings had around 84 properties and that the revised draft version has about 24 properties. He then turned it over to Director of Planning & Building Suzanne Frick.

Suzanne explained that the list presented at the meeting was a first draft at whittling down the 2005/2006 list. She commented that there are relatively few buildings in the community that would rise to the level of a Local Landmark designation or a potential National Register designation. She explained that within the list of 24 buildings, some may be more historically significant than others and that different levels of preservation could be appropriate, depending on the significance of the building.

Commissioner Jennifer Cosgrove asked about buildings that are historic but have already been remodeled and if that impacts their designation.

Logan Simpson consultant Jennifer Gardner said that they could still be included in Ketchum's local list, but that a remodel could inhibit National Register designation, depending on the scope of the remodel.

Councilor Hamilton asked about what benefits are received, if any, by obtaining National Register designation.

Logan Simpson consultant Jennifer Gardner said the biggest benefit of obtaining a listing on the National Register is that it opens up the opportunity for additional federal funding.

Commissioner Mead asked about buildings that are on the list and how it would impact the process if they are going through an application with the Planning & Zoning Commission. Mayor Bradshaw clarified that there are a couple of properties on the list that have current active applications and that those properties would be grandfathered in and not subject to any new interim or permanent Ordinances.

#### Topics 3 & 4 – Demolition of Historic Buildings & Alterations to Existing Historic Structures

Mayor Bradshaw asked for feedback about the idea of putting a stay or delay on the demolition of buildings that are on the local list. He also asked for feedback about the concept of prohibiting the demolition of certain properties that are deemed to be of the highest historical value.

Councilor Slanetz asked if there are currently any buildings in Ketchum that are on the National Register. Suzanne Frick said that there are two buildings in Ketchum that are currently on the National Register: Forest Service Park and the Culinary Institute building. Councilor Slanetz asked about the process to obtain National Register designation for a building.

Jennifer Gardner clarified that a property owner would have to apply for their building to be listed on the National Register. She also mentioned that there is currently not a process for a

property to be put on the local list, but that it would likely be the role of the Historic Preservation Commission to make that determination.

Councilor Slanetz said that he is not necessarily opposed to a short-term stay. He said he worried about the subjectivity about what is historic because it could be fairly subjective. He said he did not feel that he had the expertise to make that determination

Commissioner Moczygemba seconded what Councilor Slanetz said and commented that it was good to have a fresh perspective from the Logan Simpson consultants on what contributes to the historic fabric of Ketchum. She voiced her concern with the timeline of any stay or delay. She clarified that she is not necessarily against it, but that she would not want to put an undue burden on developers if the stay or delay went well into 2021.

Jennifer Gardner said she understood the concern about subjectivity and highlighted the importance of thorough guidelines and a good process for the Historic Preservation Commission.

Commissioner Moczygemba said that she thinks its important to have the process and guidelines be part of the interim ordinance.

Mayor Bradshaw commented that a review process will be addressed in the interim ordinance.

Chairman Morrow said that, overall, he thinks that this process is going in the right direction. He said that he thought it would be a good idea to talk to the property owners of the most iconic buildings on Main Street that people are concerned about losing. He said he's supportive of relocating certain buildings, like the Vintage building, and keeping a small number of buildings into perpetuity if the owners are agreeable. He mentioned that he thinks a lot of concern comes from losing overall feeling of town and acknowledged that is the result of the policy of the last 15 years to put density in the core. He said he would be fine with a short-term stay.

Council President Breen said that she is worried about too onerous of a stay and is much more in favor of an incentivized approach. She would also like to see more outreach to the particular property owners on the list about how they feel about the proposed interim ordinance. She also mentioned her concern with placing a ban on demolishing a certain structure.

Commissioner Carter said he was in favor of moving forward with an interim ordinance. He said he is in favor of a stay if there is a clear process forward through the stay so that projects do not get postponed for too long. He mentioned his reluctance to force a ban on demolition on property owners. He would be supportive if the property owner were supportive.

Councilor Hamilton said that she is in agreement with a lot of what has been said. She agreed with Council President Breen that having some incentives for property owners of historic

buildings is important. She acknowledged the importance of the topic and expressed her desire to continue to move forward with the process.

Commissioner Mead said that he is very supportive of this initiative and an interim ordinance. He said that he is less concerned with putting buildings on the National Register and thinks that it is more important to preserve the character of our town through facades and the look of buildings. He made the point that because we do not have a large number of very old buildings, like some towns in the northeast, it is important to preserve the character we do have. He thinks that encouraging people to be part of the National Register is a good secondary goal.

Councilor David commented that he is in favor of moving forward with the interim ordinance and mentioned that he thinks it is important to have a process that weighs alternatives to demolition. He said that character is about more than just the age of the building and that historic preservation should be part of a larger process and that design and scale also play a role in character.

Councilor Hamilton agreed with what Commissioner Mead said and used the Rocky Mountain Hardware building as an example of a building that was modified but retained its character. She asked for more information about the criteria that was used for determining the local list of 24 historic buildings and mentioned the importance of communicating that with the public as well. She also asked how we would determine what is historically significant in the future.

Suzanne Frick said that there was a methodology used that was approved and accepted by the State Historic Preservation Office. She said that the city would make the information available. She said that there is a variety of criteria that help determine if a building is historically significant. She also mentioned that the Historical Preservation Commission could apply for grant funding in the future to help pay for the list to be updated.

Jen Cosgrove seconded what Council President Breen said about using incentives. She also mentioned that things like adaptive reuse are a good way to balance the interests of those who are worried about losing character and those who are trying to bring new projects to the downtown area.

## 5. Review next steps

Mayor Bradshaw turned it over to Logan Simpson Consultant Jennifer Gardner to review the next steps. Jennifer said that the interim ordinance would be brought to the Planning & Zoning Commission Meeting on December 22, 2020, and then is anticipated to be brought to the City Council Meeting on January 4, 2021.

Councilor Hamilton asked for clarification about the timing of the interim ordinance coming to City Council and their ability to do three readings. Director of Planning & Building Suzanne Frick clarified that the City Council would be able to waive one of the readings or to schedule an additional special meeting in January.

Commissioner Carter asked if the Planning & Zoning Commission will have an opportunity to propose modifications to the interim ordinance when it is presented to them at the December 22<sup>nd</sup> meeting. City Attorney Matt Johnson clarified that the Commission could make amendments during the meeting and adopt the interim ordinance with those amendments. He said if there were substantial changes proposed and the Commission wanted staff to rewrite the interim ordinance, it could delay the process.

- ADJOURNMENT

**Motion to adjourn at 5:25pm.**

***Motion made by Councilor David, Seconded by Vice-Chairman Mead.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz, Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Moczygemba***

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**Neil Morrow, Chairman**

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**Neil Bradshaw, Mayor**

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**Katrin Sharp, Deputy City Clerk**



**CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING**  
Monday, December 21, 2020, 4:00 PM  
480 East Avenue, North, Ketchum, Idaho

## Minutes

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**Dial-in: +1 253 215 8782**  
**Meeting ID: 967 9301 4594**

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:00 pm.

- ROLL CALL

### PRESENT

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

### ALSO PRESENT

City Administrator Jade Riley  
City Attorney Matt Johnson (Teleconference)  
Director of Finance & Internal Services Grant Gager  
Director of Planning & Building Suzanne Frick  
Senior Planner Brittany Skelton

- COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Slanetz had no comments.

Council President Breen commended the many local businesses who are doing everything they can to keep the community safe and protect their employees and customers during the COVID pandemic. She referenced her guest opinion in the Idaho Mountain Express and reiterated her previous comment about the lack of safety protocols being implemented by the local Post Office. She asked the city what would be done about the Post Office's lack of compliance with local regulations. She noted that there is no reason to wait to enforce existing orders.

Councilor Hamilton thanked Sharon Patterson Grant for her work with the Ketchum Sustainability Advisory Committee (KSAC) and raised the concern that, as her contract is set to expire, the city no longer has a dedicated person to work on sustainability.

Councilor David commented that the roads are wild and crazy and that he is seeing a lot of illegal behavior.

Mayor Bradshaw said that he was delighted with how creative local businesses have been and thanked the planning team for their efforts to help businesses implement solutions during COVID. He assured the Council that the city would follow up on the safety issues at the Post Office. He wished the community happy holidays and highlighted the importance of respect and kindness in the City Council and elsewhere in the community.

- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
  1. Approval of Minutes: Regular Meeting December 7, 2020
  2. Authorization and approval of the payroll register
  3. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$231,222.84 as presented by the Treasurer.
  4. Monthly Financial State of the City - Grant Gager, Director of Finance & Internal Services
  5. Approval of Purchase Order #20574 with Ferguson Waterworks for Sensus water meters - Pat Cooley, Water Supervisor
  6. Approval of Contract #20576 with HDR Engineering for Wastewater Facility Planning Study - Mick Mummert, Wastewater Department Supervisor
  7. Approval of Resolution #20-031 adopting Clean Energy Goals - Neil Bradshaw, Mayor

Council President Breen requested that item #7 be pulled from the consent agenda and considered separately.

Councilor Hamilton requested that item #6 be pulled from the consent agenda and considered separately.

**Motion to approve consent agenda items #1-5.**

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

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

For item #6, Councilor Hamilton questioned why there was a 2014 date on the contract with HDR Engineering and asked about committing future City Councils. Director of Finance & Internal Services Grant Gager clarified that we have an ongoing contract with HDR Engineering, but that when items come up, the city issues a task order based on a specific scope of work. He also commented that the city's contract with HDR Engineering has a non-appropriation clause in order to not commit future City Councils.

Councilor Slanetz asked if the city was splitting the task order with the Sun Valley Water and Sewer District. Grant confirmed that there is a cost share with Sun Valley Water and Sewer District and that they already approved their portion.

**Motion to approve consent agenda item #6.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

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

For item #7, Mayor Bradshaw introduced the item and clarified that a resolution was included for the City Council to take action on.

Councilor Hamilton commented that Hailey adjusted the second goal to include "where technologically and economically feasible" and recommended we match the language they adopted. Council President Breen agreed that we should match the language that Hailey adopted.

Councilor Slanetz mentioned his concern with the city not having control over Idaho Power and their energy sources. Council President Breen reminded the Council that this resolution is not binding by law and that it can be reexamined in the future, if necessary.

**Motion to approve consent agenda item #7, as amended by Councilor Hamilton.**

***Motion made by Councilor Slanetz, Seconded by Councilor Hamilton.***

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

- NEW BUSINESS (no public comment required)
- 8. ACTION ITEM: Acceptance of the FY 20 Audit by Workman and Associates - Grant Gager, Director of Finance & Internal Services

Item #8 was considered after item #9. Mayor Bradshaw introduced the item and turned it over to the City Council.

**Motion to receive and file the audited FY 20 financial statements.**

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

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

9. ACTION ITEM: Recommendation to approve Contract #20575 to CSHQA for Design Development for new City Hall - Jade Riley, City Administrator

Mayor Bradshaw introduced the item and then turned it over to City Administrator Jade Riley.

Jade commented that after reviewing two to three different scenarios, staff is recommending that the new City Hall undergo a minimal tenant improvement for the next several years due to cost and timing. He reiterated that the proposed concepts are high level and that a more precise estimate and timeline will not be available until more detailed plans are available.

Councilor Slanetz said that he agrees with the concept of doing minimal improvements to get into the new City Hall space. He mentioned that there is plenty of square footage to make it work in the meantime.

Council President Breen said that she appreciated all efforts to minimize duplicative work and agreed with the concept of doing minimal improvements now.

Councilor David agreed with doing minimal improvements as well.

Councilor Hamilton commented that construction costs are extremely high right now and agreed that it was the prudent decision to keep improvements minimal for now. She reminded the Council about the energy goals that were just adopted and the importance of including sustainability improvements in the future plans for the building.

Mayor Bradshaw commented that it will be an important part of future budget discussions to put away money for additional improvements to the new City Hall building, including sustainability upgrades.

Councilor David mentioned the importance of having fiber optic in the new building. Mayor Bradshaw confirmed that fiber optic is already in the building.

**Motion to approve contract #20575 with CSHQA to proceed with detailed drawings for the new City Hall project.**

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

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

- PUBLIC HEARING

10. ACTION ITEM: Recommendation to adopt Ordinance #1214 amending Chapter 17.08.020 and repealing and replacing Chapter 17.88 of the Ketchum Municipal Code, Floodplain Management



Overlay District and Definitions--Continued from December 7, 2020 - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and then turned it over to Senior Planner Brittany Skelton for a presentation.

Brittany provided an overview of Ketchum's floodplain and riparian management and ordinance amendments.

Mayor Bradshaw then opened the item up for public comment. There was no public comment. The Mayor closed public comment.

Councilor Hamilton thanked Brittany for the presentation and for considering public input in the staff report. She also commented on the importance of keeping our rivers and riparian areas healthy for the safety of the community and the future of the river. She voiced her support for the ordinance amendments.

Council President Breen also thanked staff for incorporating the public comments that were received into the staff report. She said that she was supportive of moving towards a first reading, with the hope of getting more public input as the process continues.

Councilor Slanetz commented that each individual change seemed like a positive change to him, but that he also encouraged more public input. He highlighted the importance of protecting the river and the environment.

Councilor David commented that he was in agreement with the other councilors. He voiced his support for moving forward with a first reading and encouraged the public to provide input throughout the rest of the process.

Mayor Bradshaw asked Brittany what the cost of doing nothing would be. Brittany said that the city's existing program would remain in place. However, she commented that Ketchum would not be "leading by example" if the model code were not adopted.

**Motion to approve the first reading of Ordinance 1214 by title only.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

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

**Councilor Hamilton read Ordinance 1214 by title only.**

11. ACTION ITEM: Recommendation to approve a Lot Line Shift for Karen Likness and Gould Cabin to reconfigure Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to create amended Lots 1A and 2A of the Cliffhanger Subdivision. The properties are located at 563, 571, and 575 Wood River Drive - Suzanne Frick, Director of Planning & Building - **Continued to January 4, 2021**

**Motion to continue item #11 to the Regular City Council Meeting on January 4, 2021.**

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

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

- EXECUTIVE SESSION

12. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)

**Motion to enter into Executive Session pursuant to 74-206(1)(f).**

***Motion made by Councilor Hamilton, Seconded by Councilor David.***

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

- ADJOURNMENT

Motion to adjourn at 5:33 pm.

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

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

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Neil Bradshaw, Mayor

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Katrin Sharp, Deputy City Clerk

Report Criteria:

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

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>GENERAL FUND</b>			
<b>ADMINISTRATIVE SERVICES</b>			
<b>01-4150-3100 OFFICE SUPPLIES &amp; POSTAGE</b>			
TREASURE VALLEY COFFEE INC	2160 07140677	Spring Water	15.90
ABC STAMP	0547945	Notary Stamp - Katrin	32.87
<b>01-4150-4200 PROFESSIONAL SERVICES</b>			
STERLING CODIFIERS/AMERICA	5123	2021 Hosting Fee	500.00
<b>01-4150-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
CENTURY LINK	2087264135 12	2087264135 121320	979.42
CENTURY LINK	2087265574 12	2087265574 121320	54.48
VERIZON WIRELESS	965494438 121	965494438 121020	46.68
<b>01-4150-5150 COMMUNICATIONS</b>			
SNEE, MOLLY	2019	December Retainer and December Social Media	4,150.00
<b>01-4150-5200 UTILITIES</b>			
CLEAR CREEK DISPOSAL	0001372854	960 122420	34.20
CLEAR CREEK DISPOSAL	0001372856	960 122420	253.50
CLEAR CREEK DISPOSAL	0001373601	2367 122420	70.20
CLEAR CREEK DISPOSAL	0001373772	2367 122420	70.20
IDAHO POWER	2200749261 12	2200749261 122320	1,533.05
INTERMOUNTAIN GAS	44919030005 1	44919030005 122320	40.73
<b>01-4150-5900 REPAIR &amp; MAINTENANCE-BUILDINGS</b>			
SENTINEL FIRE & SECURITY, IN	60943	1494 - Ore Wagon Museum	87.00
Total ADMINISTRATIVE SERVICES:			7,868.23
<b>LEGAL</b>			
<b>01-4160-4270 CITY PROSECUTOR</b>			
ALLINGTON, ESQ., FREDERICK	120270	Monthly Prosecutor Payment	3,769.92
Total LEGAL:			3,769.92
<b>NON-DEPARTMENTAL</b>			
<b>01-4193-6500 CONTRACT FOR SERVICE</b>			
SUN VALLEY ECONOMIC DEVEL	1243	Q1 2021	2,250.00
Total NON-DEPARTMENTAL:			2,250.00
<b>FACILITY MAINTENANCE</b>			
<b>01-4194-3500 MOTOR FUELS &amp; LUBRICANTS</b>			
UNITED OIL	955219	38950 121520	44.60
<b>01-4194-5200 UTILITIES</b>			
CLEAR CREEK DISPOSAL	0001376127	56339 122420	145.40

Vendor Name	Invoice Number	Description	Net Invoice Amount
IDAHO POWER	2201272487 12	2201272487 122120	255.14
IDAHO POWER	2203538992 12	2203538992 122120	71.84
INTERMOUNTAIN GAS	65669030002 1	65669030002 122320	10.33
<b>01-4194-5300 CUSTODIAL &amp; CLEANING SERVICES</b>			
WESTERN BUILIDNG MAINTEN	0127963-IN	Monthly Janitorial Services	4,798.12
WESTERN BUILIDNG MAINTEN	0127963-IN	Disinfectant Services	430.00
<b>01-4194-6000 REPAIR &amp; MAINT-AUTOMOTIVE EQUI</b>			
CAR DOCTOR INC.	9074	Blower Motor Service	302.68
<b>01-4194-6950 MAINTENANCE</b>			
A.C. HOUSTON LUMBER CO.	2012-719508	Shop Supplies	43.08
CHATEAU DRUG CENTER	2317356	Supplies	27.23
CHATEAU DRUG CENTER	2321527	Bowls	15.16
Total FACILITY MAINTENANCE:			6,143.58
<b>POLICE</b>			
<b>01-4210-3200 OPERATING SUPPLIES</b>			
A.C. HOUSTON LUMBER CO.	2012-721416	Parking Meter Supplies	3.98
CHATEAU DRUG CENTER	2318397	CSO Supplies	36.07
<b>01-4210-3620 PARKING OPS EQUIPMENT FEES</b>			
VERIZON WIRELESS	965494438 121	965494438 121020	41.68
VERIZON WIRELESS	965494438 121	965494438 121020	41.93
VERIZON WIRELESS	965494438 121	965494438 121020	41.68
VERIZON WIRELESS	965494438 121	965494438 121020	41.68
<b>01-4210-4250 PROF.SERVICES-BCSO CONTRACT</b>			
BLAINE COUNTY CLERK/RECOR	201036	BCSO Law Enforcement Services	119,667.84
Total POLICE:			119,874.86
<b>FIRE &amp; RESCUE</b>			
<b>01-4230-3200 OPERATING SUPPLIES FIRE</b>			
ATKINSONS' MARKET	03563566	Coffee	14.50
CHATEAU DRUG CENTER	2319528	Poster Board	4.26
CHATEAU DRUG CENTER	2322408	Lock Box	37.99
COPY & PRINT, L.L.C.	104856	2 Hole Punch	12.50
<b>01-4230-3210 OPERATING SUPPLIES EMS</b>			
ATKINSONS' MARKET	03563566	Coffee	14.49
COPY & PRINT, L.L.C.	104856	2 Hole Punch	12.50
MUNICIPAL EMERGENCY SERIC	CM117668	Credit for Nosecups	162.00-
HENRY SCHEIN	87368836	Medical Supplies	849.10
HENRY SCHEIN	87384306	Medical Supplies	7.08
<b>01-4230-3500 MOTOR FUELS &amp; LUBRICANTS FIRE</b>			
UNITED OIL	955110	37267 121520	146.22
<b>01-4230-3510 MOTOR FUELS &amp; LUBRICANTS EMS</b>			
UNITED OIL	955110	37267 121520	81.37
<b>01-4230-4920 TRAINING-FACILITY</b>			
CLEAR CREEK DISPOSAL	0001373227	1848 122420	57.46

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>01-4230-5100 TELEPHONE &amp; COMMUNICATION FIRE</b>			
VERIZON WIRELESS	765494480 121	765494480 121320	173.46
COX WIRELESS	027222301 122	027222301 122020	59.72
<b>01-4230-5110 TELEPHONE &amp; COMMUNICATION EMS</b>			
COX WIRELESS	027222301 122	027222301 122020	59.71
<b>01-4230-6000 REPAIR &amp; MAINT-AUTO EQUIP FIRE</b>			
A.C. HOUSTON LUMBER CO.	2012-719899	Hose for T1	22.56
<b>01-4230-6100 REPAIR &amp; MAINT--MACHINERY &amp; EQ</b>			
DETROIT INDUSTRIAL TOOL	582559	Blade King Cut	197.47
LARSEN FIRE APPARATUS SERVI	2611	Pump Testing	580.00
CURTIS TOOLS FOR HEROES	INV450742	Air Analysis	155.00
Total FIRE & RESCUE:			2,323.39
<b>STREET</b>			
<b>01-4310-3200 OPERATING SUPPLIES</b>			
A.C. HOUSTON LUMBER CO.	2012-719220	Bungee Cord	10.76
BUSINESS AS USUAL INC.	153027	Office Supplies	82.50
D & B SUPPLY INC.	51357	Bruce's Boots	135.99
WAKE UP AND LIVE, INC.	12872	Snow Removal Coffee	296.38
<b>01-4310-3500 MOTOR FUELS &amp; LUBRICANTS</b>			
UNITED OIL	955112	37269 121520	905.58
<b>01-4310-4200 PROFESSIONAL SERVICES</b>			
JOE'S BACKHOE SERVICES, INC.	239001	Snow Hauling	2,520.00
LUNCEFORD EXCAVATION, INC.	11644	Snow Hauling	1,080.00
RICK'S EXCAVATION, INC.	627	Snow Removal and Travel	880.00
WESTERN STATES CAT	IN001506259	Track Type Tractor	6,938.50
<b>01-4310-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
VERIZON WIRELESS	365459737 121	365459737 121320	86.36
<b>01-4310-5200 UTILITIES</b>			
INTERMOUNTAIN GAS	49439330009 1	49439330009 122320	236.22
<b>01-4310-6100 REPAIR &amp; MAINT--MACHINERY &amp; EQ</b>			
K & T STEEL CORP.	0018987-IN	Truck and Sander Underbody Blades	1,075.00
NAPA AUTO PARTS	039467	Sign Truck Belts	64.77
NAPA AUTO PARTS	039847	Blower Bearing	63.49
RIVER RUN AUTO PARTS	6538-161201	Blower Parts	75.45
RIVER RUN AUTO PARTS	6538-161489	Grader Supplies	19.90
WESTERN STATES CAT	IN001498219	Seal and Ring	105.71
WESTERN STATES CAT	IN001499389	Ring	8.61
WESTERN STATES CAT	IN001500903	Replacement Inserts	236.16
<b>01-4310-6910 OTHER PURCHASED SERVICES</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11856043	5831 121820	38.87
SENTINEL FIRE & SECURITY, IN	60944	1495 - E. 10th St.	87.00
SENTINEL FIRE & SECURITY, IN	61088	2656 - 10th Street	87.00
<b>01-4310-6920 SIGNS &amp; SIGNALIZATION</b>			
NAPA AUTO PARTS	039537	Sign Reflective Sheets	195.36

Vendor Name	Invoice Number	Description	Net Invoice Amount
WOOD RIVER WELDING, INC.	178100	Repairs	66.20
<b>01-4310-6930 STREET LIGHTING</b>			
IDAHO POWER	2201013857 12	2201013857 122120	17.42
IDAHO POWER	2203027632 12	2203027632 121420	5.29
IDAHO POWER	2203855230 12	2203855230 122120	76.83
IDAHO POWER	2204535385 12	2204535385 122120	74.01
IDAHO POWER	2206773224 12	2206773224 122120	9.25
IDAHO POWER	2207487501 12	2207487501 122120	6.44
RIVER RUN AUTO PARTS	6538-161517	Street Light Batteries	1,259.10
<b>01-4310-6950 MAINTENANCE &amp; IMPROVEMENTS</b>			
A.C. HOUSTON LUMBER CO.	2012-717592	Window Washing Supplies	32.18
A.C. HOUSTON LUMBER CO.	2012-720091	Shop Roof Repair	88.07
A.C. HOUSTON LUMBER CO.	2012-720573	Justin's Office Supplies	105.22
COLOR HAUS, INC.	241923	Justin's Office Paint	154.25
COLOR HAUS, INC.	241955	Justin's Office Paint	36.00
COLOR HAUS, INC.	241980	Justin's Office Paint	54.18
NAPA AUTO PARTS	040469	Edelweis Gate Battery	515.18
Total STREET:			17,729.23
<b>RECREATION</b>			
<b>01-4510-3250 RECREATION SUPPLIES</b>			
CHATEAU DRUG CENTER	2317776	Recreation Supplies	26.07
TYO, JULIAN	122220	Stamps for Santa Letters	13.20
<b>01-4510-3300 RESALE ITEMS-CONCESSION SUPPLY</b>			
ATKINSONS' MARKET	05370149	Concessions	8.72
<b>01-4510-3500 MOTOR FUELS &amp; LUBRICANTS</b>			
LUTZ RENTALS	114410-1	Propane	24.62
LUTZ RENTALS	114545-1	Propane	26.11
LUTZ RENTALS	114642-1	Propane	26.86
LUTZ RENTALS	114689-1	Propane	23.94
UNITED OIL	955111	37268 121520	27.92
<b>01-4510-4200 PROFESSIONAL SERVICE</b>			
WOOD RIVER LOCK SHOP, LLC	16105	Park Restroom Keys	115.00
<b>01-4510-5200 UTILITIES</b>			
IDAHO POWER	2206452274 12	2206452274 122120	324.09
INTERMOUNTAIN GAS	31904030009 1	31904030009 122320	173.43
<b>01-4510-6100 REPAIR &amp; MAINT--MACHINERY &amp; EQ</b>			
A.C. HOUSTON LUMBER CO.	2012-717703	Pistol Spray Nozzle	16.58
RIVER RUN AUTO PARTS	6538-161485	Headlight	19.98
Total RECREATION:			826.52
Total GENERAL FUND:			160,785.73
<b>FIRE &amp; RESCUE CAPITAL IMPR.FND</b>			
<b>FIRE/RESC CAPITAL EXPENDITURES</b>			
<b>11-4230-7600 OTHER MACH &amp; EQUIP</b>			
CLEARWATER POWER EQUIPME	W20433	Snow Deflector	299.99

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total FIRE/RESC CAPITAL EXPENDITURES:			299.99
Total FIRE & RESCUE CAPITAL IMPR.FND:			299.99
<b>ORIGINAL LOT FUND</b>			
<b>ORIGINAL LOT TAX</b>			
<b>22-4910-6040 SUN VALLEY MARKETING ALLIANCE</b>			
VISIT SUN VALLEY	65	Monthly Payment per contract	9,166.66
<b>22-4910-6060 EVENTS/PROMOTIONS</b>			
COPY CENTER LLC	1642	Santa Letters and Envelopes	54.00
JOHNNY G'S SUBSHACK, LLC	53652	Tom Ancona's Retirement Lunch	459.00
SESAC, INC.	748038	2021 Music License	483.00
<b>22-4910-6090 CONSOLIDATED DISPATCH</b>			
BLAINE COUNTY EMERGENCY	25	2nd Quarterly Payment	39,212.63
Total ORIGINAL LOT TAX:			49,375.29
Total ORIGINAL LOT FUND:			49,375.29
<b>FIRE CONSTRUCTION FUND</b>			
<b>FIRE FUND EXP/TRNFRS</b>			
<b>42-4800-7800 CONSTRUCTION</b>			
CORE CONSTRUCTION SERVICES	20-01-006 JV9	20-01-006 JV90 APP 6	282,650.65
Total FIRE FUND EXP/TRNFRS:			282,650.65
Total FIRE CONSTRUCTION FUND:			282,650.65
<b>WATER FUND</b>			
<b>WATER EXPENDITURES</b>			
<b>63-4340-3200 OPERATING SUPPLIES</b>			
A.C. HOUSTON LUMBER CO.	2012-721108	Insulated Gloves	10.99
ALSCO - AMERICAN LINEN DIVI	LBOI1856049	5192 121820	27.18
ALSCO - AMERICAN LINEN DIVI	LBOI1856053	5493 121820	53.98
GEM STATE PAPER & SUPPLY	1033416-01	Covid Disinfectant	86.47
<b>63-4340-3400 MINOR EQUIPMENT</b>			
McMASTER-CARR SUPPLY CO.	50131888	High Volume Air Blower	283.02
<b>63-4340-3500 MOTOR FUELS &amp; LUBRICANTS</b>			
UNITED OIL	955114	37271 121520	147.82
<b>63-4340-4900 PERSONNEL TRAINING/TRAVEL/MTG</b>			
GASTON, STEPHANIE	122220	Reimbursement for Certification Test	25.00
GASTON, STEPHANIE	122920	Reimbursement for State Water Operator Test	100.00
<b>63-4340-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
VERIZON WIRELESS	365516521 121	365516521 121320	129.20
VERIZON WIRELESS	965494438 121	965494438 121020	41.68
<b>63-4340-5200 UTILITIES</b>			
IDAHO POWER	2202458903 12	2202458903 121820	543.73

Vendor Name	Invoice Number	Description	Net Invoice Amount
IDAHO POWER	2203658592 12	2203658592 122420	4,730.70
IDAHO POWER	2206786259 12	2206786259 121820	36.96
<b>63-4340-6000 REPAIR &amp; MAINT-AUTO EQUIP</b>			
A.C. HOUSTON LUMBER CO.	2012-718644	Clamps and Aluminum Ducts	8.78
RIVER RUN AUTO PARTS	6538-161492	Towstrap	36.95
<b>63-4340-6100 REPAIR &amp; MAINT-MACH &amp; EQUIP</b>			
RIVER RUN AUTO PARTS	6538-161254	Winter Windshield Cover	10.95
SAWTOOTH PLUMBING	29136	Leak Detection on Slab Floor	1,061.37
SAWTOOTH PLUMBING	29296	Labor Credit	98.50
Total WATER EXPENDITURES:			7,236.28
Total WATER FUND:			7,236.28
<b>WATER CAPITAL IMPROVEMENT FUND</b>			
<b>WATER CIP EXPENDITURES</b>			
<b>64-4340-7802 KETCHUM SPRING WA CONVERSION</b>			
WILRO PLUMBERS LLC	16602	160 Fourth St. Plumbing Service	150.00
WILRO PLUMBERS LLC	16616	Hose Bib	287.00
Total WATER CIP EXPENDITURES:			437.00
Total WATER CAPITAL IMPROVEMENT FUND:			437.00
<b>WASTEWATER FUND</b>			
<b>WASTEWATER EXPENDITURES</b>			
<b>65-4350-3200 OPERATING SUPPLIES</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11856049	5192 121820	27.18
ALSCO - AMERICAN LINEN DIVI	LBO11856051	5292 121820	120.56
ATKINSONS' MARKET	01349848	Distilled Water	5.42
ATKINSONS' MARKET	10547453	Diamond Plastic	5.98
GEM STATE PAPER & SUPPLY	1040760	Gloves	368.25
GEM STATE PAPER & SUPPLY	1040760-01	Gloves	368.25
<b>65-4350-3500 MOTOR FUELS &amp; LUBRICANTS</b>			
UNITED OIL	955113	37270 121520	428.69
<b>65-4350-3800 CHEMICALS</b>			
NORTH CENTRAL LABORATORI	448164	Chemicals	246.09
<b>65-4350-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
CENTURY LINK	2087268953 12	2087268953 121320	57.10
VERIZON WIRELESS	965494438 121	965494438 121020	40.01
VERIZON WIRELESS	965494438 121	965494438 121020	24.59
<b>65-4350-5200 UTILITIES</b>			
IDAHO POWER	2202158701 12	2202158701 121420	7,459.17
IDAHO POWER	2202703357 12	2202703357 121820	98.63
IDAHO POWER	2206786259 12	2206786259 121820	36.96
<b>65-4350-6000 REPAIR &amp; MAINT-AUTO EQUIP</b>			
NAPA AUTO PARTS	041075	Electronic Cleaner	4.99



Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>65-4350-6100 REPAIR &amp; MAINT-MACH &amp; EQUIP</b>			
A.C. HOUSTON LUMBER CO.	2012-718446	Armored Ground Plug	4.39
ROOTX	62088	Cases and Grease	161.20
<b>65-4350-6900 COLLECTION SYSTEM SERVICES/CHA</b>			
ROOTX	62088	Cases and Grease	460.12
Total WASTEWATER EXPENDITURES:			9,917.58
Total WASTEWATER FUND:			9,917.58
Grand Totals:			510,702.52

Report Criteria:

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



## City of Ketchum

January 4, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Hold a Public Hearing and Approve the Cliffhanger Subdivision: Lots 1A & 2A Lot Line Shift Application**

#### Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve the Cliffhanger Subdivision: Lots 1A & 2A Lot Line Shift Application.

Recommended Motion: "I move to approve the Cliffhanger Subdivision: Lots 1A & 2A Lot Line Shift Application subject to conditions of approval 1-6."

The reasons for the recommendation are as follows:

- This application proposes to reconfigure three existing properties to form two amended lots within an existing low-density residential neighborhood.
- The request to reconfigure three properties to form two amended lots meets all applicable standards for Readjustment of Lot Lines contained in Ketchum Municipal Code's (KMC) Subdivision (Title 16) and Zoning (Title 17) regulations.
- The application meets the standards required for the Readjustment of Lot Lines procedure because: (1) proposed Lots 1A and 2A of Cliffhanger Subdivision comply with the dimensional standards required for properties located within the City's Limited Residential (LR) Zoning District, (2) the two existing homes will comply with the dimensional standards required in the LR Zone as sited on amended Lots 1A and 2A, and (3) the proposal does not create additional lots or dwelling units.

#### Analysis

This Lot Line Shift application, submitted by Benchmark Associates on behalf of property owners Karen Likeness and Gould Cabin LLC, proposes to reconfigure the lot lines between Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to form amended Lots 1A and 2A of Cliffhanger Subdivision. The lot lines between existing Lots 1 and 2 will be relocated 45 feet south and the remaining portion of Lot 2 will combine with Tax Lot 5610 to create amended Lots 1A and 2A. The subject properties are located within the City's Limited Residential (LR) Zoning District. The southwest corner of Tax Lot 5610 is located within the floodplain. The plat map delineates the floodplain area located on proposed Lot 2A (Ketchum Municipal Code §16.04.030.J16). Additionally, amended Lot 2A includes a building envelope, which is required on lots all or part of which is located within the floodplain (Ketchum Municipal Code §16.04.030.J17 & §16.04.040.F2). Lots 1 and 2 of Cliffhanger Subdivision are developed with existing homes. Tax Lot 5610 is undeveloped. Both of the amended lots within Cliffhanger Subdivision will comply with the 9,000-square-foot minimum lot area required in the LR Zone—Lot 1A will have an area of 23,864 square feet and Lot 2A will have an area of 21,082 square feet. The two existing homes will comply with the dimensional standards required in the LR Zone as sited on amended Lots 1A and 2A.

#### Financial Impact

No financial impact as the application proposes to reconfigure three lots within a residential neighborhood.

Attachments:

- A. Draft Findings of Fact, Conclusions of Law, and Decision
- B. Lot Line Shift Application Submittal

Attachment A:  
Draft Findings of Fact,  
Conclusions of Law, and  
Decision



**City of Ketchum  
Planning & Building**

<b>IN RE:</b>	)	
	)	
<b>Cliffhanger Subdivision: Lots 1A &amp; 2A</b>	)	<b>KETCHUM CITY COUNCIL</b>
<b>Lot Line Shift (Readjustment of Lot Lines)</b>	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
<b>Date: January 4, 2021</b>	)	<b>DECISION</b>
	)	
<b>File Number: P20-105</b>	)	

**Findings Regarding Application Filed**

**PROJECT:** Cliffhanger Subdivision: Lots 1A & 2A

**APPLICATION TYPE:** Lot Line Shift (Readjustment of Lot Lines)

**FILE NUMBER:** P20-105

**OWNERS:** Karen Likeness & Gould Cabin LLC

**REPRESENTATIVE:** Cinda Lewis, Benchmark Associates

**REQUEST:** Reconfigure the lot lines between Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to form amended Lots 1A and 2A of Cliffhanger Subdivision

**LOCATION:** 563 Wood River Drive (Tax Lot 5610) and 575 & 571 Wood River Drive (Cliffhanger Subdivision: Lots 1A & 2A)

**NOTICE:** A public hearing notice was mailed to all property owners within 300 feet of the project site and political subdivisions on December 2, 2020. The public hearing notice was published in the Idaho Mountain Express on December 2, 2020. The public hearing notice was posted on site and on the city’s website on December 8, 2020. The public hearing for this Lot Line Shift application was continued from the Ketchum City Council Regular Meeting on December 21, 2020.

**ZONING:** Limited Residential (LR) Zoning District

**OVERLAY:** Floodplain

**Findings Regarding Application Filed**

This Lot Line Shift application, submitted by Benchmark Associates on behalf of property owners Karen Likeness and Gould Cabin LLC, proposes to reconfigure the lot lines between Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to form amended Lots 1A and 2A of Cliffhanger Subdivision. The lot lines between existing Lots 1 and 2 will be relocated 45 feet south and the remaining portion of Lot 2 will combine with Tax Lot 5610 to create amended Lots 1A and 2A. The subject properties are located within the City’s Limited Residential (LR) Zoning District. The southwest corner of Tax Lot 5610 is located within the floodplain. The plat map delineates the floodplain area located on proposed Lot 2A (Ketchum Municipal Code §16.04.030.J16). Additionally, amended

Lot 2A includes a building envelope, which is required on lots all or part of which is located within the floodplain (Ketchum Municipal Code §16.04.030.J17 & §16.04.040.F2). Lots 1 and 2 of Cliffhanger Subdivision are developed with existing homes. Tax Lot 5610 is undeveloped. Both of the amended lots within Cliffhanger Subdivision will comply with the 9,000-square-foot minimum lot area required in the LR Zone—Lot 1A will have an area of 23,864 square feet and Lot 2A will have an area of 21,082 square feet. The two existing homes will comply with the dimensional standards required in the LR Zone as sited on amended Lots 1A and 2A.

**Findings Regarding Readjustment of Lot Lines (KMC §16.04.060)**

Consistent with Ketchum Municipal Code (KMC) §16.04.020, the proposal meets the definition of Readjustment of Lot Lines because: (1) proposed Lots 1A and 2A of Cliffhanger Subdivision comply with the dimensional standards required for properties located within the City’s Limited Residential (LR) Zoning District, (2) the two existing homes will comply with the dimensional standards required in the LR Zone as sited on amended Lots 1A and 2A, and (3) the proposal does not create additional lots or dwelling units.

*Readjustment of Lot Lines: A change or modification of the boundary lines between existing lots or parcels of land or between dwelling units which does not reduce the area, frontage, width, depth or building setback lines of each lot below the minimum zoning requirements and which does not create additional lots or dwelling units. "Readjustment of Lot Lines" includes other minor changes to a subdivision, condominium, or townhouse plat such as, but not limited to, notation changes, boundary shifts and removal of lot line(s), each of which do not reduce the area, frontage, width, depth or building setback lines of each lot below the minimum zoning requirements nor create additional lots or dwelling units (KMC §16.04.020).*

Consistent with KMC §16.04.060.B, the Readjustment of Lot Lines application was transmitted to City Departments including the City Engineer, Fire, Building, Utilities, and Streets departments for review. As specified in Condition of Approval #2, the amended plat map shall meet all governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer.

All land, condominium, and townhouse subdivisions within the City of Ketchum are subject to the standards contained in Ketchum Municipal Code, Title 16, Subdivision Regulations. Pursuant to KMC §16.04.010.D, the change or modification of boundary lines, whether or not any additional lot is created, shall comply with these regulations. Many subdivision standards are related to the design and construction of multiple new lots that will form new blocks and infrastructure, such as streets that will be dedicated and maintained by the City. The standards for certain improvements (KMC §16.04.040), including street, sanitary sewage disposal, and planting strip improvements, are not applicable to the subject project as the application proposes to reconfigure three properties to form two lots within an existing residential neighborhood. As conditioned, proposed Lots 1A and 2A of Cliffhanger Subdivision meet the standards for Readjustment of Lot Lines under Title 16 of Ketchum Municipal Code.

**Table 1: Findings Regarding Contents of Final Plat and Subdivision Design & Development Requirements**

Findings Regarding Contents of Final Plat and Subdivision Design & Development Requirements				
Compliant			Standards and Council Findings	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K	Contents Of Final Plat: The final plat shall be drawn at such a scale and contain such lettering as to enable same to be placed upon sheets of eighteen inch by twenty four inch (18" x 24") Mylar paper with no part of the drawing nearer to the edge than one-half inch (1/2"), and shall be in conformance with the provisions of title 50, chapter 13, Idaho Code. The reverse side of such sheet shall not be used for any portion of the drawing, but may contain written matter as to

				<b>dedications, certificates, signatures, and other information. The contents of the final plat shall include all items required under title 50, chapter 13, Idaho Code, and also shall include the following:</b>
			<b>Council Findings</b>	<i>The final plat mylar paper shall be prepared following Ketchum City Council review and approval of the lot line shift application and shall meet these standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.1</b>	<b>Point of beginning of subdivision description tied to at least two (2) governmental survey corners, or in lieu of government survey corners, to monuments recognized by the city engineer.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard shall be met. The final plat mylar shall show a minimum of two Blaine County Survey Control Monuments with ties to the property. The Survey Control Monuments shall be clearly identified on the face of the map.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.2</b>	<b>Location and description of monuments.</b>
				<i>As conditioned, this standard shall be met. The final plat mylar shall show the location and description of monuments.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.3</b>	<b>Tract boundary lines, property lines, lot lines, street right of way lines and centerlines, other rights of way and easement lines, building envelopes as required on the preliminary plat, lot area of each lot, boundaries of floodplain and floodway and avalanche district, all with bearings, accurate dimensions in feet and decimals, in degrees and minutes and radii, arcs, central angles, tangents and chord lengths of all curves to the above accuracy.</b>
			<b>Council Findings</b>	<i>The plat map indicates the Wood River Drive right-of-way, proposed lot lines, the floodplain area, the building envelope as required for Lot 2A, and the area of each lot.</i>  <i>As conditioned, this standard shall be met. The final plat mylar shall show tract boundary lines, property lines, lot lines, street right of way lines and centerlines, other rights of way and easement lines, building envelopes as required on the preliminary plat, areas of each lot, all with bearings, accurate dimensions in feet and decimals, in degrees and minutes and radii, arcs, central angles, tangents and chord lengths of all curves to the above accuracy.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.4</b>	<b>Names and locations of all adjoining subdivisions.</b>
			<b>Council Findings</b>	<i>The plat map indicates neighboring Davis Subdivision, Froser Lodges, and Tax Lots 3162, 3342, 6682, 3315, and 3338.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.5</b>	<b>Name and right of way width of each street and other public rights of way.</b>
			<b>Council Findings</b>	<i>This standard has been met. The plat map indicates the Wood River Drive public right-of-way.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.6</b>	<b>Location, dimension and purpose of all easements, public or private.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard shall be met. The plat indicates the Idaho Power Company Easement recorded as Instrument No. 650575. The final plat shall include the location and dimension of all easements.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.030.K.7</b>	<b>The blocks numbered consecutively throughout each block.</b>
			<b>Council Findings</b>	<i>N/A. This lot line application reconfigures three existing properties to form two lots within an existing residential neighborhood and does not create a new block.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.030.K.8</b>	<b>The outline of any property, other than a street, alley or easement, which is offered for dedication to public use, fully dimensioned by distances and bearings with the area marked "Dedicated to the City of Ketchum for Public Use", together with any other descriptive language with regard to the precise nature of the use of the land so dedicated.</b>
			<b>Council Findings</b>	<i>N/A as no dedications of this type have been proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.9</b>	<b>The title, which shall include the name of the subdivision, the name of the city, if appropriate, county and state, and the location and description of the subdivision referenced to section, township, range.</b>
			<b>Council Findings</b>	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.10</b>	<b>Scale, north arrow and date.</b>
				<i>This standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.11</b>	<b>Location, width, and names of all existing or dedicated streets and other public ways within or adjacent to the proposed subdivision</b>
			<b>Council Findings</b>	<i>This standard has been met. Wood River Drive is indicated on the subdivision plat map.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.030.K.12</b>	<b>A provision in the owner's certificate referencing the county recorder's instrument number where the condominium declaration(s) and/or articles of incorporation of homeowners' association governing the subdivision are recorded.</b>
			<b>Council Findings</b>	<i>This standard is not applicable.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.13</b>	<b>Certificate by registered engineer or surveyor preparing the map certifying to the accuracy of surveying plat.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard will be met prior to recordation of the final plat. The signature block page shall include the surveyor's certification.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.14</b>	<b>A current title report of all property contained within the plat.</b>
			<b>Council Findings</b>	<i>This standard has been met. A title report and warranty deeds were submitted for the properties.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.15</b>	<b>Certification of owner(s) of record and all holders of security interest(s) of record with regard to such property.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard will be met prior to recordation of the final plat. The signature block page shall include a certificate of ownership and associated acknowledgement from all owners and holders of security interest with regard to the subject property, which shall be signed following Ketchum City Council review and approval of the application and prior to recordation of the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.16</b>	<b>Certification and signature of engineer (surveyor) verifying that the subdivision and design standards meet all city requirements.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard will be met prior to recordation of the final plat. The signature block page shall include the certification and signature of the surveyor verifying that the subdivision and design standards meet all City requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.17</b>	<b>Certification and signature of the city engineer verifying that the subdivision and design standards meet all city requirements.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard will be met prior to recordation of the final plat. The signature block page shall include the City Engineer's approval and verification that the subdivision and design standards meet all City requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.K.18</b>	<b>Certification and signature of the city clerk of the city of Ketchum verifying that the subdivision has been approved by the council.</b>
			<b>Council Findings</b>	<i>As conditioned, this standard will be met prior to recordation of the final plat. The signature block page shall include the certification and signature of the City Clerk verifying the subdivision has been approved by City Council.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.030.K.19</b>	<b>Notation of any additional restrictions imposed by the council on the development of such subdivision to provide for the public health, safety and welfare.</b>
			<b>Council Findings</b>	<i>This standard is not applicable as this application reconfigures three existing properties to form two lots within an existing residential neighborhood. No additional restrictions are necessary to provide for the public health, safety, and welfare.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.L</b>	<b>Final Plat Copies: Both a hard copy and a digital copy of the final plat shall be filed with the administrator prior to being placed upon the Council's agenda. A digital copy of the final plat as approved by the council and signed by the city clerk shall be filed with the administrator and retained by the city. The Applicant shall also provide the city with a digital copy of the recorded document with its assigned legal instrument number.</b>
			<b>Council Findings</b>	<i>This standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.A</b>	<b>Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.</b>
			<b>Council Findings</b>	<i>This standard is not applicable as this application proposes to reconfigure three existing properties to form two lots within a low-density residential neighborhood. No improvements are required or proposed.</i>



<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.B</b>	<b>Improvement Plans:</b> Prior to approval of final plat by the Council, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			<b>Council Findings</b>	<i>This standard is not applicable as this application proposes to reconfigure three existing lots within a low-density residential neighborhood. No improvements are required or proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.C</b>	<b>Performance Bond:</b> Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather, factors beyond the control of the subdivider, or other conditions as determined acceptable at the sole discretion of the city, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be two years or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			<b>Council Findings</b>	<i>This standard is not applicable as this application proposes to reconfigure three existing properties to create two lots within a low-density residential neighborhood. No improvements are required or proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.D</b>	<b>As Built Drawing:</b> Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			<b>Council Findings</b>	<i>This standard is not applicable as this application proposes to reconfigure three existing properties within a low-density residential neighborhood. No improvements are required or proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.E</b>	<b>Monumentation:</b> Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows: <ol style="list-style-type: none"> <li>1. All angle points in the exterior boundary of the plat.</li> <li>2. All street intersections, points within and adjacent to the final plat.</li> <li>3. All street corner lines ending at boundary line of final plat.</li> <li>4. All angle points and points of curves on all streets.</li> <li>5. The point of beginning of the subdivision plat description.</li> </ol>
			<b>Council Findings</b>	<i>The applicant shall meet the required monumentation standards prior to recordation of the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.F</b>	<b>Lot Requirements:</b> <ol style="list-style-type: none"> <li>1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings.</li> <li>2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations,</li> </ol>

			<p>and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following:</p> <ol style="list-style-type: none"> <li>For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.</li> <li>For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</li> </ol> <p>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat. Minimum lot sizes in all cases shall be reversed frontage lot(s).</p>
			<p><b>Council Findings</b></p> <p><i>Standard #1 has been met as the lot size, width, shape, and building setback lines will comply with the dimensional standards required in the LR Zone. Standard #2 has been met as the floodplain area on Lot 2A and the required building envelope are indicated on the plat map. Standard 3 is not applicable as no corner lots are proposed with this application. Standards #4-6 have been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>16.04.040.G</b></p> <p><b>G. Block Requirements:</b> The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> <li>No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</li> <li>Blocks shall be laid out in such a manner as to comply with the lot requirements.</li> <li>The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</li> <li>Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</li> </ol>
			<p><b>Council Findings</b></p> <p><i>N/A. This project will reconfigure three existing properties to form two new lots within an existing low-density residential neighborhood. This application does not create a new block.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>16.04.040.H</b></p> <p><b>Street Improvement Requirements:</b></p> <ol style="list-style-type: none"> <li>The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</li> <li>All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</li> <li>Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</li> <li>Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</li> <li>Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</li> <li>In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and</li> </ol>

			<p>is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;</p> <p>7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;</p> <p>8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;</p> <p>19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;</p> <p>20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;</p> <p>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</p> <p>22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;</p> <p>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and</p> <p>24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone.</p>
		<p><b>Council Findings</b></p>	<p><i>This standard is not applicable. This project will reconfigure three existing properties to form two new lots within an existing low-density residential neighborhood. This proposal does not create a new street, private road, or bridge.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>16.04.040.I</b></p> <p><b>Alley Improvement Requirements:</b> Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead-end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.</p>
			<p><b>Council Findings</b></p> <p><i>This standard is not applicable. This project will reconfigure three existing properties to form two amended lots within an existing low-density residential neighborhood. Alleys are not required within residential neighborhoods.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>16.04.040.J</b></p> <p><b>Required Easements:</b> Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.</p>
			<p><b>Council Findings</b></p> <p><i>Utilities are existing within the Wood River Drive right-of-way. While the southwest corner of amended Lot 2A is located within the floodplain, the subdivision does not directly border the Big Wood River, so standards #2-4 are not applicable. The irrigation systems are existing on the properties and no additional improvements are proposed. This project is located within a low-density area and no sidewalks are required.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>16.04.040.K</b></p> <p><b>Sanitary Sewage Disposal Improvements:</b> Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<p><b>Council Findings</b></p> <p><i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. No sanitary sewage disposal improvements are required for this project.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	<p><b>Water System Improvements:</b> A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. These properties have existing connections to the municipal water system. Water system improvements are not required for this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p><b>Planting Strip Improvements:</b> Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two amended lots within an existing low-density residential neighborhood. This neighborhood does not adjoin incompatible uses, such as highways or commercial districts. Planting strip improvements are not required for this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N	<p><b>Cuts, Fills, And Grading Improvements:</b> Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> <li>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.</li> <li>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> <li>a. Proposed contours at a maximum of five foot (5') contour intervals.</li> <li>b. Cut and fill banks in pad elevations.</li> <li>c. Drainage patterns.</li> <li>d. Areas where trees and/or natural vegetation will be preserved.</li> <li>e. Location of all street and utility improvements including driveways to building envelopes.</li> <li>f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.</li> </ol> </li> <li>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</li> <li>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</li> <li>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</li> <li>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: <ol style="list-style-type: none"> <li>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</li> <li>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods).</li> </ol> </li> </ol>

				<p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope.</p> <p>e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. Cuts, fills, and grading improvements are not required or proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.O</b>	<p><b>Drainage Improvements:</b> The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. Drainage improvements are not required or proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.P</b>	<p><b>Utilities:</b> In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. Utility improvements are not required or proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.Q</b>	<p><b>Off Site Improvements:</b> Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.</p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood. Off-site improvements are not required or proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.R</b>	<p><b>Avalanche And Mountain Overlay:</b> All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.</p>
			<b>Council Findings</b>	<i>This standard is not applicable as the property is not located in the Avalanche Zone or Mountain Overlay.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.04.040.S</b>	<p><b>Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</b></p>
			<b>Council Findings</b>	<i>This standard is not applicable. This project will reconfigure three existing properties to form two lots within an existing low-density residential neighborhood.</i>

### CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum City Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which city ordinances govern the applicant’s application for the development and use of the project site.
2. The Council has authority to hear the applicant’s Lot Line Shift Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
4. The Lot Line Shift (Readjustment of Lot Lines) application is governed under Sections 16.04.010, 16.04.020, 16.04.030, and 16.04.060 of Ketchum Municipal Code Chapter 16.04.
5. As conditioned, the proposed Lot Line Shift meets the standards for approval under Title 16 of Ketchum Municipal Code.

### DECISION

**THEREFORE**, the Ketchum City Council **approves** the Cliffhanger Subdivision: Lots 1A & 2A Readjustment of Lot Lines this Monday, January 4<sup>th</sup>, 2021 subject to the following conditions:

### CONDITIONS OF APPROVAL

1. The amended plat mylar shall meet all conditions specified in Table 1: Findings Regarding Contents of Final Plat and Subdivision Design & Development Requirements.
2. The amended subdivision plat shall meet all governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No. 1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer.
3. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map.
4. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder’s office concurrent with the recording of the Plat containing the following minimum data:
  - a. Line work delineating all parcels and roadways on a CAD layer/level designated as “parcel”;
  - b. Line work delineating all roadway centerlines on a CAD layer/level designated as “road”; and,
  - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as “control”; and,
  - d. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a “.dwg”, “.dgn” or “.shp” format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.

5. The final plat mylar shall contain all items required under Title 50, Chapter 13, Idaho Code as well as all items required pursuant to KMC §16.04.030J including certificates and signatures.
6. The applicant shall provide a copy of the recorded final plat to the Planning and Building Department for the project record.

Findings of Fact **adopted** this 4<sup>th</sup> day of January 2021

---

Neil Bradshaw, Mayor

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Katrin Sharp, Deputy City Clerk



**Attachment B:  
Lot Line Shift Application  
Submittal**



City of Ketchum  
Planning & Building

**CERTIFIED COMPLETE**  
10-28-20  
M


OFFICIAL USE ONLY	
File Number:	P20-105
Date Received:	10-23-20
By:	M
Fee Paid:	1425.00
Approved Date:	
Denied Date:	
By:	

### Lot Line Shift Application

OWNER INFORMATION	
Owner Name: Cliffhanger: Lots 1 & 2: Karen Likness Tax Lot 5610: Gould Cabin, LLC	
Mailing Address: P.O. Box 4684, Ketchum, ID 83340	
Phone: 425-941-7062	
Email: scottgang@aol.com	
PROJECT INFORMATION	
Name of Proposed Plat: Cliffhanger Sub: Lot 1A & 2A	
Representative of Owner: Benchmark Associates, Garth McClure	
Phone: 208-726-9512 Ext. 111	
Mailing Address: P.O. Box 733	
Email: garth@bma5b.com	
Legal Land Description: T4N, R17E, Sec. 13, B.M., Tax Lot 5610, Cliffhanger Sub: Lots 1 & 2	
Street Address: 563, 571 & 575 Cliffhanger Subdivision	
Number of Lots: Three lots into two.	Number of Units: n/a
Total Land Area in Square Feet: +/- 44,946 SF	Current Zoning District: LR - LIMITED RESIDENTIAL
Overlay District: <input type="checkbox"/> Flood <input type="checkbox"/> Mountain <input type="checkbox"/> Avalanche	
Easements to be Dedicated on the Final Plat (Describe Briefly):	
No new easements.	
ATTACHMENTS	
Attachments Necessary to Complete Application:	
1. A copy of a current lot book guarantee and recorded deed to the subject property;	
2. One (1) copy of preliminary plat; and,	
3. A CD or email of an electronic (.pdf) of the plat.	

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

  
Signature of Owner/Representative

  
Date

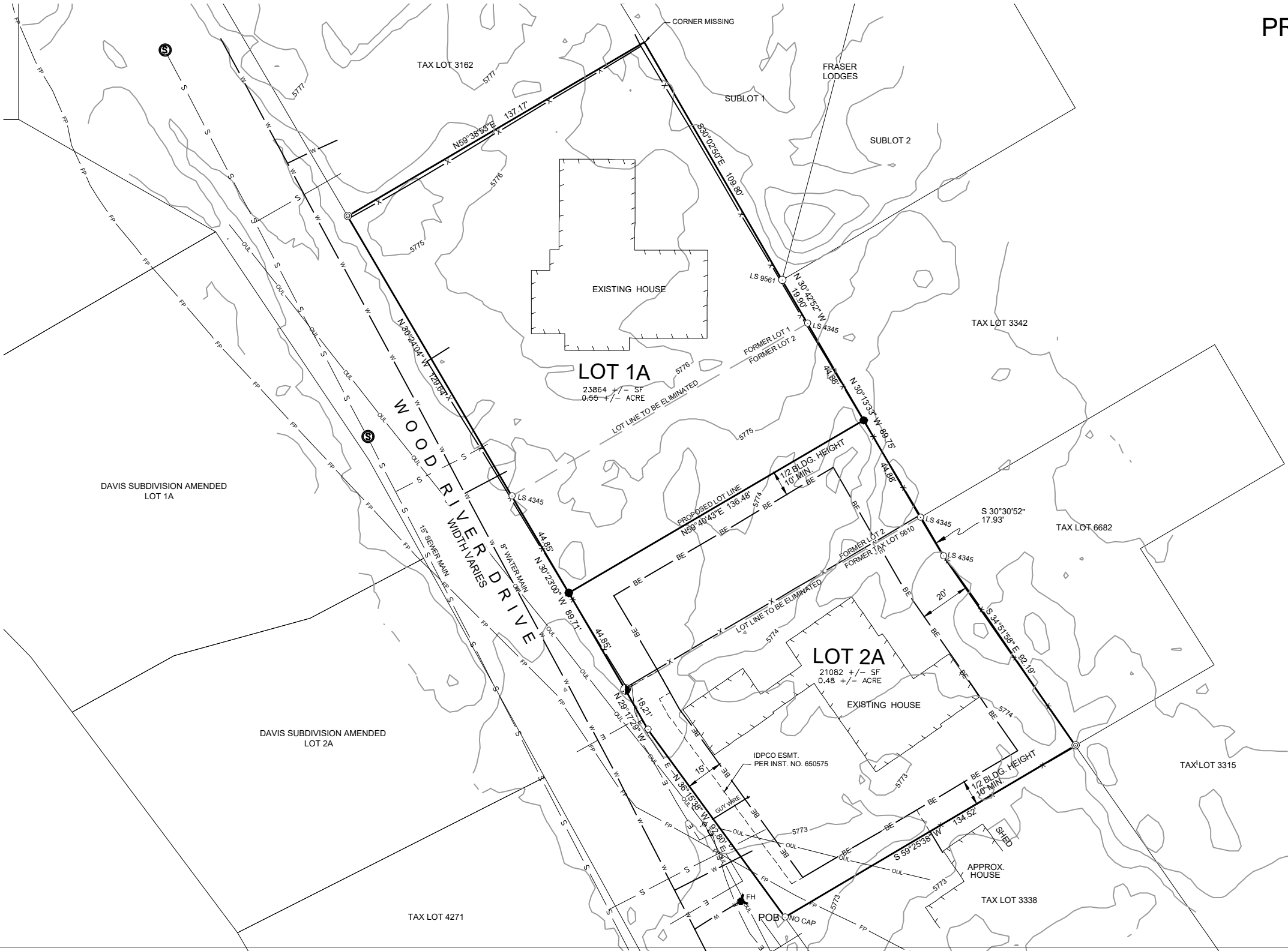
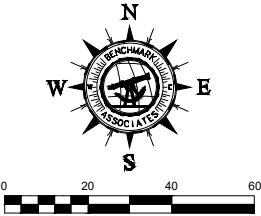
# CLIFFHANGER SUBDIVISION: LOTS 1A & 2A

LOCATED WITHIN: SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, B.M.,  
CITY OF KETCHUM, BLAINE COUNTY, IDAHO

WHEREIN LOTS 1 & 2 OF CLIFFHANGER SUBDIVISION AND TAX LOT 5610 ARE RECONFIGURED.

DECEMBER 2020

PRELIMINARY PLAT



**LEGEND:**

- PROPERTY BOUNDARY
- ADJOINING PROPERTY LINE
- - - LOT LINE TO BE ELIMINATED
- BE — PROPOSED BUILDING ENVELOPE
- FP — 1% CHANGE OF FLOOD LINE
- X — FENCE LINE
- W — WATER LINE (SEE NOTE 4)
- S — SEWER LINE (SEE NOTE 4)
- OUL — OVERHEAD UTILITY LINE
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- FOUND PIPE
- SET 5/8" REBAR, LS 13764
- FOUND ALUMINUM CAP
- POWER POLE
- SEWER MANHOLE (SEE NOTE 4)

**SURVEYOR'S NARRATIVE:**

1. THE PURPOSE OF THIS PLAT IS TO RECONFIGURE LOTS 1A & 2A OF CLIFFHANGER SUBDIVISION AND TAX LOT 5610. FOUND MONUMENTS WERE ACCEPTED AS EITHER ORIGINAL OR REPLACEMENTS OF ORIGINAL CORNERS. SET MONUMENT LOCATIONS WERE ESTABLISHED USING PROPORTIONED DISTANCES AND BEARINGS.
2. DIMENSIONS SHOWN HEREON ARE MEASURED. FOR RECORD DIMENSIONS, SEE REFERENCED SURVEYS.
3. DOCUMENTS USED IN THE COURSE OF THIS SURVEY:
  - A. ORIGINAL PLAT OF "CLIFFHANGER SUBDIVISION", INST. NO. 329734.

**NOTES:**

1. REFER TO THE ORIGINAL PLAT AND CC&R'S OF CLIFFHANGER SUBDIVISION FOR CONDITIONS, RESTRICTIONS AND PLAT NOTES GOVERNING THIS PROPERTY.
2. FLOOD PLAIN: THE 1%-YR FLOOD PLAIN LINE, DESIGNATED ON THIS MAP IS CONSIDERED REASONABLE FOR REGULATORY PURPOSES. HOWEVER, BENCHMARK ASSOCIATES DOES NOT REPRESENT, GUARANTEE, WARRANT NOR IMPLY THAT AREAS OUTSIDE OF THE DESIGNATED FLOOD PLAIN AREA ARE SAFE AND FREE FROM FLOODS OR FLOOD DANGER. FLOOD INFORMATION IS BASED ON THE FLOOD INSURANCE STUDY FOR: BLAINE COUNTY, IDAHO, UNINCORPORATED AREAS) COMMUNITY NUMBER 16013C - PANEL NO. 04631 E - NOVEMBER 26, 2010.
3. AN EASEMENT AGREEMENT HAS BEEN RECORDED AS INST. NO. \_\_\_\_\_, RECORDS OF BLAINE COUNTY, IDAHO.
4. WATER & SEWER LOCATIONS PER CITY OF KETCHUM RECORDS ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO DESIGN OR CONSTRUCTION.
5. VERTICAL DATUM: ELEVATIONS BASED ON NAVD 88 (GEIOD03) DATUM UTILIZING SMARTNET CORS STATION IDKM.
6. CONTOUR INTERVAL: 1' - CONTOURS IN AREAS OF DENSE VEGETATION MAY DEVIATE FROM TRUE ELEVATION BY ONE HALF THE HEIGHT OF THE VEGETATION. DATE OF LIDAR FLIGHT FOR CONTOURS: 2017.

**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.

Dated: \_\_\_\_\_

South Central Public Health District, REHS



<b>CLIFFHANGER SUB'D: LOTS 1A &amp; 2A</b>		
LOCATED WITHIN SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO		
PREPARED FOR: SCOTT/STROBLE		
PROJECT NO. 20089	DWG BY: ROB/CPL	20089PRE.DWG
PRELIMINARY PLAT	DATE: DECEMBER 27, 2020	SHEET: 1 OF 1



PLEASE RETURN TO:

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

For County Recorder's Use Only
Instrument # 650575
HAILEY, BLAINE, IDAHO
3-21-2018 11:35:25 AM No. of Pages: 5
Recorded for : IDAHO POWER COMPANY
JOLYNN DRAGE Fee: 22.00
Ex-Officio Recorder Deputy
Index to: EASEMENTS

Easement—Individual

Peter Stroble

and Diana Stroble

'Grantor(s)', of Blaine County, State of Idaho, does hereby grant and convey to IDAHO POWER COMPANY, a Corporation, with its principal office located at 1221 W. Idaho Street, Boise, Idaho, 83702 (P.O. Box 70, Boise, ID 83707), its licensees, successors, and assigns, (collectively, 'Grantee'), for One Dollar and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, a permanent and perpetual easement and right of way, at all times sufficient in width for the installation, erection, continued operation, maintenance, repair, alteration, inspection, and/or replacement of the following:

Combination Facilities:

- (i) Overhead electrical transmission, distribution and communication lines, including fiber optics, and circuits of Grantee, attached to poles or other supports, together with guys, cross-arms, supports, stabilizers, and
(ii) underground electrical power line or lines generally including, but not limited to, buried power lines and wires, above-ground pad-mounted transformers, junction boxes, cables, conduits, communication lines, including fiber optics, other equipment, and all related appurtenances, any of which may extend above ground, in certain locations to be determined by Grantee at Grantee's sole and absolute discretion, and
(iii) any other attachments, appurtenances and incidental equipment relating to the items described in subclause (i) or (ii) above.

All of the foregoing items described in subclause (i), (ii) and (iii) are collectively referred to herein as the 'Facilities'. Grantee shall also have the right to permit the attachment and/or use or placement of the wires, fixtures, cables and conduits of other companies or parties (all of the same being included within the definition of 'Facilities').

The easement and right of way granted herein shall be over, on, and across the premises belonging to Grantor(s) in Blaine County, State of Idaho, in the location described below:

Grantee is hereby also granted the perpetual right of ingress and egress over Grantor's other property necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and together with all rights and privileges incident thereto, including, but not limited to, (i) the right, at Grantee's expense, to cut, trim, and remove trees, brush, bushes, sod, flowers, shrubbery, overhanging branches and other obstructions and improvements which may injure or interfere with Grantee's use, occupation, or enjoyment of this easement, (ii) the right, at Grantee's expense, to excavate and refill ditches and trenches for the location of the Facilities, and (iii) the right, at Grantee's expense, to install, construct, operate, inspect, alter, maintain, replace, improve and repair any and all aspects of Grantee's Facilities on, over, through, under and across the lands subject to this easement.

The location of the easement and right of way granted herein is described as follows:

In Exhibit 'A' Legal Description and shown on Exhibit 'B' Survey Map attached hereto and made a part hereof.

Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms, or other activities without the prior written approval of Grantee. Grantor shall not place or build any structure(s) within the easement area except fences and except as otherwise approved by Grantee in writing.

This Easement shall run with the land and be binding upon the parties' successors and assigns.

Checked by: EJK4507
Work Order #: 27475071

(Signature page immediately follows)

Executed and delivered this 1<sup>st</sup> day of March, 2018.

Signature(s) of Grantor(s) (Include title where applicable):

Peter Stroble Diana Stroble

**Person Acknowledging Instrument  
Proven To Be The Signer By Satisfactory Identification**

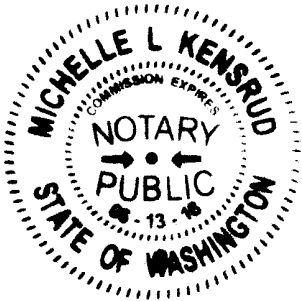
STATE OF ~~Idaho~~ Washington }  
COUNTY OF Lewis } ss.

On this 1<sup>st</sup> day of March, 2018, before me (Notary's Name)

Michelle L Kensrud a notary public, personally appeared Peter Stroble  
and Diana Stroble (Individual(s) Name) proved to me on the basis of satisfactory evidence to  
be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument, and acknowledged to me that ~~he/she/they~~ executed  
the same.

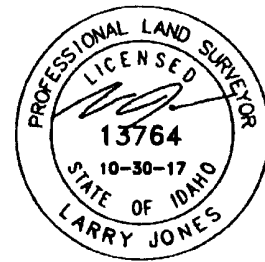
(NOTARY SEAL)

Michelle L Kensrud  
Notary Public  
My Commission Expires on 6-13-18



# Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING  
P.O. Box 733 - 100 Bell Drive  
Ketchum, Idaho 83340  
208/726-9512 Fax 208/726-9514 www.benchmark-associates.com



## DESCRIPTION - EXHIBIT A

### A EASEMENT AREA

Within: SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, CITY OF KETCHUM, BLAINE COUNTY, IDAHO.

A Easement Area lying within TAX LOT 5610, according to the Warranty Deed, recorded as Instrument No. 642745, records of Blaine County, Idaho. Said Easement Area being more particularly described by metes and bounds as follows:

**COMMENCING** at a 5/8" rebar marking the Blaine County Gis point know as "LEADVILLE" Thence N 54°05'48" W a distance of 6807.17 feet to a Brass Cap marking the Blaine County Gis point know as "FLOWER"; Thence S 23°31'50" E a distance of 5785.22 feet to an Aluminum cap marking the most westerly corner of said Tax Lot 5610 and the **POINT OF BEGINNING**;

Thence N 59°43'01" E a distance of 15.00 feet;

Thence S 30°16'59" E a distance of 10.00 feet;

Thence S 59°43'01" W a distance of 5.17 feet;

Thence S 29°17'29" E a distance of 7.77 feet;

Thence S 36°15'38" E a distance of 83.14 feet;

Thence N 59°25'38" E a distance of 57.95 feet;

Thence S 30°34'22" E a distance of 10.00 feet;

Thence S 59°25'38" W a distance of 67.00 feet;

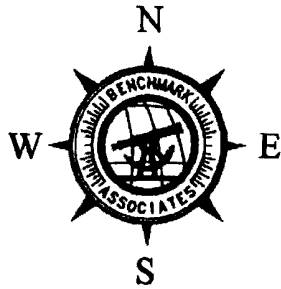
Thence N 36°15'38" W a distance of 92.80 feet;

Thence N 29°17'29" W a distance of 18.21 feet to the **POINT OF BEGINNING**.

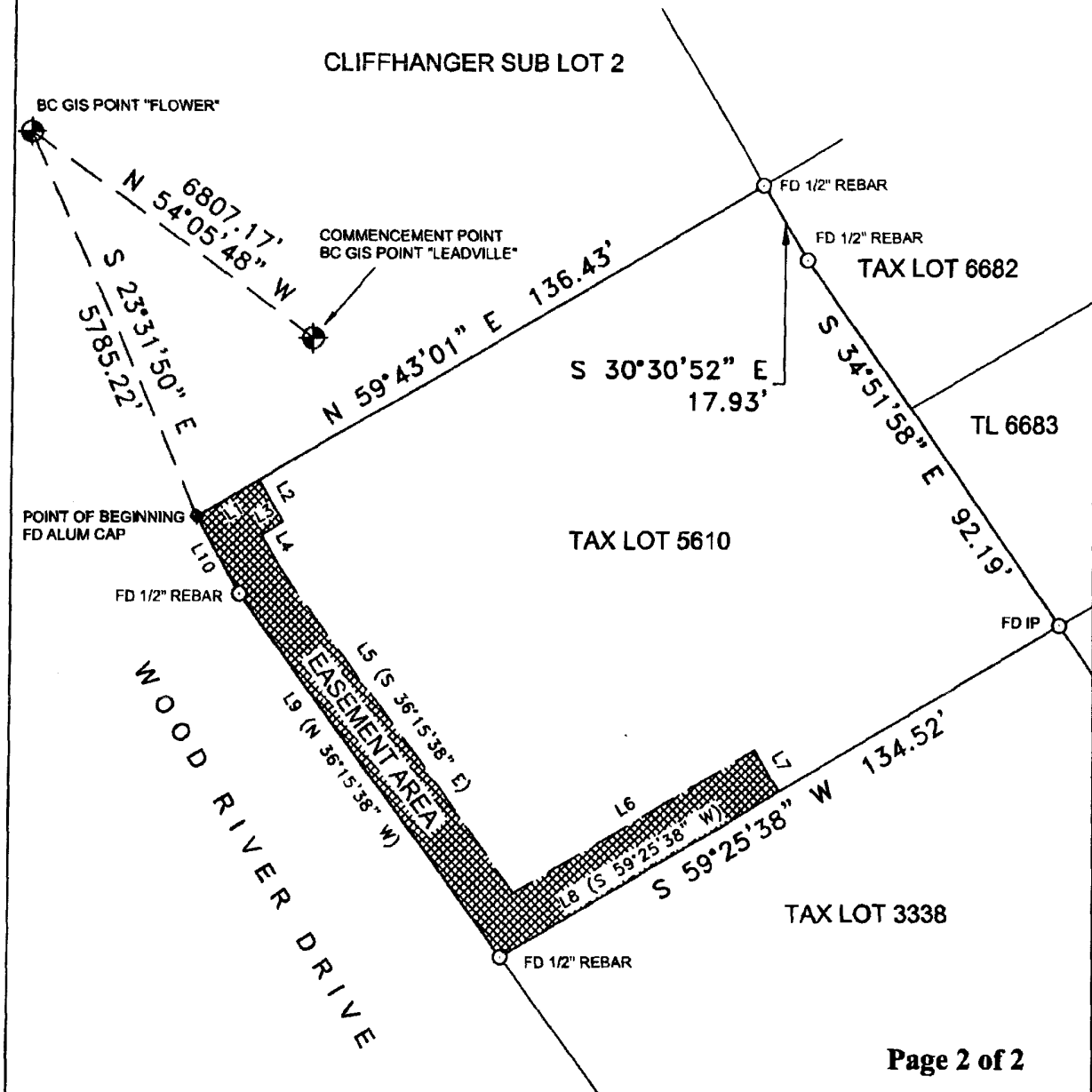
Having an approximate area of ±1735 Square Feet, or ±0.04 Acres more or less.

Page 1 of 2

EXHIBIT 'B'



LINE	BEARING	DISTANCE
L1	N 59°43'01" E	15.00'
L2	S 30°16'59" E	10.00'
L3	S 59°43'01" W	5.17'
L4	S 29°17'29" E	7.77'
L5	S 36°15'38" E	83.14'
L6	N 59°25'38" E	57.95'
L7	S 30°34'22" E	10.00'
L8	S 59°25'38" W	67.00'
L9	N 36°15'38" W	92.80'
L10	N 29°17'29" W	18.21'



NOTES

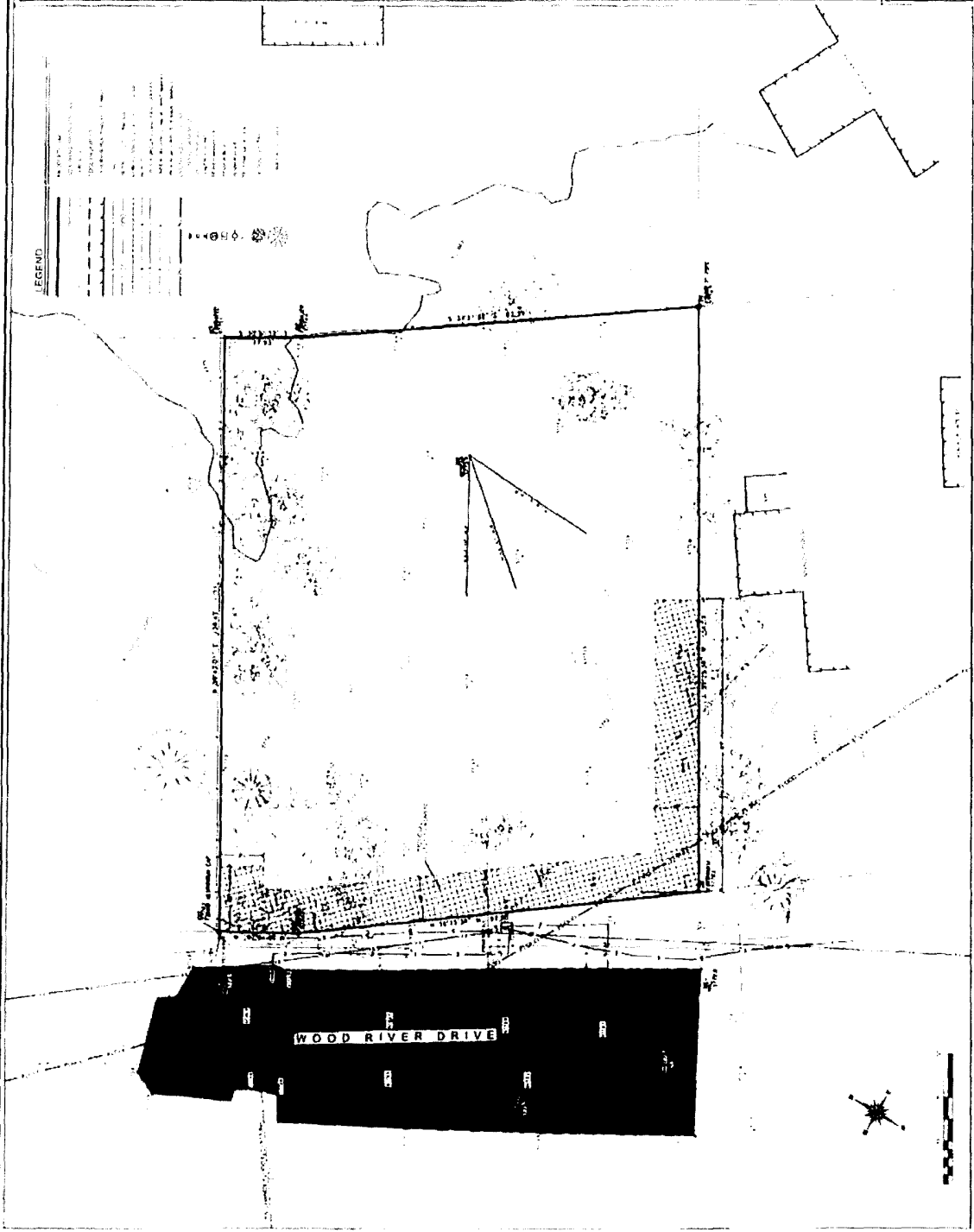
1. THIS MAP IS A REPRODUCTION OF THE ORIGINAL MAP FILED IN THE PUBLIC RECORDS OFFICE OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, ON 05/15/2011.



TAX LOT 5810  
553 WOOD RIVER DRIVE  
WASHINGTON, DISTRICT OF COLUMBIA 20015  
OFFICE OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES  
PROPERTY MANAGEMENT DIVISION  
1100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

LEGEND

- 1. LOT
- 2. BLOCK
- 3. TRACT
- 4. SECTION
- 5. TOWNSHIP
- 6. RANGE
- 7. COUNTY
- 8. STATE
- 9. FEDERAL LAND
- 10. UNDEVELOPED LAND
- 11. DEVELOPED LAND
- 12. WATER
- 13. RAILROAD
- 14. HIGHWAY
- 15. STREET
- 16. ALLEY
- 17. DRIVE
- 18. AVENUE
- 19. BOULEVARD
- 20. PARKWAY
- 21. PLACE
- 22. COURT
- 23. TERRACE
- 24. LANE
- 25. ROAD
- 26. HIGHWAY
- 27. AVENUE
- 28. DRIVE
- 29. PLACE
- 30. COURT
- 31. TERRACE
- 32. LANE
- 33. ROAD
- 34. HIGHWAY
- 35. AVENUE
- 36. DRIVE
- 37. PLACE
- 38. COURT
- 39. TERRACE
- 40. LANE
- 41. ROAD
- 42. HIGHWAY
- 43. AVENUE
- 44. DRIVE
- 45. PLACE
- 46. COURT
- 47. TERRACE
- 48. LANE
- 49. ROAD
- 50. HIGHWAY
- 51. AVENUE
- 52. DRIVE
- 53. PLACE
- 54. COURT
- 55. TERRACE
- 56. LANE
- 57. ROAD
- 58. HIGHWAY
- 59. AVENUE
- 60. DRIVE
- 61. PLACE
- 62. COURT
- 63. TERRACE
- 64. LANE
- 65. ROAD
- 66. HIGHWAY
- 67. AVENUE
- 68. DRIVE
- 69. PLACE
- 70. COURT
- 71. TERRACE
- 72. LANE
- 73. ROAD
- 74. HIGHWAY
- 75. AVENUE
- 76. DRIVE
- 77. PLACE
- 78. COURT
- 79. TERRACE
- 80. LANE
- 81. ROAD
- 82. HIGHWAY
- 83. AVENUE
- 84. DRIVE
- 85. PLACE
- 86. COURT
- 87. TERRACE
- 88. LANE
- 89. ROAD
- 90. HIGHWAY
- 91. AVENUE
- 92. DRIVE
- 93. PLACE
- 94. COURT
- 95. TERRACE
- 96. LANE
- 97. ROAD
- 98. HIGHWAY
- 99. AVENUE
- 100. DRIVE
- 101. PLACE
- 102. COURT
- 103. TERRACE
- 104. LANE
- 105. ROAD
- 106. HIGHWAY
- 107. AVENUE
- 108. DRIVE
- 109. PLACE
- 110. COURT
- 111. TERRACE
- 112. LANE
- 113. ROAD
- 114. HIGHWAY
- 115. AVENUE
- 116. DRIVE
- 117. PLACE
- 118. COURT
- 119. TERRACE
- 120. LANE
- 121. ROAD
- 122. HIGHWAY
- 123. AVENUE
- 124. DRIVE
- 125. PLACE
- 126. COURT
- 127. TERRACE
- 128. LANE
- 129. ROAD
- 130. HIGHWAY
- 131. AVENUE
- 132. DRIVE
- 133. PLACE
- 134. COURT
- 135. TERRACE
- 136. LANE
- 137. ROAD
- 138. HIGHWAY
- 139. AVENUE
- 140. DRIVE
- 141. PLACE
- 142. COURT
- 143. TERRACE
- 144. LANE
- 145. ROAD
- 146. HIGHWAY
- 147. AVENUE
- 148. DRIVE
- 149. PLACE
- 150. COURT
- 151. TERRACE
- 152. LANE
- 153. ROAD
- 154. HIGHWAY
- 155. AVENUE
- 156. DRIVE
- 157. PLACE
- 158. COURT
- 159. TERRACE
- 160. LANE
- 161. ROAD
- 162. HIGHWAY
- 163. AVENUE
- 164. DRIVE
- 165. PLACE
- 166. COURT
- 167. TERRACE
- 168. LANE
- 169. ROAD
- 170. HIGHWAY
- 171. AVENUE
- 172. DRIVE
- 173. PLACE
- 174. COURT
- 175. TERRACE
- 176. LANE
- 177. ROAD
- 178. HIGHWAY
- 179. AVENUE
- 180. DRIVE
- 181. PLACE
- 182. COURT
- 183. TERRACE
- 184. LANE
- 185. ROAD
- 186. HIGHWAY
- 187. AVENUE
- 188. DRIVE
- 189. PLACE
- 190. COURT
- 191. TERRACE
- 192. LANE
- 193. ROAD
- 194. HIGHWAY
- 195. AVENUE
- 196. DRIVE
- 197. PLACE
- 198. COURT
- 199. TERRACE
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**GUARANTEE**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN.

**GH9K5FH@ ; I5F5BHM7CAD5BM**

a corporation, herein called the Company,

**GUARANTEES**

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

Dated: 10/30/2020

Countersigned by:



Authorized Signature



Frederick H. Eppinger  
President and CEO



Denise Carraux  
Secretary

TitleOne

Company

Burley, ID

City, State

Guarantee Serial No. **G-2222-000088766**

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the company for further information as to the availability and cost.

## GUARANTEE CONDITIONS AND STIPULATIONS

**1. Definition of Terms** - The following terms when used in the Guarantee mean:

(a) "the Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.

(b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.

(c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.

(d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

(e) "date": the effective date.

**2. Exclusions from Coverage of this Guarantee** - The Company assumes no liability for loss or damage by reason of the following:

(a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

(b) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water; whether or not the matters excluded by (1), (2) or (3) are shown by the public records.

(c) Assurances to title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A)(C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

(d) (1) Defects, liens, encumbrances or adverse claims against the title, if assurances are provided as to such title, and as limited by such assurances.

(2) Defects, liens, encumbrances, adverse claims or other matters (a) whether or not shown by the public records, and which are created, suffered, assumed or agreed to by one or more of the Assureds; (b) which result in no loss to the Assured; or (c) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of assurances provided.

**3. Notice of Claim to be Given by Assured Claimant** - An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured under this Guarantee unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

**4. No Duty to Defend or Prosecute** - The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

**5. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate** - Even though the Company has no duty to defend or prosecute as set forth in Paragraph 4 above:

(a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the

Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.

(b) If the Company elects to exercise its options as stated in Paragraph 5(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.

(c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.

(d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

**6. Proof of Loss or Damage** - In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by an authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

**7. Options to Pay or Otherwise Settle Claims: Termination of Liability** - In case of a claim under this Guarantee, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

The Company shall have the option to pay or settle or compromise

for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5, and the Guarantee shall be surrendered to the Company of cancellation.

(b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5.

**8. Determination and Extent of Liability** - This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the exclusions stated in Paragraph 2.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 7 of these Conditions and Stipulations or as reduced under Section 10 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

#### **9. Limitation of Liability**

(a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

(b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.

(c) The Company shall not be liable for loss or damage to any Assured for

liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

**10. Reduction of Liability or Termination of Liability** - All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 5 shall reduce the amount of liability pro tanto.

#### **11. Payment of Loss**

(a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.

(b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

**12. Subrogation Upon Payment or Settlement** - Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

**13. Arbitration** - Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

#### **14. Liability Limited to This Guarantee; Guarantee Entire Contract**

(a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.

(b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.

(c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

**15. Notices, Where Sent** - All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at P.O. Box 2029, Houston, TX 77252-2029.

**LOT BOOK GUARANTEE**  
Issued By  
Stewart Title Guaranty Company

**SCHEDULE A**

**File No.** 20388685  
**State:** ID  
**County:** Blaine

<u>Guarantee No.</u>	<u>Liability</u>	<u>Date of Guarantee</u>	<u>Fee</u>
G-2222-000088766	\$1,000.00	October 30, 2020 at 7:30 a.m.	\$200.00

**Name of Assured:**  
Benchmark Associates

The assurances referred to on the face page hereof are:

1. That, according to the Company's property records relative to the following described land (but without examination of those Company records maintained and indexed by name):

TOWNSHIP 4 NORTH RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

Section 13: A portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 13; thence North 89°12'00" West, 719.80 feet; thence South 30°42'00" East, 360.00 feet to the TRUE POINT OF BEGINNING; thence South 30°42'00" East, 18.00 feet; thence South 36°08'00" East, 92.00 feet; thence North 59°12'00" East, 134.50 feet; thence North 35°13'00" West, 92.00 feet; thence North 30°42'00" West, 18.00 feet; thence South 59°18'00" West, 136.60 feet to the TRUE POINT OF BEGINNING.

Also known as Tax Lot 5610

2. The last recorded instrument purporting to transfer title to said land is:

Deed Type: Quit Claim Deed  
Grantors: Peter Stroble and Diana Stroble, husband and wife as community property  
Grantees: Gould Cabin LLC, a Washington limited liability company  
Recorded Date: September 16, 2019  
Instrument: 663156  
[Click here to view](#)

3. There are no mortgages or deeds of trust which purport to affect title to said land, other than those shown below under Exceptions.
4. There are no (homesteads, agreements to convey, attachments, notices of non-responsibility, notices of completion, tax deeds) which purport to affect title to said land, other than shown below under Exceptions. (Insert upon request, detailing the particular matters to be covered).
5. No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an exception, or (b) other matters which may affect any such mortgage or deed of trust.
6. No guarantee is made regarding any liens, claims of liens, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said land is the same as said address.

**EXCEPTIONS:**

1. NOTE: According to the available records, the purported address of said land is:

563 Wood River Dr, Ketchum, ID 83340

2. Taxes for the year 2019 are paid in full.

[Parcel Number: RPK4N170132060](#)

Original Amount: \$4,125.48

3. Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.

4. Water and sewer charges, if any, for the City of Ketchum.

5. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded March 20, 1920 as Instrument No. [45159](#).

6. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded April 3, 1950 as Instrument No. [97003](#).

7. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.

8. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: February 4, 1954

Instrument No.: [103637](#)

9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: March 21, 2018

Instrument No.: [650575](#)

**Sun Valley Title**

**By:**



**Nick Busdon, Authorized Signatory**

**JUDGMENT AND TAX LIEN GUARANTEE**

Issued By  
Stewart Title Guaranty Company

**SCHEDULE A**

**Amount of Liability:** \$1,000.00

**Fee Amount:** \$0.00

**Guarantee No.:** G-2222-000088766

**Name of Assured:** Benchmark Associates

**Date of Guarantee:** October 30, 2020

That, according to the indices of the County Recorder of Blaine County, State of ID, for a period of 10 years immediately prior to the date hereof, there are no

- \* Federal Tax Liens
- \* Abstracts of Judgment, or
- \* Certificates of State Tax Liens

filed, or recorded against the herein named parties, other than those for which a release appears in said indices and other than those shown under Exceptions.

The parties referred to in this guarantee are as follows:

Gould Cabin LLC, a Washington limited liability company

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

SCHEDULE B

Exceptions:

NONE

**GUARANTEE**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN.

**STEWART TITLE GUARANTY COMPANY**

a corporation, herein called the Company,

**GUARANTEES**

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

Dated: 9/8/2020

Countersigned by:



Authorized Signature

Title One

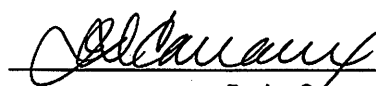
Company

Burley, ID

City, State



Frederick H. Eppinger  
President and CEO



Denise Carraux  
Secretary

Guarantee Serial No. **G-2222-000088742**

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the company for further information as to the availability and cost.



## GUARANTEE CONDITIONS AND STIPULATIONS

**1. Definition of Terms** - The following terms when used in the Guarantee mean:

(a) "the Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.

(b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.

(c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.

(d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

(e) "date": the effective date.

**2. Exclusions from Coverage of this Guarantee** - The Company assumes no liability for loss or damage by reason of the following:

(a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

(b) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water; whether or not the matters excluded by (1), (2) or (3) are shown by the public records.

(c) Assurances to title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A)(C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

(d) (1) Defects, liens, encumbrances or adverse claims against the title, if assurances are provided as to such title, and as limited by such assurances.

(2) Defects, liens, encumbrances, adverse claims or other matters (a) whether or not shown by the public records, and which are created, suffered, assumed or agreed to by one or more of the Assureds; (b) which result in no loss to the Assured; or (c) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of assurances provided.

**3. Notice of Claim to be Given by Assured Claimant** - An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured under this Guarantee unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

**4. No Duty to Defend or Prosecute** - The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

**5. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate** - Even though the Company has no duty to defend or prosecute as set forth in Paragraph 4 above:

(a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the

Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.

(b) If the Company elects to exercise its options as stated in Paragraph 5(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.

(c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.

(d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

**6. Proof of Loss or Damage** - In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by an authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

**7. Options to Pay or Otherwise Settle Claims: Termination of Liability** - In case of a claim under this Guarantee, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

The Company shall have the option to pay or settle or comp

for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5, and the Guarantee shall be surrendered to the Company of cancellation.

(b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5.

**8. Determination and Extent of Liability** - This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the exclusions stated in Paragraph 2.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

(a) the amount of liability stated in Schedule A;

(b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 7 of these Conditions and Stipulations or as reduced under Section 10 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or

(c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

#### **9. Limitation of Liability**

(a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

(b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.

(c) The Company shall not be liable for loss or damage to any Assured for

liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

**10. Reduction of Liability or Termination of Liability** - All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 5 shall reduce the amount of liability pro tanto.

#### **11. Payment of Loss**

(a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.

(b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

**12. Subrogation Upon Payment or Settlement** - Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

**13. Arbitration** - Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

#### **14. Liability Limited to This Guarantee; Guarantee Entire Contract**

(a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.

(b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.

(c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

**15. Notices, Where Sent** - All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at P. O. Box 2029, Houston, TX 77252-2029.

**LOT BOOK GUARANTEE**  
Issued By  
Stewart Title Guaranty Company

**SCHEDULE A**

File No. 20381355  
State: ID  
County: Blaine

<u>Guarantee No.</u>	<u>Liability</u>	<u>Date of Guarantee</u>	<u>Fee</u>
G-2222-000088742	\$1,000.00	September 8, 2020 at 7:30 a.m.	\$140.00

Name of Assured:  
Benchmark Associates PA

The assurances referred to on the face page hereof are:

1. That, according to the Company's property records relative to the following described land (but without examination of those Company records maintained and indexed by name):

Lots 1 and 2 of CLIFFHANGER SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 329734, records of Blaine County, Idaho.

2. The last recorded instrument purporting to transfer title to said land is:

Deed Type: Quit Claim Deed  
Grantors: Reardon Steel, LLC  
Grantees: Karen Likness Scott  
Recorded Date: October 21, 2019  
Instrument: 664183  
[Click here to view](#)

Deed Type: Quit Claim Deed  
Grantors: Reardon Steel, LLC  
Grantees: Karen Likness Scott  
Recorded Date: October 21, 2019  
Instrument: 664184  
[Click here to view](#)

3. There are no mortgages or deeds of trust which purport to affect title to said land, other than those shown below under Exceptions.
4. There are no (homesteads, agreements to convey, attachments, notices of non-responsibility, notices of completion, tax deeds) which purport to affect title to said land, other than shown below under Exceptions. (Insert upon request, detailing the particular matters to be covered).
5. No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an exception, or (b) other matters which may affect any such mortgage or deed of trust.
6. No guarantee is made regarding any liens, claims of liens, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said land is the same as said address.

**EXCEPTIONS:**

1. NOTE: According to the available records, the purported address of said land is:

575 Wood River Dr, Ketchum, ID 83340 (Lot 1)

571 Wood River Dr, Ketchum, ID 83340 (Lot 2)

2. Taxes for the year 2019 are paid in full.

Parcel Number: RPK0429000010

Original Amount: \$6,218.92

Lot 1

3. Taxes for the year 2019 are paid in full.

Parcel Number: RPK0429000010

Original Amount: \$3,488.72

Lot 2

4. Taxes, including any assessments collected therewith, for the year 2020 which are a lien not yet due and payable.

5. Water and sewer charges, if any, for the City of Ketchum.

6. Easements, reservations, restrictions, and dedications as shown on the official plat of Cliffhanger Subdivision.

7. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded April 3, 1950 as Instrument No. 97003.

8. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.

9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company

Purpose: Public Utilities

Recorded: February 4, 1954

Instrument No.: 103637

10. All matters, and any rights, easements, interests or claims as disclosed by a Record of Survey for Idaho Power Company recorded December 18, 1984 as Instrument No. 259093.

Sun Valley Title

By:



Nick Busdon, Authorized Signatory

File No. 20381355

**JUDGMENT AND TAX LIEN GUARANTEE**

Issued By  
Stewart Title Guaranty Company

**SCHEDULE A**

Amount of Liability: \$1,000.00

Fee Amount: \$0.00

Guarantee No.: G-2222-000088742

Name of Assured: Benchmark Associates PA

Date of Guarantee: September 9, 2020

That, according to the indices of the County Recorder of Blaine County, State of ID, for a period of 10 years immediately prior to the date hereof, there are no

- \* Federal Tax Liens
- \* Abstracts of Judgment, or
- \* Certificates of State Tax Liens

filed, or recorded against the herein named parties, other than those for which a release appears in said indices and other than those shown under Exceptions.

The parties referred to in this guarantee are as follows:

Karen Likness Scott

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

**File No. 20381355**

**Exceptions:**

**SCHEDULE B**

**NONE**

RECORDING REQUESTED BY  
AND  
WHEN RECORDED RETURN TO:

Law Offices of Neal T. Feinerman  
400 – 112<sup>th</sup> Avenue NE, Ste 240  
Bellevue, WA 98004

**Instrument # 664183**

HAILEY, BLAINE, IDAHO  
10-21-2019 02:28:39 PM No. of Pages: 2  
Recorded for : KAREN LIKNESS SCOTT  
JOLYNN DRAGE Fee: 15.00  
Ex-Officio Recorder Deputy  
Index to: WTY/QC/CORP DEED

*JLB*

Mail Tax Statements To:  
Karen Likness Scott  
P.O. Box 4684  
575 Wood River Drive  
Ketchum, ID 83340

**QUIT CLAIM DEED**

---

**Grantor(s) (Seller):** Rearden Steel, LLC  
**Grantee(s) (Purchaser):** Karen Likness Scott  
**Legal Description (abbreviated):** CLIFFHANGER SUB, LOT 1  
**Assessor's Property Tax Parcel #:** RPK0429000010


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The GRANTOR, REARDON STEEL, LLC, for and in consideration of the Property Settlement Agreement in those legal separation proceedings pending in State of Washington, King County Superior Court Cause No 19-3-00672-6 SEA, Entitled In re: Marriage of Karen Likness Scott and Walter Allen Scott, conveys and quit claims to GRANTEE, KAREN LIKNESS SCOTT, the following described real estate, situated in Blaine County, State of Idaho:

Lot 1 of CLIFFHANGER SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded May 2, 1991, as Instrument No. 329734, records of Blaine County, Idaho.

Commonly Known As: 575 Wood River Drive, Ketchum, ID 83340.

Dated this 14<sup>th</sup> day of October, 2019.



Rearden Steel, LLC, Grantor  
BY: Walter Scott, its Managing Member


QUIT CLAIM DEED - 1

RECORDING REQUESTED BY  
AND  
WHEN RECORDED RETURN TO:

Law Offices of Neal T. Feinerman  
400 – 112<sup>th</sup> Avenue NE, Ste 240  
Bellevue, WA 98004

Mail Tax Statements To:  
Karen Likness Scott  
P.O. Box 4684  
575 Wood River Drive  
Ketchum, ID 83340

**Instrument # 664184**

HAILEY, BLAINE, IDAHO  
10-21-2019 02:29:13 PM No. of Pages: 2  
Recorded for : KAREN LIKNESS SCOTT  
JOLYNN DRAGE Fee: 15.00  
Ex-Officio Recorder Deputy   
Index to: WTY/QC/CORP DEED

**QUIT CLAIM DEED**

---

**Grantor(s) (Seller):** Rearden Steel, LLC  
**Grantee(s) (Purchaser):** Karen Likness Scott  
**Legal Description (abbreviated):** CLIFFHANGER SUB, LOT 2  
**Assessor's Property Tax Parcel #:** RPK04290000020

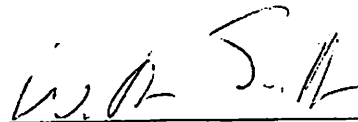
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The GRANTOR, REARDON STEEL, LLC, for and in consideration of the Property Settlement Agreement in those legal separation proceedings pending in State of Washington, King County Superior Court Cause No 19-3-00672-6 SEA, Entitled In re: Marriage of Karen Likness Scott and Walter Allen Scott, conveys and quit claims to GRANTEE, KAREN LIKNESS SCOTT, the following described real estate, situated in Blaine County, State of Idaho:

Lot 2 of CLIFFHANGER SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded May 2, 1991, as Instrument No. 329734, records of Blaine County, Idaho.

Commonly Known As: 571 Wood River Drive, Ketchum, ID 83340.

Dated this 14th day of October, 2019.

  
\_\_\_\_\_  
Rearden Steel, LLC, Grantor  
BY: Walter Scott its Managing Member

QUIT CLAIM DEED - I




STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that WALTER SCOTT, the Managing Member of Rearden Steel, LLC, Grantor above, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 14th day of October, 2019.



  
Printed Name: Jill Callison  
Notary Public in and for the State of Washington,  
residing at Kirkland, WA  
My Appointment Expires: 3/29/23

QUIT CLAIM DEED - 2

STATE OF WASHINGTON )

) ss.

COUNTY OF KING )

I certify that I know or have satisfactory evidence that WALTER SCOTT, the Managing Member of Rearden Steel, LLC, Grantor above, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 14<sup>th</sup> day of October, 2019.



*Jill Callison*  
Printed Name: Jill Callison

Notary Public in and for the State of Washington,  
residing at Kirkland, WA

My Appointment Expires: 3/29/23

QUIT CLAIM DEED - 2



## City of Ketchum

January 4<sup>th</sup>, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to approve the 2<sup>nd</sup> reading of Ordinance 1214 regarding city-initiated amendments to Ketchum Municipal Code, Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District, and Chapter 17.08, Definitions.**

### Recommendation and Summary

Staff first presented the city-initiated proposed amendments to Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District and Title 17, Zoning, Chapter 17.08, Definitions at the December 7<sup>th</sup>, 2020 meeting.

Council continued the hearing to December 21<sup>st</sup>, 2020 and requested staff return with 1) additional context regarding the proposed amendments, 2) responses/revisions addressing the public feedback received for the December 7<sup>th</sup> meeting, and 3) an overview of floodplain management. Staff prepared the additional information for the December 21<sup>st</sup>, 2020 staff report packet and gave a presentation to Council during the December 21<sup>st</sup>, 2020 meeting.

No further revisions have been made to the proposed ordinance. No new public comment has been received.

Staff recommends proceeding with the 2<sup>nd</sup> reading of Ordinance 1214.

### Public Comment

To date (12/30/20), two written comments have been received, both of which were presented to Council prior to the first hearing held 12/7/20.

### Recommended motion

"I move to approve the second reading of Ordinance 1214 by title only:

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, ZONING REGULATIONS, SECTION 17.08.020, TERMS DEFINED; REPEALING ARTICLE I, FLOOD DAMAGE PREVENTION, OF CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP); ADOPTING A NEW ARTICLE I, FLOOD DAMAGE PREVENTION; AMENDING CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV TO RENUMBER SECTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE."

### Financial Impact

None at this time.

**Attachments:**

- A. Draft Ordinance 1214
  - a. Exhibit A: Amendments to Section 17.08.020, Terms Defined
  - b. Exhibit B: Chapter 17.88, Article 1, Flood Damage Prevention
  - c. Exhibit C: Publication summary
- B. Presentation slides – December 21<sup>st</sup>, 2020 Floodplain Management and Ordinance Amendments

## **Attachment A.**

### Draft Ordinance 1214

Exhibit A: Amendments to Section 17.08.020, Terms Defined

Exhibit B: Chapter 17.88, Article 1, Flood Damage Prevention

Exhibit C: Publication summary

**ORDINANCE NO. 1214**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, ZONING REGULATIONS, SECTION 17.08.020, TERMS DEFINED; REPEALING ARTICLE I, FLOOD DAMAGE PREVENTION, OF CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP); ADOPTING A NEW ARTICLE I, FLOOD DAMAGE PREVENTION; AMENDING CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV TO RENUMBER SECTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance pursuant to Idaho Code § 67-6511; and

WHEREAS, the City first adopted an ordinance regulating development in the floodplain in 1974 with the passage of Ord. 208 and first distinguished between Floodplain and Floodway areas and established a streambank alteration and riparian regulations in 1989 with the adoption of Ord. 525; and

WHEREAS, the City participates in the Federal Emergency Management Agency (FEMA)'s National Flood Insurance Program (NFIP) in order to protect the health, safety, and welfare of its citizens and to ensure that flood insurance is available to them; and

WHEREAS, by participating in the NFIP the City's responsibilities include requiring permits for all development within the 100-year floodplain, ensuring all other permits required by local, State, and Federal laws are obtained, maintaining records of all development permits, and ensuring flood carrying capacity of altered or relocated watercourses is maintained; and

WHEREAS, the City desires to implement regulations that facilitate the protection of property from inundation of flood waters that simultaneously mitigate reduction of the floodplain's carrying capacity; and

WHEREAS, the Planning and Zoning Commission held a public hearing and considered public input on July 13<sup>th</sup>, August 11<sup>th</sup>, and September 15<sup>th</sup>, 2020, and recommended approval to the City Council;

WHEREAS, the City Council, having reviewed the proposed subdivision code amendments, held public hearings on December 7<sup>th</sup>, 2020, December 21<sup>st</sup>, 2020, and January 4<sup>th</sup> 2021, and \_\_\_\_\_.

WHEREAS, the City Council, having considered the recommendation of the Planning and Zoning Commission and submitted comments and testimony from the public, having determined that it is in the best interests of the public to adopt the proposed amendments to Title 17, Zoning Regulations:

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM**

**Section 1. AMENDMENTS TO SECTION 17.08.020, TERMS DEFINED.** That Title 17 of the Ketchum Municipal Code, Section 17.08.020, Terms Defined, be amended with the following new, revised, and deleted definitions as attached and incorporated as Exhibit A to this Ordinance.

**Section 2. AMENDMENTS TO CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP), ARTICLE I, FLOOD DAMAGE PREVENTION.** That Title 17 of the Ketchum Municipal Code be amended by repealing Article 1, Flood Damage Prevention, of Chapter 17.88 Floodplain management, in its entirety and replacing it with a new Article 1, Flood Damage Prevention, as attached and incorporated as Exhibit B to this Ordinance.

**Section 3. AMENDMENTS TO CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV.** That Title 17 of the Ketchum Municipal Code be amended as follows to renumber the sections of Chapter 17.88, Articles II-IV as follows:

17.88.120: Title  
17.88.130: Guidelines  
17.88.140: Procedure  
17.88.150: Application For Emergency Stream Bank Stabilization  
17.88.160: Action Upon Submittal Of Stream Bank Stabilization Application  
17.88.170: Site Inspection  
17.88.180: Basis For Denial Of An Emergency Stream Bank Stabilization Permit  
17.88.190: Conditions Of Emergency Stream Bank Stabilization Approval  
17.88.200: Enforcement

17.88.210: Title  
17.88.220: Guidelines  
17.88.230: Procedure  
17.88.240: Application For Emergency Riparian Alteration  
17.88.250: Action Upon Submittal Of Emergency Riparian Alteration Application  
17.88.260: Site Inspection  
17.88.270: Basis For Denial Of An Emergency Riparian Alteration Permit  
17.88.280: Conditions Of Emergency Riparian Alteration Approval  
17.88.290: Enforcement

17.88.300: Title  
17.88.310: Guidelines  
17.88.320: Procedure  
17.88.330: Application  
17.88.340: Action Upon Submittal Of Emergency Application  
17.88.350: Conditions Of Emergency Application Approval

- 17.88.360: Uses Permitted
- 17.88.370: Use Restrictions
- 17.88.380: Application For Temporary Flood Control Barriers
- 17.88.390: Enforcement

**Section 4. SAVINGS AND SEVERABILITY CLAUSE.** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 5. REPEALER CLAUSE.** All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

**Section 6. PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit C, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 7. EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

APPROVED BY the Mayor of the City of Ketchum, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
Katrin Sharp, Deputy City Clerk



EXHIBIT A

ADVERSE IMPACT: An adverse impact with respect to floodplain development includes impacts that cause damage to property, threaten public safety and health, or cause loss of natural floodplain functions. These can be caused by increases in flood stages or elevations, increases in flood velocity, increases in flow rates, decreases in conveyance areas, decreases in flood storage, increased potential for erosion and sedimentation, or degradation of water quality. Development within the regulatory floodway and all other waterways, whether within the SFHA or not, shall be required to certify by a registered professional engineer that the development does not adversely affect flood risks for other properties as measured by increased flood stages, increased flood velocity, increased flows, increased potential for erosion and sedimentation, or any other impact deemed important or as specified by the City of Ketchum, unless the impact is mitigated. This certification shall employ industry standards for hydraulic and hydrological analysis to determine no adverse impact and all data shall be provided in hard copy and digitally for review and corroboration by the city's engineer or any governmental review agency acceptable to the City of Ketchum.

AREA OF SHALLOW FLOODING: A designated AO or VO zone on the flood insurance rate map (FIRM). The base flood depths range from one foot to three feet (1'–3'); a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow, and AH indicates ponding. A designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Designation on maps always includes the letters "A" or "V". The term "special flood hazard area", for the purposes of these regulations, is synonymous with the phrase "area of special flood hazard". See Special Flood Hazard Area (SFHA).

BASE FLOOD: The flood having one percent (1%) chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood, the regulatory flood or the intermediate regional flood (IRF). Designation on maps always includes the letters "A" or "V".

BASE FLOOD ELEVATION (BFE): The water surface elevation of the one percent (1%) annual chance flood. A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.

Cleaning (irrigation): mowing, cutting, or burning of weeds, trees and other nuisance growth, including algae growth, application of pesticides as permitted, removal of beaver dams, and removal of trash or other debris whether floating, lodged or otherwise obstructing the conveyance of water flow through channels and works.

DEVELOPMENT: Any man-made change to improved or unimproved land, including subdivision, construction activity, or alteration of the landscape (except for routine pruning and maintenance of riparian vegetation to benefit the health of the vegetation) (except routine maintenance), its terrain contour or vegetation, including any construction of structures, establishment of a land use, or alteration of an existing structure or land use. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, streambank stabilization, placement of manufactured or mobile homes, construction of fences, hedges, berms, walls, or storage of equipment or materials on a temporary or permanent basis.

DEVELOPMENT ACTIVITY: For the purpose of floodplain management, Development Activity is development as defined in this title that will require a Floodplain Development Permit.

~~FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:~~

~~A. The overflow of inland or tidal water; and/or~~

~~B. The unusual and rapid accumulation or runoff of surface waters from any source.~~

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

FLOOD INSURANCE RATE MAP (FIRM): The official map on which the ~~f~~Federal ~~i~~nsurance ~~a~~Administration has delineated both the areas of special flood hazard and risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

~~FLOOD INSURANCE~~INSURANCE STUDY (FIS): an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations; or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOODPLAIN OR FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of "flooding").

FLOODPLAIN ADMINISTRATOR: the individual appointed to administer and enforce the floodplain management regulations.

FLOODPLAIN DEVELOPMENT PERMIT: any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

FLOODPLAIN MANAGEMENT: the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

~~FLOOD PROTECTION ELEVATION~~ Flood Protection Elevation (FPE): the Base Flood Elevation plus the Freeboard.

a. In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard; and

b. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.

FLOOD PROTECTION SYSTEM: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height ~~one~~ foot (1'). This term is also referred to as the "regulatory floodway".

FREEBOARD: a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the freeboard establishes the Flood Protection Elevation (FPE). Freeboard shall be two (2) feet.

Functionally Dependent Use: a facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

General Irrigation Floodplain Development Permit (GIFD Permit): The intent of the GIFD permit is to collectively authorize low-to-no impact irrigation and drainage development activities or uses in the floodplain which inherently do not increase the BFE. GIFD permits apply to all qualifying activities within the spatial extents of an irrigation delivery or drainage system and within the regulatory floodway or SFHA, over a predetermined period of time, not to exceed five years. Issuance of a GIFD permit requires coordination between the irrigation entity and the Floodplain Administrator.

HEC-RAS (Hydrologic Engineering Center-River Analysis System): A computer program for modeling water flowing through systems of open channels and computing water surface profiles.

HIGHEST ADJACENT GRADE (HAG): The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.

Intermediate Regional Flood (IRF): The flood having a 0.2% annual chance of being equaled or exceeded in any given year.

LETTER OF MAP CHANGE (LOMC): a general term used to refer to the several types of revisions and amendments to FIRMs that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F)

1. Letter of Map Amendment (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
2. Letter of Map Revision (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
3. Letter of Map Revision Based on Fill (LOMR-F): FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.

1-4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

LOWEST ADJACENT GRADE (LAG): The lowest point of the ground level immediately next to a building. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement contained in 44 CFR § 60.3 and subsection 17.88.060B2c of this title.

Maintenance (irrigation): the act of ongoing upkeep of existing structures required to keep channels in a condition adequate to support the conveyance of irrigation and drainage water (this does not include the complete replacement or substantial replacement of an existing structure). Maintenance is further defined as the care or upkeep of channels, works, appurtenances, easements, utility corridors and property; to keep in an existing state, specified state of repair, and efficiency; return to a former condition, elevation, place, and position; to preserve from failure or decline; or repair or renovate so as to return it to its original condition. Maintenance does not include dredging as defined herein.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. The term "Manufactured Home" does not include a "Recreational Vehicle."

MARKET VALUE: the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

NEW CONSTRUCTION: for floodplain management purposes, a structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Any construction started after {insert effective date of community's first floodplain management ordinance adopted by the community/NFIP emergency entry date} and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

Operation (irrigation): the regular and reoccurring performance of typical work by an irrigation or drainage entity including, but not limited to: the delivery or drainage of water, measurement of water, and adjustment of irrigation and drainage works and all related appurtenances.

POST-FIRM: construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).

PRE-FIRM: construction or other development for which the "start of construction" occurred before {insert effective date of community's first FIRM}, the effective date of the initial Flood Insurance Rate Map (FIRM).

RECREATIONAL VEHICLE: a vehicle that is:

- a. Built on a single chassis, and
- b. 400 square feet or less when measured at the largest horizontal projection, and
- c. Designed to be self-propelled or permanently towed by a light duty truck, and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REGULATORY FLOODWAY: See Floodway**

Repair (irrigation): the restoration to good or sound conditions of any part of an existing structure, channel, channel bank, or service road for the purpose of maintenance (this does not include the complete replacement or substantial replacement of an existing structure). Repair does not include dredging as defined herein.

**RIPARIAN ZONE:** That area along the banks of any waterway twenty five feet (25') in width measured horizontally from the mean high-water mark; this area is the regulated Riparian Zone in Ketchum city limits. All parcels that contain Riparian Zone are included in the Waterways Review District.

SPECIAL FLOOD HAZARD AREA (SFHA): the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard", 100-year floodplain, and one percent (1%) annual chance floodplain.

**START OF CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE:** Anything permanently constructed in or on the ground, or over the water, including gas or liquid storage tank that is principally above ground and manufactured homes; excluding fences less than six feet (6') in height, decks less than thirty inches (30") above grade, paved areas, and structural or nonstructural fill.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. See definition of "substantial improvement".

**SUBSTANTIAL IMPROVEMENT:** Includes the following:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement over a three (3) year time frame. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. either:

1. Before the improvement or repair is started; or

~~2. If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~

B. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing State or local Health, Sanitary, or Safety Code specifications ~~which are solely~~ which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or the Idaho Historic Sites Inventory provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.

~~VARIANCE, FLOODPLAIN: A grant of relief from the requirements of chapter 17.88, article 1 of this title which permits construction in a manner that would otherwise be prohibited by said article.~~

VIOLATION (FLOODPLAIN ORDINANCE): the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

**EXHIBIT B**



## Article I. Flood Damage Prevention

[17.88.010: Statutory Authorization and Findings of Fact](#)

[17.88.020: Statement Of Purpose](#)

[17.88.030: Methods Of Reducing Flood Losses](#)

[17.88.040: General Provisions](#)

[17.88.050: Administration](#)

[17.88.060: Provisions For Flood Hazard Reduction](#)

[17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A](#)

[17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodway](#)

[17.88.090: Standards for Floodways](#)

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

[17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development](#)

[17.88.120: Enforcement And Penalties](#)

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

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

Therefore, the Council of the City of Ketchum Idaho does hereby ordain as follows:

1. The flood hazard areas of Ketchum, Idaho, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effects of obstruction in areas of special flood hazard which increase flood heights and velocities and by development that is inadequately floodproofed, elevated, anchored, or otherwise protected from flood damage.
3. The Big Wood River, its tributaries, and their associated floodplains in Ketchum are important to the well-being of our citizens as they provide recreation, fish and wildlife habitat, aesthetic beauty, a source of irrigation water, as well as other economic and lifestyle values.

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

1. "Flood Insurance Study (FIS) for Blaine County, Idaho and Incorporated Areas", Flood Insurance Study 16013CV001A and 16013CV002A, dated November 26, 2010, and any amendments thereto;
2. Digital flood insurance rate maps (DFIRMs) for Blaine County, Idaho, and incorporated areas: Map Number 16013CIND0A; Map Number 16013C0433E, Community Panel Number 0433E; Map Number 16013C0434E, Community Panel Number 0434E; Map Number 16013C0441E, Community Panel Number 0441E; Map Number 16013C0442E, Community Panel Number 0442E; Map Number 16013C0453E, Community Panel Number 0453E; Map Number 16013C0461E, Community Panel Number 0461E, and any amendments thereto; and
3. Other flood hazard studies, as may be adopted by the City, will be utilized in determining flood hazard.
4. Additionally, other flood hazard analysis sources as determined by the City Engineer, Floodplain Manager, or other expert hired by the City may be utilized.

- C. Regulations pertaining to development on property affected by the one percent (1%) annual chance flood (100-year flood), as defined herein, are necessary in addition to those of the underlying zoning district in order to promote the health, safety, and welfare of the citizens of and visitors to the City of Ketchum, Idaho.
- D. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

**17.88.020: STATEMENT OF PURPOSE:**

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

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

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

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

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
- B. Requiring that uses necessary for general health, safety and welfare of citizens, including facilities which serve such uses, be protected against flood damage at the time of initial construction, at time of substantial improvement, and throughout their intended life span;
- C. Preserving and restoring natural floodplains, stream channels, and natural protective barriers that carry and store flood waters;
- D. Controlling, filling, grading, dredging, and other development which may increase flood damage or erosion; and
- E. Preventing or regulating the construction of flood barriers which may unnaturally divert floodwaters, or which may increase flood hazards to any other properties.

**17.88.040: GENERAL PROVISIONS:**

- A. Establishment of The Floodplain Management Overlay Zoning District: The floodplain management overlay zoning district is hereby established. In addition to the regulations contained in the underlying zoning district, the regulations of this district apply to all lands within the jurisdiction of the city that lie within the Special Flood Hazard Area (SFHA) boundaries as determined by the graphic representation shown on the Flood Insurance Rate Map (FIRM) and by the elevations of the base flood contained in the Flood Insurance Study (FIS).
  - 1. Establishment of The Floodway Subdistrict and The Floodplain Subdistrict: The floodplain areas are divided into two (2) subdistricts: the Floodway Subdistrict and the Floodplain Subdistrict.
  - 2. Rules for Interpretation of The Floodplain Management Overlay Zoning District Boundaries and The Floodway Subdistrict and The Floodplain Subdistrict Boundaries: The floodplain management overlay zoning district boundaries are represented on the official zoning map of the city.
    - a. All land within the external boundary of the Special Flood Hazard Area (SFHA) and all parcels with any portion thereof affected by said SFHA shall be considered to be within the Floodplain Management Overlay Zoning district.
    - b. All land areas within the external boundary of the SFHA shall be considered to be within the Floodplain Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
    - c. All land areas within the external boundary of the regulatory floodway shall be considered to be within the Floodway Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
  - 3. Basis For Establishing the Areas Of Special Flood Hazard and Floodway: The areas of special flood hazard identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) For Blaine County, Idaho And Incorporated Areas" with accompanying Digital Flood Insurance Rate Maps (DFIRMs) bearing an effective date of November 26, 2010, to establish the areas of special flood hazard for land which has been or will be annexed into the city limits of the City of Ketchum, Idaho, since the adoption of said study for the incorporated area of the city are hereby adopted by reference and declared to be a part of this

article. The FIS and FIRM are on file at the office of the City Clerk, City Hall, 480 East Avenue North, Ketchum, Idaho.

**B. Establishment of Waterways Review District:** The city hereby makes the following findings of fact with regard to establishing a Waterways Review District:

1. Flooding is aggravated by the collection of debris upstream of channel obstructions located in floodplain areas. Such obstructions include, but are not limited to, bridges, fences, houses, and trees. The accumulation of debris can result in significantly higher water surface elevations and flooding beyond limits of the SFHA shown on the FIRMs upstream from the obstructions.
2. Structures located in proximity to waterways, even if the structure's location is outside the boundaries of the SFHA, may be subject to inundation and damages during flood events due to the potential of the channel to change direction abruptly during high flows. In particular, this risk affects lands adjacent to the Big Wood River, which is wide and flat with a relatively shallow channel in many areas.
3. The levees built by the U.S. Army Corps of Engineers are not considered by the Corps or FEMA to be adequately designed to be classified as permanent structures capable of withstanding a one percent (1%) annual chance flood.
4. Encroachments (i.e., houses, fill, etc.) on floodplains reduce the flood carrying capacity of the river and its floodplain and increase flood heights, thus increasing flood hazards on land beyond the encroachment. With every new development since the FEMA one percent (1%) annual chance boundary was determined, the ability of the floodplain to function as originally assumed changes.
5. Historically, development adjacent to waterways has had a direct effect on methods chosen by owners to protect their property, often to the detriment of the natural stream. Methods often destroy or greatly alter fish and wildlife habitat, unnaturally armor the banks of the waterways to prevent erosion or cause future damages to manmade structures.
6. Rules for Interpretation of the Waterways Review District: The Waterways Review District is not indicated on the zoning map due to the nature of how the boundaries are established. The Waterways Review District includes all parcels containing lands that are within twenty-five feet (25') of the mean high-water mark as measured horizontally from the mean high-water mark of any Waterway. Waterways include the Big Wood River, Trail Creek, and Warm Springs Creek, and any and all channels having year-round or intermittent flow. These lands within twenty-five feet (25') of the mean high-water mark area also known as the Riparian Zone that is regulated by the City of Ketchum.
  - a. Some parcels of land may be located within the Waterways Review District and contain Riparian Zone but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the channel due to the proximity of the parcel to a waterway. Nevertheless, if a parcel contains land that is within twenty-five feet (25') of the mean high-water mark of a waterway, said parcel is within the Waterways Review District and the Riparian Zone is subject to riparian regulations.
  - b. Some parcels of land may be located within the SFHA and/or 0.2% annual chance floodplain and/or floodway and may also contain Riparian Zone. These parcels are located within the Waterways Review District and riparian regulations apply to the Riparian Zone.
7. Special purposes for the establishment of the Waterways Review District: Some parcels of land may be located in proximity to a waterway but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the waterway's channel and therefore local, state and federal regulations to preserve these ecologically important areas are largely inapplicable. The Waterways Review District is a local designation created to build upon local, state and federal regulations when lands contain SFHA, 0.2% annual chance floodplain, floodway, and waterway channel, when applicable, but also to

preserve and enhance the Riparian Zone when the aforementioned designations are not applicable. The purposes for which the Waterways Review District is established are as follows:

- a. To guide development adjacent to waterways toward the most appropriate building envelope for its particular site;
  - b. To minimize the impact of development adjacent to waterways on adjacent properties upstream, downstream and across waterways;
  - c. To review development plans for property adjacent to waterways to minimize the obstruction of the conveyance of floodwaters;
  - d. To provide for the stewardship, maintenance and/or enhancement of the Riparian Zone and riparian environment, including wildlife habitat along waterways;
  - e. To carry out the provisions of the comprehensive plan as well as health, safety, and welfare with regard to properties adjacent to waterways;
  - f. To warn that City review and approval is not going to prevent flooding and that flooding may occur;
  - g. To advise of flood hazards and studies and options available;
  - h. To review obstructions to flood carrying capacity and to advise on methods that may be used to moderate impact of the development;
  - i. To review landscaping and access for flood carrying capacity and preservation or enhancement of riparian vegetation; and
  - j. To provide regulations for the Riparian Zone.
8. "Development", as defined in section [17.08.020](#) of this title, and construction or placement of buildings or structures, including additions to any such structures or buildings permitted after November 20<sup>th</sup>, 1989, and landscaping changes within the Riparian Zone for parcels under development with new structures and parcels developed with structures after November 20<sup>th</sup>, 1989, upon real property within the Waterways Review District shall require said approval under section [17.88.050](#) of this article, prior to issuance of a building permit, excavation/grading permit or commencement of any work associated with any such activity.
- C. Uses Permitted and Prohibited in the Floodplain Management Overlay Zoning District and the Waterways Review District: Due to the potential hazard to individuals as well as public health, safety and welfare, uses allowed in the Floodplain Management Overlay Zoning District and the Waterways Review District are those which are permitted, conditional, and accessory as contained in the underlying zoning district. Due to the sensitive ecology of the river system and riparian area and the detrimental impacts that uncontrolled use of pesticides and herbicides can create to both the river system and human health and, due to the extremely hazardous nature of the floodway due to velocity of floodwaters carrying debris, potential projectiles and erosion potential, the following provisions apply, in addition to all others:
1. Encroachments in the floodway: Encroachments in the floodway are subject to the standards of Section 17.88.090.
  2. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high-water mark on any property within the City limits at any time.

3. No use of pesticides, herbicides, or fertilizers will be allowed within twenty-five feet (25') of the mean high-water mark on any property within the City limits unless approved by the City Arborist.
  4. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.
  5. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall, unless otherwise approved by the City Arborist.
  6. The application of dormant oil sprays and insecticidal soap within the Riparian Zone may be used throughout the growing season as needed.
  7. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond, or basin that regularly or periodically carries or stores water.
- D. General Notice and Disclosure Requirements: In order to provide reasonable notice to the public of the flood hazard potential within all areas of the Floodplain Management Overlay Zoning District and the Waterways Review District, the following notice regulations and requirements are hereby adopted for all real property and structures located within said districts:
1. Floodplain Acknowledgement Authorization Required: Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain (SFHA) as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.
  2. Real Estate Sales and Leasing Disclosures: Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or lease a parcel of real property and/or structure that contains SFHA, floodway, frontage on a waterway and associated Riparian Zone, shall provide the prospective purchaser or leaseholder with written notice that said real property and/or structure is located within the Floodplain, Floodway, and/or Waterways Review District and that structures and land are subject to the regulations of this ordinance.
  3. Special requirements for Subdivision Plats:
    - a. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat.
    - b. All subdivision plats shall contain a plat note including a certification by a registered surveyor that the boundaries were established consistent with the FIRM for the City or Blaine County, whichever applies. The note shall include the FEMA FIRM panel number(s), FIRM effective date(s), and a note stating that "Flood Zones are subject to change by FEMA and all lands within the Special Flood Hazard Area are regulated by City of Ketchum Municipal Code.
    - c. All subdivision plats shall identify and designate the Special Flood Hazard Area, the 0.2% annual chance (500-year) floodplain boundary, the floodway boundary, the mean high-water mark, and the Riparian Zone. All flood zone(s), and base flood elevation(s) shall be shown on the plat.
    - d. All subdivision plats shall contain a note or notes that warn prospective buyers of property that sheet flooding can and will occur and that flooding may extend beyond the floodway and floodplain boundary lines identified.
    - e. All subdivision plats shall contain a note that refers to the required twenty-five foot (25') setback from all waterways, called the Riparian Zone, in which no development is permitted, and require that riparian vegetation

shall remain in its natural state for the protection and stabilization of the riverbank unless alterations are approved in accordance with Ketchum Municipal Code.

f. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten-foot (10') fish and nature study easement adjacent to the waterway, measured horizontally from the mean high-water mark. In addition, there shall be a plat note stating that the fish and nature study easement shifts in accordance with the location of the channel and its mean high-water mark.

g. The Council may require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access easement. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.

#### 4. Special Requirements for Building Permits:

a. Prior to issuance of a Building Permit for a structure located on a parcel that contains SFHA, whether or not the structure is partially or wholly located in the SFHA, a Floodplain Development Permit is required.

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

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

c. Building Under Construction Elevation Certificate in accordance with section 17.88.050.H.1.a.

d. Finished Construction Elevation Certificate Required in accordance with section 17.88.050.H.1.b.

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

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

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

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

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

**17.88.050: ADMINISTRATION:**

A. Establishment Of Floodplain Development Permit: For lands in the Floodplain and Floodway subdistricts of the Floodplain Management Overlay Zoning District a floodplain development permit shall be obtained through an application provided by the City prior to any and all development, as defined in section 17.08.020 of this whether or not the development requires issuance of a building, excavation/grading permit, or other land use permit..

1. Exemptions: Activities exempt from floodplain development permit requirements and irrigation activity permitting is subject to the standards of Section 17.88.110 of this title.

a. Minor Riparian Alterations: When development proposed within ta Riparian Zone that contains SFHA or floodway consists only of removing four (4) or fewer hazard trees and/or minor alteration of riparian vegetation a full Floodplain Development permit is not required; a Riparian Alteration Permit is required.

2. Floodplain Development and Riparian Alteration Permits Combined: When development is proposed in a Riparian Zone that is located or overlaps with the Floodplain Management Overlay Zoning District a Floodplain Development permit shall be issued and all Riparian Zone regulations shall be evaluated and are applicable.

B. Establishment of Riparian Alteration Permit for Waterways Review District: When development is proposed in a Riparian Zone that is not within the Floodplain or Floodway subdistricts of the Floodplain Management Overlay Zoning District, a Riparian Alteration Permit shall be obtained through an application provided by the City prior to any and all development, as defined in section 17.08.020 of this title.

C. Applications, Submittals and Concurrent Applications: Applications shall be made on forms furnished by the City and may be made simultaneous with Land Use applications (such as Conditional Use Permits, Lot Line Shifts, and Preliminary Plats) where applicable, and prior to application for a building permit. In order for an application to be determined to be complete, the application shall contain all information required by the application form furnished by the city and any additional information which may be reasonably required by the Administrator or commission during the course of application review.

D. Duties and Responsibilities: The Planning and Building Director, or his or her designee, is the Administrator of Ketchum Municipal Code Title 17, Zoning Regulations, and is responsible for administering and implementing this section in accordance with its provisions.

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

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



- a. (1) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice.
2. Commission Review: If the Administrator, in his or her sole discretion, determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits.
  - a. Criteria for sending applications to the Planning and Zoning Commission includes, but is not limited to,:
    - (1) Encroachments proposed within the floodway;
    - (2) Stream alteration projects containing riprap;
    - (3) Stream alteration projects including gravel extraction; and
    - (4) Stream alteration projects involving multiple separate parcels of land.
  - b. For applications reviewed by the Planning and Zoning Commission the application shall be noticed for a public hearing in accordance with Idaho Code 67-6509.
3. Specific duties and responsibilities of the Administrator shall include, but are not limited to:
  - a. Permit Review:
    - (1) Review of all applications for proposed construction within the City to determine whether such construction is proposed, in whole or in part, within the Floodplain Management Overlay District and/or the Waterways Review District.
    - (2) Review all floodplain development permit applications to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334; Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency, and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.
    - (3) Review all floodplain development permit applications to determine that the proposed development meets the requirements of this ordinance, and is reasonably safe from flooding.
    - (4) For projects within the floodway, review applications to ensure the proposal does not cause adverse impacts, or that any adverse impacts are mitigated, as demonstrated by a No Adverse Impact statement provided by the applicant.
    - (5) Prevent encroachments into floodways unless the no rise certification, no adverse impact, and flood hazard reduction provisions contained in this title are met.
    - (6) Review plans to verify public utilities are constructed in accordance with the provisions of this title.
    - (7) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

b. Inspections:

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

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

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

d. Coordination and Communication with Federal Agencies:

- (1) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- (2) Notify, in riverine situations, adjacent communities and state and federal agencies in accordance with Section 17.88.050.D.3.g.
- (3) A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- (4) Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all

FIRMs accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

- (5) The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of hearings scheduled to consider a variance within the SFHA fifteen (15) calendar days prior to the date of the hearing

e. Use of Other Base Flood Data:

- (1) When base flood elevation data has not been provided in accordance with subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", of this chapter, the Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source in order to administer subsections [17.88.060.B.2](#), "Residential Construction", [17.88.060.B.3](#), "Nonresidential Construction", and [17.88.090](#), "Standards for Floodways", of this chapter.

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

f. Records and Information to Be Obtained and Maintained:

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

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

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

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

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

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

- (B) Maintain the floodproofing certifications as required by this ordinance.

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

g. Stream Alterations:

- (1) Notify adjacent communities and all State agencies with jurisdiction over the special flood hazard areas identified in subsection [17.88.040A](#) of this chapter and/or with jurisdiction over the corresponding watercourse, river, stream or tributaries prior to any alteration or riprapping, or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA).
- (3) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

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

E. Criteria for Evaluation of Applications: The criteria of floodplain development permit applications shall be as follows:

1. The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and Riparian Zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.
2. No temporary construction activities, encroachment or other disturbance into the twenty-five foot (25') Riparian Zone, including encroachment of below grade structures, shall be permitted, with the exception of approved stream stabilization work and restoration work associated with a riparian zone that is degraded.
3. No permanent development shall occur within the twenty-five foot (25') Riparian Zone, with the exception of approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below:
  - a. Access to a property where no other primary access is available;
  - b. Emergency access required by the Fire Department;
  - c. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths;
  - d. Development by the City of Ketchum
4. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within the twenty-five foot (25') Riparian Zone that is degraded, not natural, or which does not promote bank stability.

5. Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
6. Floodwater carrying capacity is not diminished by the proposal.
7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negative.
8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.
9. The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the Flood Protection Elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section [17.88.060](#), figures 1 and 2 of this chapter to reference construction details. See Chapter 17.08 of this title for definition of "lowest floor."
  - a. In the SFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the BFE for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.
  - b. In the SFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.
10. The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.
  - a. Compensatory storage shall be required for any fill placed within the floodplain.
  - b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.
11. All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.
12. Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.
13. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
14. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.
15. (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.
16. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.

17. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
18. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.
19. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
20. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
21. (Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.

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

1. Riparian vegetation and other landscaping is maintained in perpetuity as shown on approved plans.
2. An As Built Certification, with supporting documentation such as an as built survey of the project area and channel cross sections produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be required to be submitted prior to occupancy of structure or upon completion of the proposed work.
3. Restoration of damaged riparian vegetation within Riparian Zone shall be required prior to completion of the proposed project. A bond to assure such restoration may be required prior to commencement of such work.
4. Maintenance and monitoring plan for projects including stream alteration and Riparian Zone alterations.
5. Bond or surety guarantee for work occurring on city-owned parcels.

G. Terms Of Approval: The term of a Floodplain Development Permit shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or Commission, or upon appeal, the date the findings of fact, conclusions of law, and decision are signed by the appellate body. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth below, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void. The provisions of this section shall apply to those approvals obtained on or after September 24, 2014.

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

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

- b. Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project; a revised No Adverse Impact statement may be required prior to granting a permit extension;
- c. Whether hazardous situations have developed or have been discovered in the project area; or
- d. Whether community facilities and services required for the project are now inadequate.

2. Basis for Denial of Permit Extension:

- a. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension may be granted with conditions of approval to remedy any unmet requirements, or the City may choose not to grant an extension. Otherwise the City shall approve such an extension.
- b. Said decision shall be issued in writing.
- c. No extensions shall be granted for an expired floodplain development permit.

H. Inspection Procedures:

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

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

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

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

- b. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.

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

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

photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

2. For waterways review projects:

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

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

I. Floodplain Development Variance Procedure:

1. General:

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

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

c. Generally, variances may be issued for:

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

(2) Functionally dependent facilities, if determined to meet the definition as stated in Section 17.08.020 of this title, provided provisions of 17.88.050.1.1.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

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

d. Upon consideration of the factors of subsection 17.88.050.1.2 of this section and the purposes of this article, the Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

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

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

b. The danger to life and property due to flooding or erosion damage;

c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

d. The importance of the services provided by the proposed facility to the community;



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

3. Conditions for Variance:

- a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
- b. Variances shall only be issued prior to development permit approval.
- c. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e. In addition to the requirements of Chapter 17.12, Variances, a variance for floodplain development regulations contained in this chapter shall only be issued upon:
  - (1) A showing of good and sufficient cause;
  - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public as identified in subsection 17.88.050.1.2 of this section, or conflict with existing local laws or ordinances.

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

4. The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

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

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

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

1. Anchoring:

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

2. Construction Materials and Methods:

- a. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.

3. Utilities:

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

#### 4. Subdivision Proposals:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
  - b. All proposed lots in the subdivision shall have a building site that is located above the base flood elevation. It is preferred that building sites are located on natural high ground and special flood hazards areas are reserved for open space, trails, parks, and other low-impact, non-residential uses. If fill is proposed to elevate building sites, compensatory storage must be provided in accordance with section chapter.
  - c. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
  - d. All subdivision proposals shall include streets that are at or above the base flood elevation to allow dryland access for emergency vehicles during a flood event.
  - e. All subdivision proposals shall have adequate drainage facilities provided to ensure that the post-development stormwater (of a 25-year storm) discharge volume and flow rate will not exceed the pre-development conditions. Low impact development and green infrastructure techniques for stormwater management are encouraged. Drainage plans and pre- and post-development hydrology calculations shall be prepared by a civil engineer licensed in the State of Idaho;
  - f. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat. Per subsection 17.88.050.D.3.d.(3) of this chapter, base flood elevation data and boundaries of the base flood shall be submitted to FEMA through the Conditional Letter of Map Revision (CLOMR) if fill is proposed or Letter of Map Revision (LOMR) process;
  - g. All requirements of the Code of Federal Regulations, 44 CFR 60.3 shall be met.
  - h. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
5. Review Of Building Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (subsection [17.88.050.D.3.e.](#) of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2') above grade in these zones may result in higher insurance rates.
6. Solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards and chemical storage facilities: New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in this title, in the Special Flood Hazard Area. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of this title.

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

1. AO Zones: All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures.
2. Residential Construction:
  - a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation.
  - b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").
  - c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be constructed entirely of flood resistant materials at least to the Flood Protection Elevation and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section and FEMA Technical Bulletin 11 for further information:
    - (1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - (2) The bottom of each flood vent opening shall be no higher than either one foot (1') above the interior grade or shall be no higher than one foot (1') above the exterior adjacent grade.
    - (3) Engineered flood vents are required.
    - (4) Portions of the building, utilities, and machinery located below the base flood elevation shall be constructed with material resistant to flood damage.
    - (5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) shall not be more than two feet (2') below the exterior lowest adjacent grade (LAG).
    - (6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
    - (7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
    - (8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

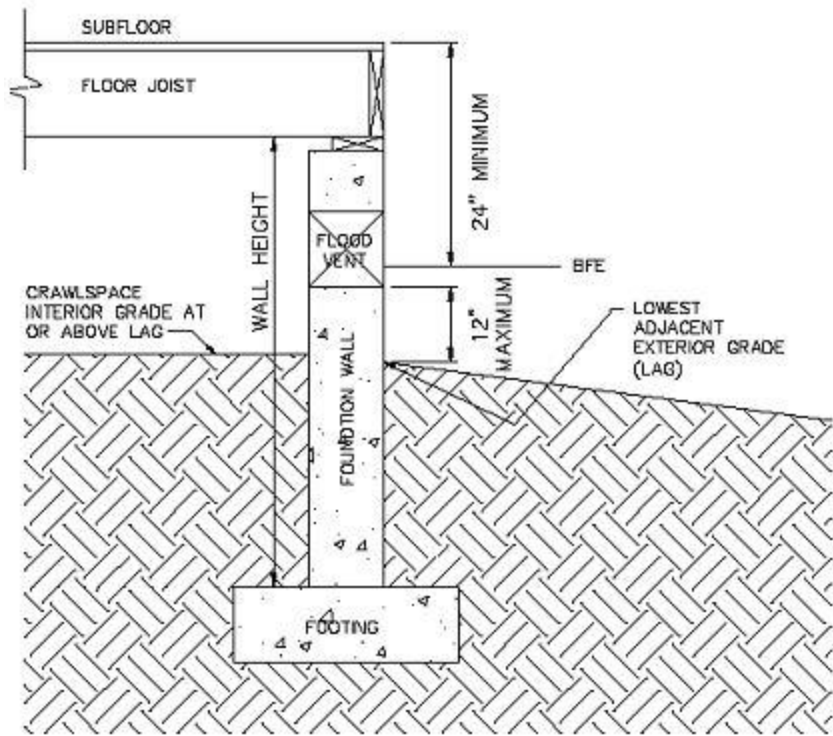


FIGURE 1  
PREFERRED CRAWL SPACE CONSTRUCTION

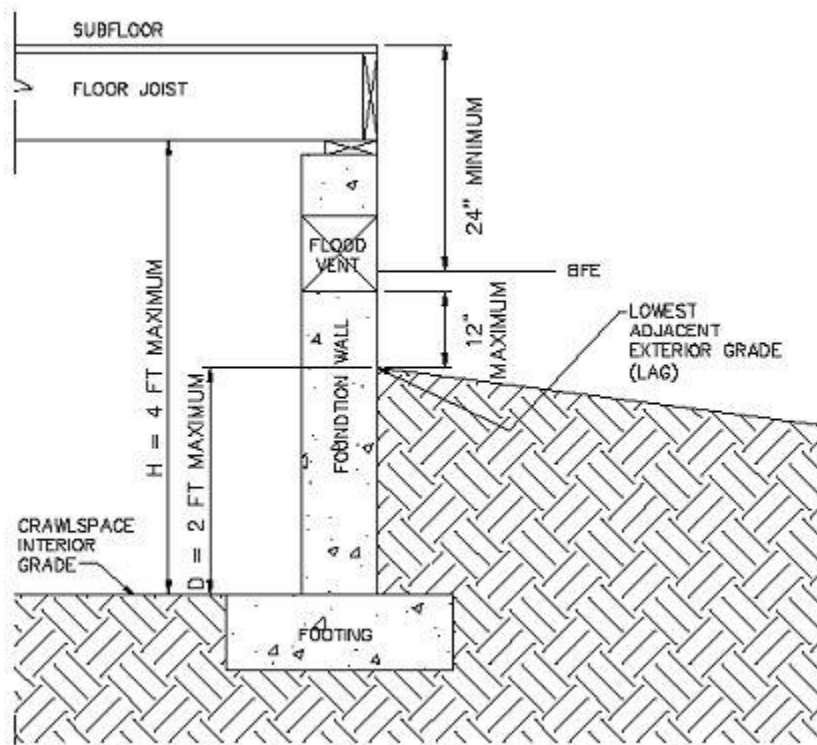


FIGURE 2  
BELOW GRADE CRAWL SPACE CONSTRUCTION

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

3. Nonresidential Construction:

a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation or floodproofed to the Flood Protection Elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, are :

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

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

- (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or
- (2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection 17.88.060.B.3.a of this section.

4. **Manufactured Homes:** All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is twenty four inches (24") above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 17.88.060.A.1.b of this section.

5. **Recreational Vehicles:** All recreational vehicles to be placed on a site within zones A1-30, AH, and AE shall meet the requirements of subsection 17.88.060.B.4 of this section, or be placed on the site for less than one hundred eighty (180) consecutive days and be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.

6. **Critical Facilities:**

- a. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).
- b. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available.

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

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

e. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

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

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

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

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

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

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

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

8. Accessory and Agricultural Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with this title, and the following criteria shall be met:

a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);

b. Accessory structures shall not be temperature-controlled;

c. Accessory structures shall be designed to have low flood damage potential;

d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

e. Accessory structures shall be firmly anchored in accordance with the provisions of Section 17.88.060.A.1;

f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Section 17.88.060.A.3; and

g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of this title.

h. Accessory structures not used solely for parking, access, and storage must be elevated per this title.

i. An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per this title.

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

a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);

b. Elevated above-ground tanks, in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

d. Tank inlets, fill openings, outlets and vents shall be:

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

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

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

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

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

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

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

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



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

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

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

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

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

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

**17.88.090: Standards for Floodways.**

Areas designated as floodways located within the Special Flood Hazard Areas established in Section 17.88.040.A.3. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Sections 17.88.060.A and B, shall apply to all development within such areas:

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

B. All encroachment, including fill, new construction, substantial improvements, residential structures, and other developments shall be prohibited, except for the following:

1. Roads and bridges necessary to connect areas outside of the special flood hazard area;
2. Utilities;
3. Recreational pathways and open space;
4. Flood control and stormwater management facilities;
5. Boat ramps or river access;
6. Wildlife habitat improvements;
7. Stream restoration and bank stabilization constructed in accordance with a Floodplain Development Permit;
8. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of 17.88.090 of this ordinance.
9. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
10. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Section 17.88.090 of this ordinance. The applicant/developer shall submit an application for a Letter of Map Revision (LOMR) upon completion of construction for the purpose of providing FEMA better available data.
11. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
12. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance

C. Encroachments in the floodway are only allowed if:

1. All development shall comply with all applicable flood hazard reduction provisions of this ordinance and meet the approval of the Federal Emergency Management (FEMA) and National Flood Insurance Program (NFIP) and does not jeopardize the city's participation in the NFIP; and
2. Requirements of a No Adverse Impact statement and a No-Rise Certification, with accompanying analysis, are met; or
3. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

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

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

1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in chapter so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Floodproofing Certification is required in accordance with this chapter.
3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)
  - a. Used solely for parking, and storage:

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

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

b. Not used solely for parking, and storage

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

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

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

### **17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development:**

A. Activities that do not require a floodplain development permit:

Consistent with Idaho Code §46-1021 and §46-1022, operation, cleaning, maintenance or repair of any ditch, canal, lateral, drain, diversion structure or other irrigation or drainage works, as defined within this guidance document, do not constitute development under Idaho law and therefore do not require either a GIFD permit or an individual permit. The below list of activities delineates some activities that do not require a permit. The list is not exhaustive. The Floodplain Administrator must exercise their professional judgement when reviewing activities to determine if an activity requires a permit. When in doubt, the Floodplain Administrator should seek consultation from the IDWR Floodplain Coordinator to determine permit necessity.

1. General farming, pasture, horticultural activities, and forestry that do not involve earthwork that permanently alters the topography or any clearing/grubbing of an area.
2. Grading of existing roads or easements along or near channels and within the SFHA, provided that the grading does not add fill within the regulatory floodway or SFHA.
3. Maintenance of underground utilities (work must not permanently alter topography).
4. In-kind replacement of existing piers or posts supporting a conforming deck.
5. Activities associated with land-surface construction stormwater Best Management Practices (“BMP”), provided the measures are temporary in nature (i.e. not in place for longer than 180 days) or do not increase the BFE. Examples of stormwater BMP activities that do not require a permit include the following: dust control; materials and equipment covers; mulching; geotextile fabrics; matting; bio-filter bags; fiber rolls; silt fences; vegetative buffer strips; temporary swales; and temporary berms.
6. New installation or maintenance of non-solid fences constructed parallel to the flow of water during a flood event. Non-parallel or solid fences that block the flow will need to go through the individual permitting process.
7. Activities that fall under the scope of a Riparian Alteration Permit as described in 17.88.050.

B. General Irrigation Floodplain Development Permit:

1. Upon review of the proposed activities and projects, the Floodplain Administrator will assess whether or not they fall, in whole or in part, under the GIFD permit, and whether any components require an individual permit and notify the applicant in writing accordingly.

The Floodplain Administrator shall advise the applicant or project sponsor of their assessment via written notice (email is preferable). The Floodplain Administrator shall maintain a copy of all proposed project notifications and responses.

2. GIFD permit does NOT include the following types of development activities and projects:

- a. Fill, except as outlined in the examples below;
- b. new construction, or replacements that do not meet the in-kind definition;
- c. activities or projects that trigger any requirement found in the local floodplain management or NFIP regulations; and
- d. activities or projects that increase flood damage and/or increase exposure to flood hazards.

3. GIFD permit activities and projects:

- a. Dredging and grading of irrigation and drainage channels, provided that fill from dredging or grading is not deposited on the banks of channels or anywhere within the regulatory floodway or SFHA for longer than 10 days.
  - b. Seasonal grading within natural stream channels to check or direct water into irrigation facilities (i.e. earthen “push-up dams” and “wing dams”).
  - c. Deposition of fill within the SFHA for less than 10 days. After 10 days, deposited fill must be removed from the SFHA, or graded and compacted to existing grade within  $\pm 0.2$  feet. Deposition of fill includes deposition of material resulting from grading or excavating irrigation or drainage channels. Deposition of fill within the mapped floodway requires an individual permit.
  - d. Construction of new underground utilities that do not permanently alter the topography. Excess soil from new pipes larger than 2 feet in diameter must be disposed of outside the regulatory floodway and SFHA.
  - e. In-kind replacement of irrigation and drainage works or components including but not limited to control gates or head gates, measuring devices and their housing structures/stilling wells, culverts, pumps, pipes, flumes, siphons and similar works. GIFD permits cannot authorize the In-kind replacement of dams or bridge structures.
  - f. New driveways, trails, sidewalks, roads and streets constructed completely at-or-below existing grade.
  - g. New underground utilities that do not permanently alter the existing grade elevations by  $\pm 0.5$  feet.
  - h. Armoring, stabilizing, securing, or in-kind replacement of existing infrastructure within the channel banks (such as bridge piers, sewer/utility supports and storm water/sewer drainage outfalls/headwalls) provided the dimensions (bank slopes, channel location, channel elevation) of the channel are not altered. This should not involve replacement with larger or additional above ground infrastructure.
4. Floodplain Development Permits: An individual permit is required for all other permitted activities and projects within the regulatory floodway and SFHA that do not meet the requirements of a GIFD permit.

**17.88.120: ENFORCEMENT AND PENALTIES FOR VIOLATION:**

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

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

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

1. Requirements of floodplain development permit;

2. Requirements of building permit;
3. Inspection and ordering removal of violations;
4. Criminal liability;
5. Injunction; and
6. Civil enforcement.

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

**17.88.130: Title**

**17.88.140: Guidelines**

**17.88.150: Procedure**

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

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

**17.88.180: Site Inspection**

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

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

**17.88.210: Enforcement**

**17.88.220: Title**

**17.88.230: Guidelines**

**17.88.240: Procedure**

**17.88.250: Application For Emergency Riparian Alteration**

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

**17.88.270: Site Inspection**

**17.88.280: Basis For Denial Of An Emergency Riparian Alteration Permit**

**17.88.290: Conditions Of Emergency Riparian Alteration Approval**

**17.88.300: Enforcement**

**17.88.310: Title**

**17.88.320: Guidelines**

**17.88.330: Procedure**

**17.88.340: Application**

**17.88.350: Action Upon Submittal Of Emergency Application**

**17.88.360: Conditions Of Emergency Application Approval**

**17.88.370: Uses Permitted**

**17.88.380: Use Restrictions**

**17.88.390: Application For Temporary Flood Control Barriers**

**17.88.400: Enforcement**

## EXHIBIT C

**PUBLICATION SUMMARY OF ORDINANCE NO. 1214**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, ZONING REGULATIONS, SECTION 17.08.020, TERMS DEFINED; REPEALING ARTICLE I, FLOOD DAMAGE PREVENTION, OF CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP); ADOPTING A NEW ARTICLE I, FLOOD DAMAGE PREVENTION; AMENDING CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV TO RENUMBER SECTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

A summary of the principal provisions of Ordinance No. 1214 of the City of Ketchum, Blaine County, Idaho, adopted on \_\_\_\_\_ 2021, is as follows:

- SECTION 1.** Amends Section 17.08.020, Terms Defined, to repeal, adopt new, and revise definitions related to floodplain development activities.
- SECTION 2.** Amends Chapter 17.88, Floodplain Management Overlay Zoning District, Article I, Flood Damage Prevention, to repeal the prior Article I and replace it with a new Article I that aligns with the state of Idaho’s model floodplain ordinance, National Flood Insurance Program regulations, and best management practices for floodplain development.
- SECTION 3.** Amends Chapter 17.88, Floodplain Management Overlay Zoning District, Articles II-IV, to renumber each section to account for additional new sections added to Article I.
- SECTION 4.** Establishes a savings and severability clause.
- SECTION 5.** Established a repealer clause.
- SECTION 6.** Provides for publication by summary.
- SECTION 7.** Establishes an effective date.

The full text of this Ordinance is available at the City Clerk’s Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.



APPROVED:

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Neil Bradshaw, Mayor

ATTEST:

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Katrin Sharp, Deputy City Clerk

## **Attachment B.**

Presentation slides

December 21st, 2020 Floodplain Management and Ordinance Amendments





# Floodplain Management & Ordinance Amendments

Ketchum City Council, December 21<sup>st</sup>, 2020  
Ord. #1214 Amending Title 17, Zoning,  
Chapter 17.88, Article I, Flood Damage  
Prevention and 17.08, Definitions



# Floodplain Management



2017 Flood / Puchner Lane Bridge, Warm Springs Creek

## Why manage the floodplain?

- It's good for the health of the river, riparian ecosystems, and public safety, health, and welfare
- And, Federal government requires local enforcement of minimum floodplain standards so that residents are eligible for federally-backed flood insurance (National Flood Insurance Program)



# Floodplain Management in Ketchum



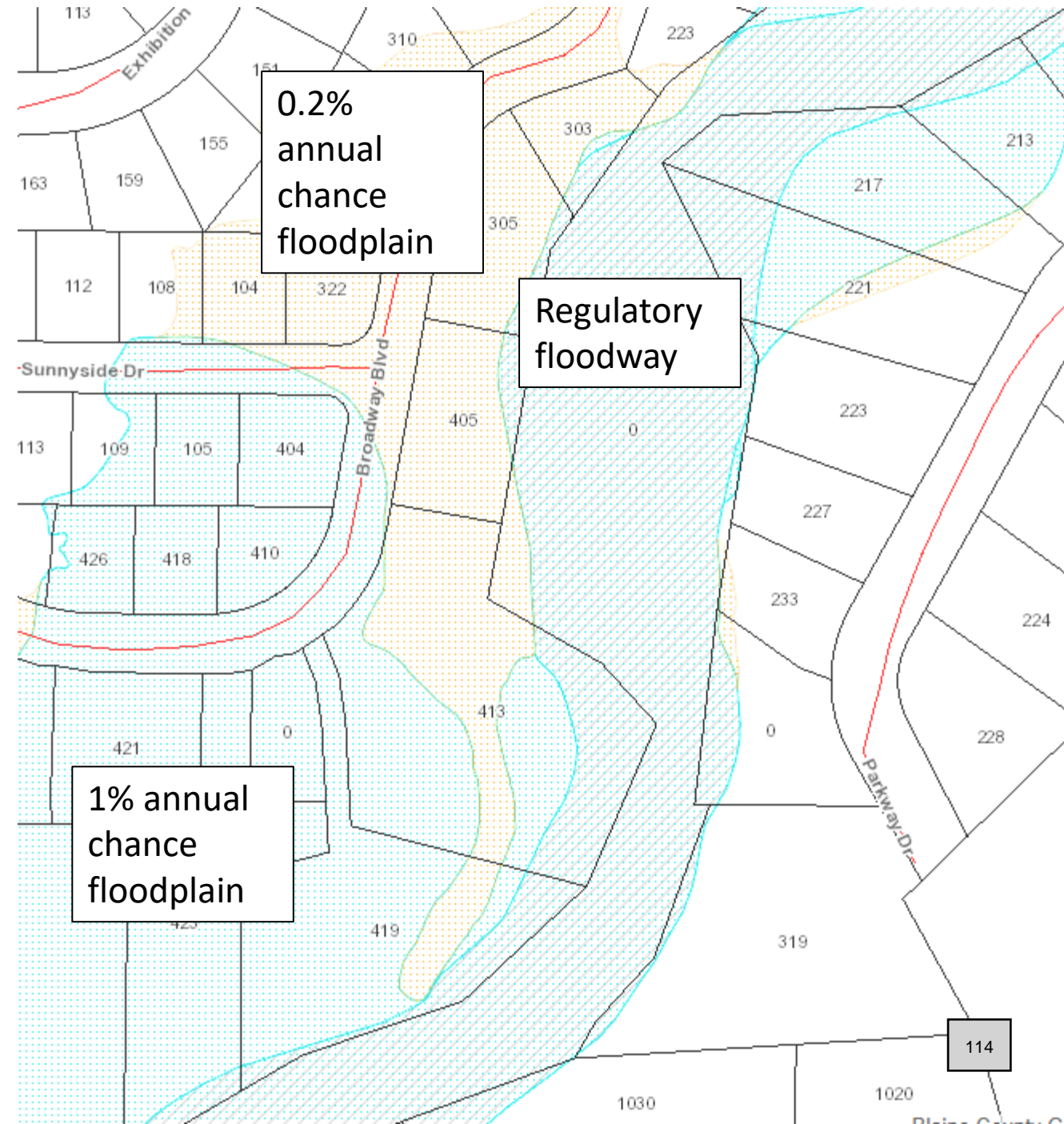
## History & Context

- **148** structures in the floodplain
- **435** parcels located partially in floodplain
  - **9.6%** of the parcels in city limits
- **171.2** acres of land in floodplain
  - **8.2%** of the land area in city limits
- **1921, 1938, 1943, 1952, 1965, 1983, 1997, 2006, 2017:** Major floods in Wood River Valley
- **1976:** First floodplain maps/regulations in Ketchum
- **1989:** Riparian regulations and stream alteration regulations adopted
- **2015:** Last update to align with state's model ordinance

2017 Flood / Broadway Boulevard, Big Wood River

# Floodplain Management Overview

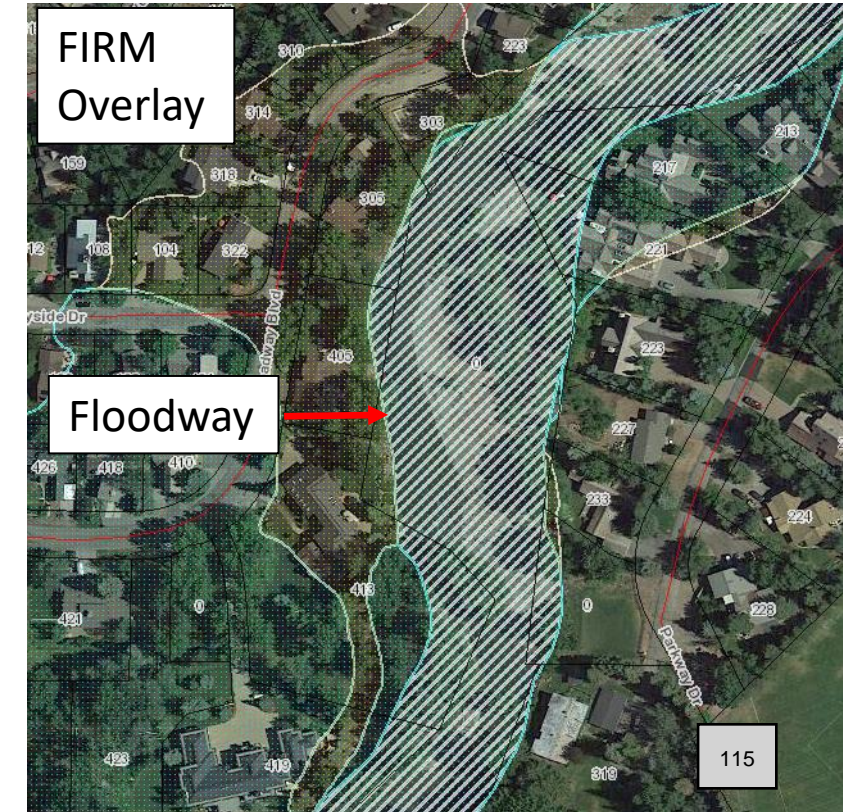
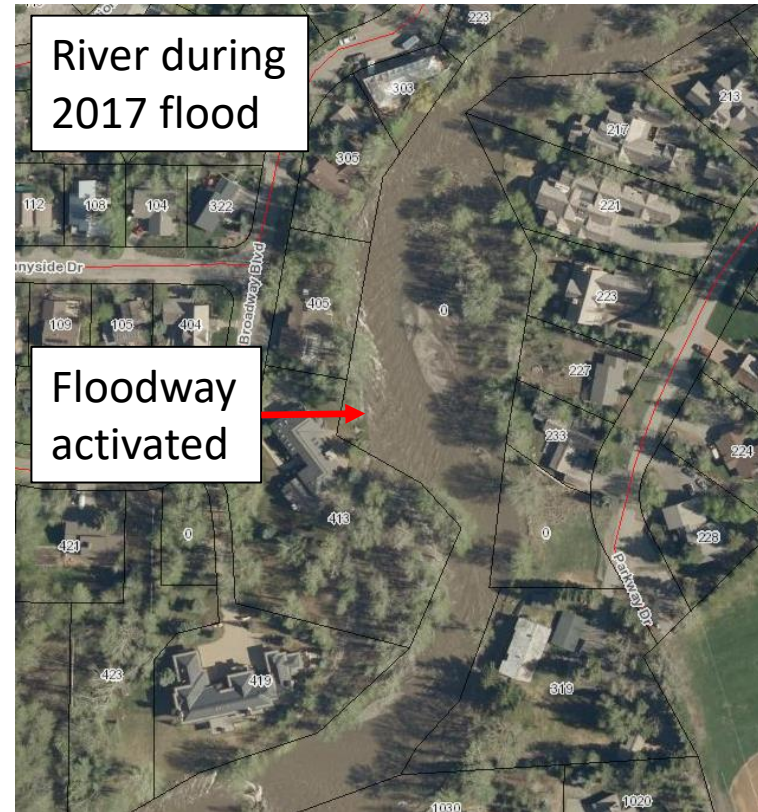
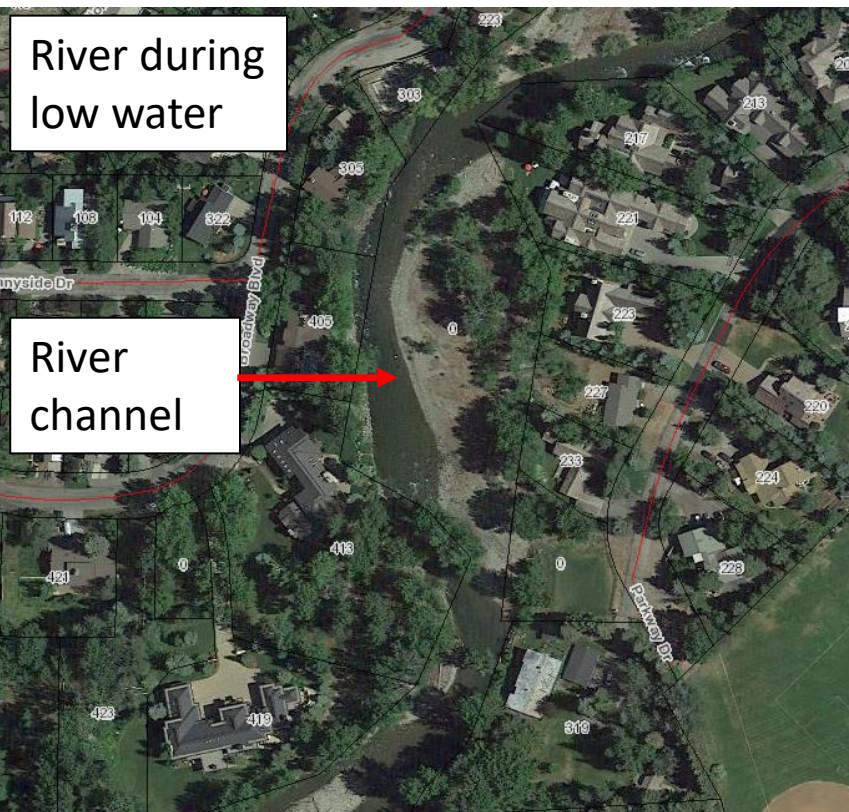
- FEMA and technical partners produce Flood Insurance Studies (FIS) that inform the Flood Insurance Rate Maps (FIRMs) that establish the location of the Special Flood Hazard Area (SFHA, also known as the 1% annual chance or 100-year floodplain)
- Ketchum benefits from detailed FISes and FIRMs that also provide the locations floodways determined to be worthy of heightened regulations (“regulatory floodway”) and 0.2% annual chance (500-year) floodplains
- **FIS establishes the Base Flood Elevation (BFE) for every location**





# Floodplain Management Overview

- Regulatory floodways have the greatest flood risk
- Represent areas adjacent to river channels where the river is anticipated to overflow and have moving water during a flood event
- Development is severely restricted in the floodway so these lands can carry floodwater / not displace floodwater, which prevents a significant rise ( $>1'$ ) in floodwater elevations elsewhere



# Federal vs. Local Regulations

- Ketchum has had more restrictive regulations than FEMA's minimums since at least 1989
- Examples: Construction standards, substantial damage, riparian

## Federal

- Lowest floor elevated to Base Flood Elevation.
- No Rise Certification required for work in floodway, including streambank stabilizations; Some other types of development may be permitted in floodway
- Improvements can't exceed 50% of structures value in a year
- No riparian zone regulations

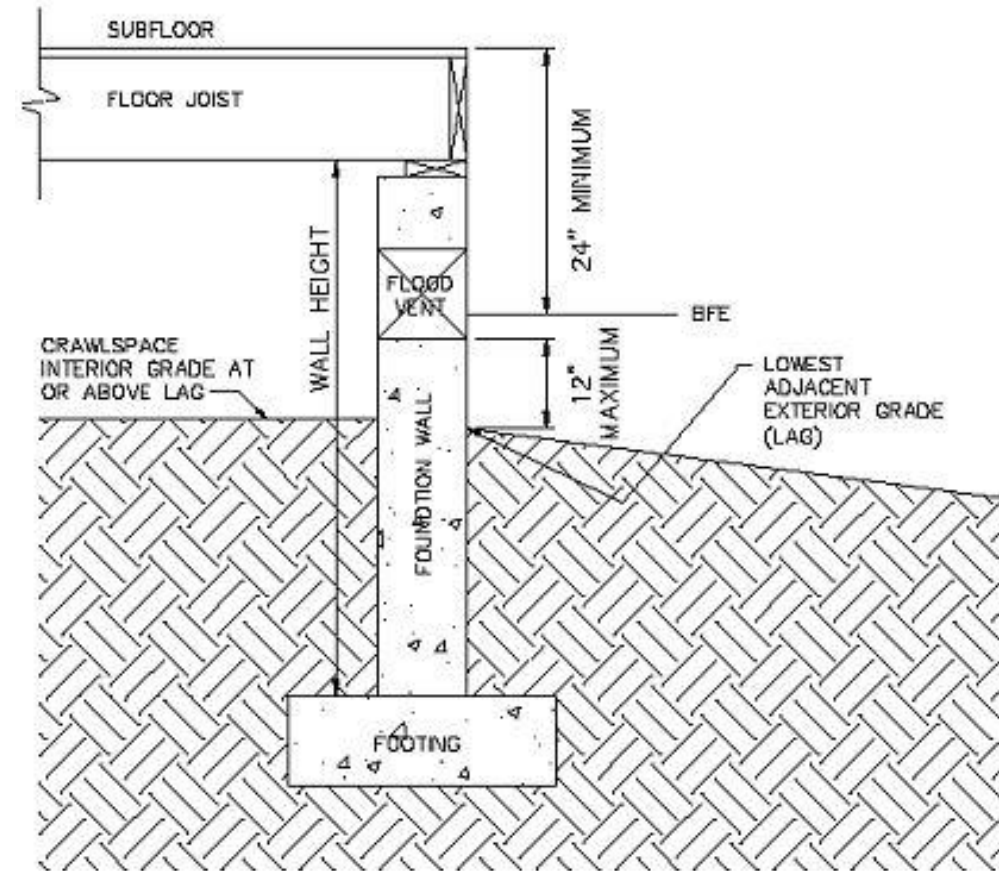
## Local

- Lowest floor elevated to 24" above Base Flood Elevation (was 12" above from 1989-2014)
- No Rise Certification required for work in floodway, including streambank stabilizations; No other development allowed in floodway
- Substantial improvement/substantial damage tracked cumulatively over a 3-year period
- Riparian regulations since 1989



# Floodplain Construction Standards Overview

- Lowest floor elevated to 24" above Base Flood Elevation
- Garages and crawl spaces may be located below BFE provided –
  - Garage is used only for parking/storage
  - Crawl space is built to specifications
  - Two walls of foundation must have flood vents to allow floodwaters to enter and exist
  - Foundation must be engineered to withstand flood forces
  - Mechanicals are elevated
  - Only specific flood damage resistant materials are used below BFE
- Commercial buildings may be “floodproofed”



# Riparian Regulations

- FEMA has no regulations for riparian zones that are located outside of a mapped floodplain
- Over 30 years ago (1989) Ketchum chose to define and regulate a 25' riparian zone and has had such regulations ever since
  - The actual extent of the riparian zone can be much wider than 25', 25' is a compromise (Blaine County has up to a 75' riparian setback)
- Ketchum city limits: Riparian Zone = Riparian Setback
  - Essentially, a 25' setback from the Mean High-Water Mark, regardless of whether the land is within the Special Flood Hazard Area or not
- No development, other than public accesses, streambank stabilization, and riparian restoration, permitted in Riparian Zone

# Riparian Regulations

- Benefit the following:
  - Fish
  - Wildlife
  - Water quality
    - Humans, animals
  - Streambank stability
  - Recreation opportunities
  - Local economy
  - And more
- By:
  - Trapping pollutants/chemicals before the enter river
  - Providing shading, cooling of the river
  - Creating a migration corridor for moose, bears, mountain lions
  - Deep rooted riparian vegetation stabilizes streambank, mitigates lateral channel movement
  - Leading to more abundant fish population

# Riparian Regulations

## Excerpt from the Big Wood River Atlas (2020)

- The most critical factor limiting the trout population in the Big Wood River is the amount and quality of fish habitat.
  - Game fish populations in altered reaches of the Big Wood River were 1/10 of those in unaltered, or “natural” reaches.
  - Large woody debris were the most preferred cover component for wild rainbow trout.
  - The presence of riprap decreased trout densities to the same level as river reaches with no cover habitat.
- 
- Primary source: Habitat studies of the Big Wood River completed by Idaho Department of Fish and Game (Thurow, 1987 and 1990)



Photo credit:

Chris Hunt, Trout Unlimited, Hemingway Chapter

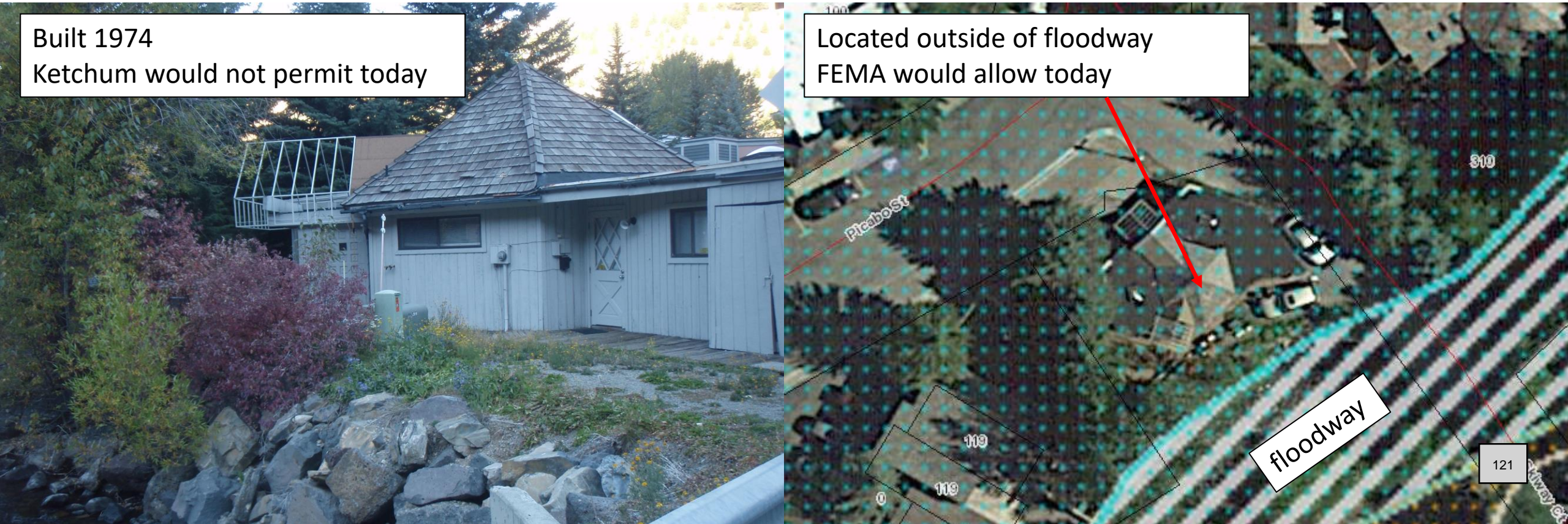


# Riparian Regulations

- When the City of Ketchum's riparian zone overlaps with FEMA's floodplain the city has the more restrictive regulations
- FEMA would allow a new home, or a deck or patio, to be built provided construction meets floodplain standards

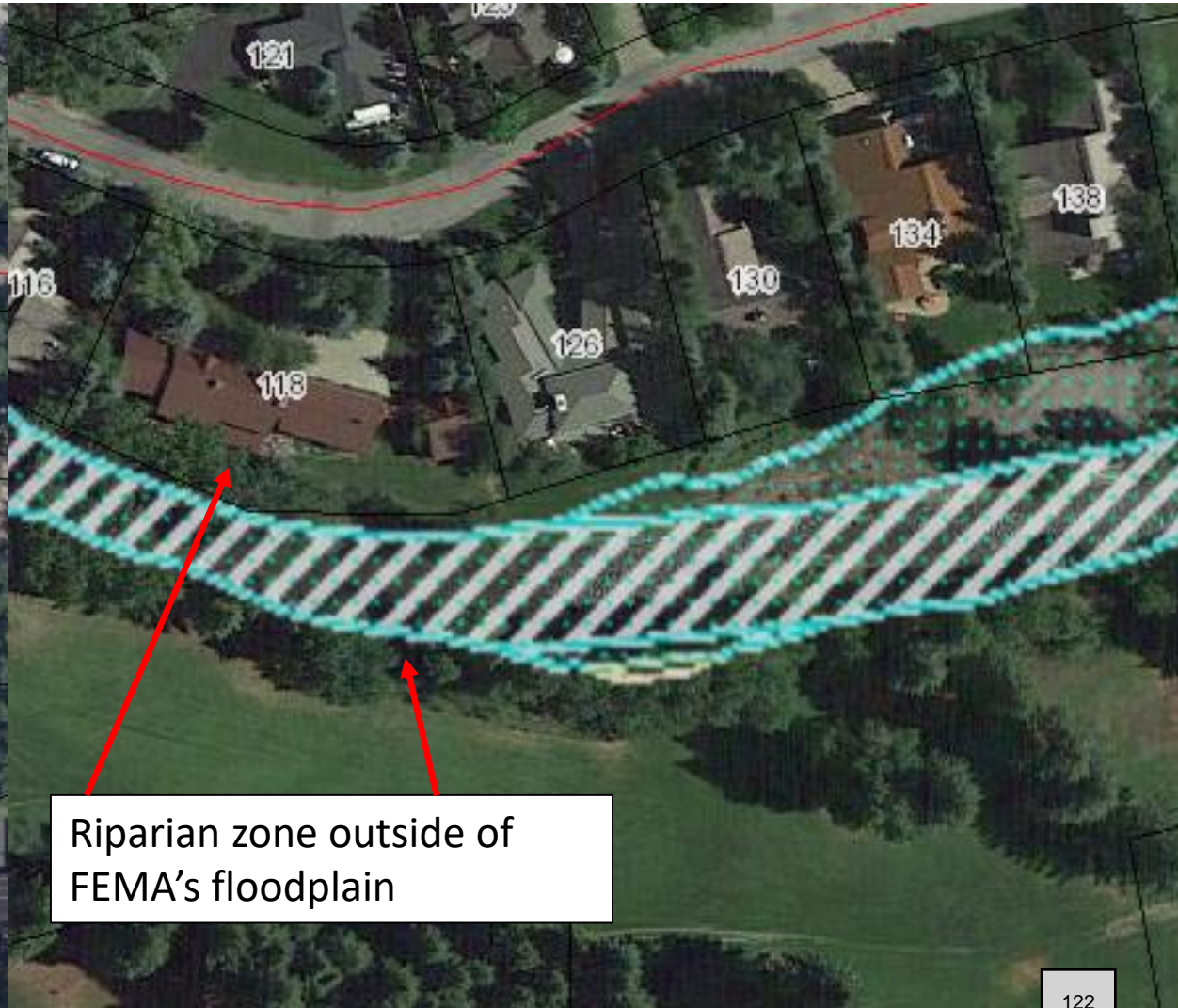
Built 1974  
Ketchum would not permit today

Located outside of floodway  
FEMA would allow today





# Riparian Regulations



# Ordinance Amendments Summary

- Added new standard for special categories of use
  - Irrigation, agriculture, temporary structures, critical facilities
- Codified additional Floodplain Administrator duties to align with state's model code (i.e. inspection timing, stop-work orders, etc.)
- Variances to be heard and approved by P&Z Commission, not Floodplain Administrator
- Standards for when applications are forwarded to P&Z Commission for review (i.e. proposal includes riprap, project involves multiple parcels)
- Clarified Waterways Review District
- Added additional tie-ins to existing riparian regulations throughout ordinance
- Updated/added standardized definitions (flood, flood protection elevation, irrigation-related definitions, etc.)



# Questions/comments?



Warm Springs Creek, 2017 Flood

## Resources

- Floodplain page of City website
- <https://www.ketchumidaho.org/planning-building/page/flood-natural-disaster-information>
- 2020 Big Wood River Atlas – Blaine County, Cardno study
- <https://www.co.blaine.id.us/509/Big-Wood-River-Atlas-2020>





## City of Ketchum

January 4, 2021

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation To Hold a Public Hearing and Take Action on Interim Ordinance 1216 Establishing Interim Standards for Historic Structures**

#### Recommendation and Summary

Staff is recommending the council conduct a public hearing, provide direction to staff and conduct a first and potential second reading of proposed Interim Ordinance 1216 by adopting the following motions:

Option 1: Conduct first and third reading of Interim Ordinance 1216 and waive the second reading.

1. I move to approve the first reading of Interim Ordinance 1216 and read by title only.
2. I move to waive the second reading of Interim Ordinance 1216 and conduct third reading on January 11, 2021.

Option 2: Conduct three ordinance readings and hold a special meeting for third reading the week of January 11<sup>th</sup>.

1. I move to approve the first reading of Interim Ordinance 1216 and read by title only.

The reasons for the recommendation are as follows:

- The Council adopted Emergency Ordinance 1213 on October 19, 2020 for a period of 90 days. The 90 days expires January 17, 2021.
- Public outreach and input have taken place and the community supports standards for altering or demolishing historic structures.
- The Planning and Zoning Commission reviewed the draft interim ordinance on December 22, 2020 and unanimously recommended approval with modifications. The attached ordinance reflects the Planning and Zoning Commission recommendations.

#### Introduction and History

On October 19, 2020, the City Council adopted emergency ordinance 1213 that is in effect for 90 days. This ordinance stays the demolition of any structure that is on the 2005 survey list of historic structures, that list identified 82 properties that were potentially significant. The emergency ordinance expires January 17, 2021. If the City desires to adopt interim standards, City Council first reading of the interim ordinance must occur on January 4, 2021.

During the 90-day period, there has been public outreach, an update to the list of historic structures in the Community Core District (CC), and joint meetings of the City Council and Planning and Zoning Commission to

discuss and provide direction on preservation of significant structures within Ketchum. Throughout the process, there has been support for establishing interim standards for altering or demolishing historic structures.

The 2005 survey of historic structures in the Community Core has been updated. The 2005 list identified 82 existing properties as potentially significant. The updated survey, Attachment B, identified 26 properties that would be eligible for local landmark designation or National Register Designation. The proposed review process in the interim ordinance would only apply to the 26 properties on the updated 2020 list.

#### Proposed Interim Ordinance

The proposed interim ordinance contains the following:

- Appoints the members of the Historic Preservation Commission. The Commission will consist of the Planning and Zoning Commission in addition to members of the public that have a demonstrated interest, competence or knowledge in history or historic preservation.
- Establishes the updated 2020 historic building survey for the community core as the list of significant structures. The ordinance review process and standards will apply to the buildings on the updated list.
- Establishes an application, review process and review criteria for proposed exterior alternations or demolition of buildings on the list. The process is similar to the design review process.
- For any building in Ketchum over 50 years old, a demolition permit may not be issued until a complete building permit application has been filed with the Planning and Building Department for the replacement project. This would not apply to dangerous buildings as determined by the Building Official.
- Establishes minimum maintenance standards for buildings on the list and enforcement provisions for alternations that occur without permits.
- The ordinance is effective for one year. However, it is the intention of the consultant team and staff to develop permanent standards and design guidelines for projects in the downtown community core sooner.

#### Planning and Zoning Commission Action

On December 22, 2020 the Planning and Zoning Commission conducted a public hearing on the proposed interim ordinance. The Commission thoroughly reviewed the ordinance and heard from two members of the public. After a lengthy discussion and recommended changes, the Commission unanimously recommended approval of the ordinance to the City Council. The Commission's recommendations are reflected in the redlined version of the proposed ordinance. Staff and the consultant team support the recommendations of the Commission.

The Commission's recommendations consisted of the following:

- Section 1C: For any structure over 50 years old, allow a demolition permit to be issued once a complete building permit application has been issued instead of when a building permit is issued as originally proposed.
- Section 1E: Provide more flexibility in the composition of the Historic Preservation Commission (HPC). In the beginning there may be a need for more P&Z Commission members since they are familiar with permit review procedures. Over time, a majority of P&Z Commissioners may not be necessary and more community members could make up the majority of the HPC.
- Section 2A: The Commission requested that the HPC have the authority to add or remove structures from the historic building list. The proposed ordinance sets forth the criteria for adding to or removing structures from the list.
- Section 3B 1-4: The Commission had a lengthy discussion about this section. Some on the Commission felt Section 3B 1-3 should be removed because it was not necessary since the standards for review were already identified in Section 3A 1-4. They felt Section 3B 1-3 was confusing and could restrict

modifications to historic structures. The Commission chose to add the language “but are not limited to” to provide flexibility. In 3B-4, the Commission wanted to encourage adaptive reuse of structures.

- Section 7C: The Commission asked to remove the last sentence since Section 1C-1 in the beginning of the ordinance set forth the process for review of alterations.
- The Commission asked for a map identifying the location of 26 historic structures. The map is being prepared.
- The Commission also asked that members appointed to the HPC should not have a conflict of interest by owning or representing a property on the historic building list.

#### Action by the City Council

Council action is requested on the following:

- Review the updated survey list of significant structures in the Community Core and provide input and recommendations on revisions. Attachment B is the updated survey and list. Attachment C and D provide information on the structures that were included on the list and those that were not included on the list.
- Review the proposed interim ordinance, identify any requested changes, and take action on the proposed interim ordinance.

#### Next Steps

The first City Council hearing on the interim ordinance is January 4, 2021. Should an interim ordinance be adopted, the next steps include:

- Preparation of permanent standards for historic structures
- An update of the 2005 survey of historic structures for other areas in Ketchum outside of the downtown Community Core
- Preparation of design guidelines for new development and alterations to existing historic structures in the Community Core
- Preparation of a historic preservation handbook

#### Financial Impact

There is no financial impact resulting from the adoption of the interim ordinance. Future initiatives such as preparation of design guidelines and a historic preservation handbook will return for City Council review and approval.

#### Attachments

- Attachment A: Proposed Interim Ordinance 1216 with Planning and Zoning Commission Recommendations
- Attachment B: Updated survey list of historic structures in the Community Core
- Attachment C: Comparison of Historic Preservation Commission recommended properties remaining on the 2020 list of historic structures and those that are not included
- Attachment D: Comparison of 2005 historic structure survey properties and 2020 survey list of historic structures

## ORDINANCE NUMBER 1216

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

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

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

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

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

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

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

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

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

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

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

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

## Section 1. General Provisions

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

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

- A. Authority: The Ketchum Historic Preservation Commission (HPC) shall be the review authority for applications seeking to demolish or alter a historic structure on the Historic Building List.
  - 1. The HPC will maintain the Historic Building List, which includes structures within the Community Core (CC) which are either in excess of fifty (50) years old or are otherwise historically and/or architecturally significant.
  - 2. The HPC shall have the authority to add or remove structures from the Historic Building List using the following criteria to determine if a structure should be added of removed from the Historic Building List.

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

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

B. Demolition or Alteration Request Process:

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

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

- A. The HPC may approve, approve with conditions, or deny a Request for Demolition or Alteration application based on the following criteria:
  - 1. Is the structure of historic or architectural value or significance and does it contribute to the historic significance of the property within the Community Core.
  - 2. Would the loss, alteration of, or addition to, the structure adversely affects the historic integrity of the structure, impact the significance of the structure within the Community Core , impact the architectural or aesthetic relationship to adjacent properties, or conflict with the Comprehensive Plan.
  - 3. Does the structure retain the requisite integrity to convey its historic and/or architectural significance.
  - 4. Does the proposed demolition or alteration adversely affect the historic significance or architectural distinction of the structure or the Community Core.

- B. Appropriate alterations might include but are not limited to:
  - 1. Changes to the building's interior that are not visible from a public street, alley, park, or other public place;
  - 2. Changes to internal building systems that will not adversely affect the external appearance of the building;
  - 3. The erection or removal of temporary improvements.
  - 4. Adaptive reuse consistent with the Secretary of the Interior's Standards for Rehabilitation and Idaho Code Title 67-4618.
- C. The HPC shall consider the unique circumstances of each proposed demolition or alteration. Approval of each individual Demolition or Alteration application is unique to that property and does not constitute a precedent for other properties

#### **Section 4. Appeal of Request for Demolition or Alteration Application Decisions**

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

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

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

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

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

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

- A. If any alteration is made without approval of a Demolition or Alteration application, the City may issue a stop work order for all construction activity, withhold inspections and final approvals, withhold approval of additional City permits, and take any other available action, or any combination of the aforementioned, until the applicant has applied for and received

approval for the alteration. If the alteration is not approved, the property owner shall restore the structure to its original condition prior to any alteration occurring.

- B. Except as provided in Section 6, Remediating of Dangerous Building Conditions, no permit shall be issued authorizing any alteration to a structure listed on the Historic Building List until the HPC approves the Request for Demolition or Alteration application. If the approval or denial of the application is administratively appealed, no further development permits shall be approved for the property until the City Council has made a final decision on the administrative appeal.
- C. Normal repair and maintenance of structures on the Historic Building List is permitted. Nothing in this Section shall be construed to prohibit the alteration of any structure necessary as a part of normal repair and maintenance when such alteration will not change the exterior appearance or materials or the interior support structure of the building, including the character or appearance of the land itself. ~~Normal repair and maintenance shall not include the replacement of windows or siding.~~

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

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

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

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

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this**

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Community Core District Survey Update  
(Phase 1)  
Ketchum, Idaho



Courtesy the City of Ketchum

Final Report

Prepared for

City of Ketchum Planning & Building Services Department

by

TAG Historical Research & Consulting  
&  
Thompson Preservation Consulting

December 2020



## Introduction

Ketchum is experiencing increased development activity threatening the loss of historic structures. The city currently has no local protections in place. Recently, the Ketchum City Council enacted a temporary pause on the demolition of structures within the Community Core (CC) District that may have historic or cultural significance. Accordingly, the City of Ketchum contracted with TAG Historical Research & Consulting (TAG) for Phase 1 of an intended multi-phase project intended to address this issue.

## Objectives

Phase 1 had two objectives:

**Objective 1:** Update the 2005 *Archaeological and Historic Survey Report* (reconnaissance/windshield survey) prepared by Walsworth and Associates

**Objective 2:** Update the 2006 list of list recommended heritage sites within the CC District compiled by the now inactive Ketchum Historic Preservation Commission

## Project Background

The CC District has undergone formal reconnaissance-level historic site surveys two times previously. The first survey was conducted in 1990 (Walsworth and Gillette), and the second in 2005 (Walsworth and Associates). The 2005 survey examined a total of 81 properties within the CC District finding most of them to be ineligible for inclusion in the National Register of Historic Places (NRHP). However, conclusions and recommendations in the 2005 survey expressed stark warning that “threats to historic resources in Ketchum will be constant as long as the population increases and modern residential, commercial, and industrial developments occur.” In addition to the two reconnaissance level surveys, a few individual buildings within the CC District were recorded in surveys conducted under the requirements of Section 106 of the National Historic Preservation Act of 1966 (NHPA).

In 2006, the city’s Historic Preservation Commission compiled a list of “recommended heritage sites” within the CC District. In short, criteria for inclusion on this list deemed that a historic property must be:

- Representative of traditional Ketchum residential and/or commercial architecture.
- Representative of Ketchum’s community traditions and/or heritage.
- Associated with significant events and/or people of the past.

## Methodology

Due to winter weather conditions and health and safety restrictions caused by COVID 19, field work was not feasible. Therefore, all work on this report was performed remotely. The City of Ketchum Planning & Building Services Department provided TAG with recent images of each resource.

A record search request was submitted to the State Historic Preservation Office (SHPO) on November 8, 2020. Results of the record search revealed that records for 52 previously recorded IHSI Historic Sites within the CC District. All 52 site forms were received from SHPO. Additional research was conducted at the Idaho State Archives, and the online collections of the Ketchum Community Archives, Idaho Department of Transportation, Library of Congress, and several other repositories.

For clarity of analysis, information from the 2005 reconnaissance survey, the 2006 Ketchum Historic Preservation Commission list, and the 52 site forms were collated into a single spreadsheet.

Using the city-provided images to update the 2005 and 2006 survey data, TAG first determined which resources were:

- Still extant
- Retained sufficient historic integrity

To be considered eligible for inclusion in the NRHP a building or site must, at a minimum, be more than 50 years old. It must also not have been significantly altered to the degree that alteration destroys the building's historic integrity. Example: An addition does not match the massing or style of the original building. As per National Register Bulletin 15 (NRB-15), *How to Apply the National Register Criteria for Evaluation*, NRHP criteria recognizes seven aspects or qualities that, in various combinations, define integrity. These are:

- Location – where the historic property was constructed or where the historic event occurred.
- Design – the combination of elements that create the form, plan, space, structure, and style of a property.
- Setting – the physical environment of a historic property.
- Materials – the physical elements that were combined or deposited during a particular period and in a particular pattern or configuration to form a historic property.
- Workmanship – the physical evidence of the crafts of a particular culture during any given period in history or prehistory.
- Feeling – a property's expression of the aesthetic or historic sense of a particular period.
- Association – the direct link between an important historic event or person to the historic property.

Although careful consideration of all seven aspects of integrity is an important part of a more formal analysis, a site visit was neither possible nor necessary at this phase of the project. Instead, each extant resource underwent a cursory integrity analysis specifically, aimed at determining integrity of design, materials, and workmanship. This allowed TAG to determine which resources might be most practically considered for future planning efforts and updated inclusion on the city’s list of recommended heritage sites.

## Results

In the fifteen years since the 2005 reconnaissance survey was completed, the CC District, and the city of Ketchum as a whole, has continued to lose valuable historic resources to development. Specifically, since the completion of the 2005 survey, a total of 15 of the 81 buildings recorded in that survey have been lost, a loss that is equal to almost 20 percent of previously recorded resources. These losses include one of two properties in Ketchum listed in the NRHP, the 1929 Bald Mountain Hot Springs Lodge and pool. Unfortunately, research revealed that an additional nine resources within the CC District not recorded in the 2005 report have also been demolished bringing the total number to 24.

On a more positive note, it was determined that currently there are an adequate quantity of extant resources that display sufficient historic integrity of design, materials, and workmanship to warrant further investigation and protection efforts at a local level (see Recommendations). Additionally, TAG has determined that several extant resources within the CC District appear to have sufficient historic integrity and to meet criteria for inclusion on the Historic Preservation Commission’s list “recommended heritage sites.” Several of these properties might also serve as a list of resources that exhibit the most promise for individual eligibility in the NRHP. (See Table 1)

## Architectural Styles

A city or neighborhood’s architectural heritage helps to convey its unique sense of place. Other styles of architecture are also represented in Ketchum’s historic resources, but the following examples in Ketchum’s CC District are particularly successful in conveying a sense of the city’s historic character and significance. A building does not have to be grand or of high style to hold importance.

Although it has been moved to its current location, the Bonning Cabin, constructed of hand-hewn rough lumber, is a significant artifact of Ketchum’s early buildings as are several log structures dating to the 1920s, 30s, and 40s.







Chalet-Style buildings are also found in the CC District. A notable example is the Ketchum Kamp Hotel. Beginning in the early 20<sup>th</sup> century, interest in the Chalet Style was spurred on by the publication of a variety of books and articles which provided architects as well as homeowners, inspiration and specific details on how to replicate the architecture of the Swiss Alps. The style, which was mainly applied to

residential designs, was an adaptation of traditional versions. Whereas the Swiss models utilized heavy timber and log construction atop stone bases, American models utilized simple platform construction in combination with applied decorative elements. Low pitched front-facing gable roofs are hallmarks of the style and many have deep eaves supported by large decorative brackets. The ends of rafters are generally exposed.

The A-Frame became popular in the mid-twentieth century in the United States. Inexpensive, and easy to construct, these buildings were often sold as kits. A steeply pitched roof made this type of building particularly appealing for use as lodges and

cabins, especially in areas like Ketchum where snow load was a major concern. The 1969 Post Office building is a good example of this style.



All photos: City of Ketchum

## Recommendations

Increased and ongoing residential, commercial, and industrial development activity in Ketchum's CC District is an imminent threat to historic structures. Since the CC District last underwent reconnaissance-level survey in 2005, 15 of the 81 buildings recorded in that survey have been lost as were an additional nine buildings of historic age that were

not recorded at that time. Several steps can be taken, which combined with community outreach and education, can help avoid more losses.

#### Reactivate Participation in the Certified Local Government Program

TAG contacted the State Historic Preservation Office (SHPO) for information about the Certified Local Government (CLG) grant program, and Ketchum's status as a CLG. SHPO staff made clear that the most promising outcomes for the city's preservation efforts includes reinstatement of the city's Historic Preservation Commission. Although Ketchum retains its status as a Certified Local Government (CLG), it is currently considered "inactive." An active CLG and a close working relationship with SHPO is imperative to the longevity and protection of Ketchum's historic resources. For example, much of the work proposed in this report could be covered by grants available to CLGs.

#### Update the Reconnaissance Level Survey

Although the 2005 survey suggested that most resources within the CC District are not individually eligible for inclusion in the NRHP, the area maintains an adequate quantity of resources appearing to maintain sufficient historic integrity to warrant an updated reconnaissance survey. As of 2020, historic resources constructed in 1970 meet the age requirement for listing in the NRHP. Reconnaissance level surveys are valuable tools that help cities determine not only the number and quality of historic resources they possess, but they are also essential to preservation planning efforts at the community level.

#### Develop a Preservation Plan

TAG also recommends that following completion of the updated survey, the City of Ketchum put forth a request for qualified consultants to create a Preservation Plan for the City of Ketchum. Preservation planning is a practical way to provide for the protection of a community's historic resources and character. A community that includes a preservation component as part of long-range planning recognizes the importance of local heritage and the built environment.

Preservation is a dynamic process. The City of Ketchum is currently engaged in strong efforts to educate the public about the importance of the historic built environment and to include citizens in the preservation process.

**Table 1. Historic Resources Retaining Historic Integrity**

The resources listed were selected from an examination of photographs provided by the city. All meet the requirements outlined in the 2006 Heritage Sites Document for designation as local heritage sites. These resources and more that are not on the list may be eligible to the NRHP, which would be determined by updating the 2005 survey.

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

# Historic Preservation Commission Recommended Heritage Sites November 8<sup>th</sup>, 2006



# Criteria

- Representative of traditional Ketchum residential and/or commercial architecture, scale proportion and site orientation including but not limited to, being built before 1956 (significant periods include 1880s, 1920s, 1930s), gabled roofs, overhanging eaves, log or brick construction, one to two story, chalet style.
- Representative of Ketchum's community traditions and/or heritage, including but not limited to, mining, railroad, ranching, timber, farming, sheep herding or skiing.
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Listed on or eligible for the National or State Register of Historic Places.

# Properties Included on 2020 Updated List

## Bonning Cabin

531 5<sup>th</sup> St. East (73)

Block 46 Lot 1



Bonning Family



### Criteria:

- Representative of traditional Ketchum residential architecture
- Representative of Ketchum's mining heritage

### History

- Circa 1882
- Bonning Cabin was built in 1882 and used as a bunkhouse for the freighters who worked on the ore wagons. The one-room log cabin was built out of hand-squared logs that were hewn with a broad axe. Wood strips, secured in place by wooden pegs, were used as a rigid filler between the logs while the smaller cracks were filled with soft rags. The original roof was covered with sod.
- Art and Kate Bonning moved the cabin from its original site directly across the street from their home to the southeast side of their home. It was rented by family or employees of Sun Valley until it was moved in 1999. The City of Ketchum provided the current site for the cabin.  
-source: Ketchum Historical Society
- NHRP Eligibility: IE

## Thornton House

560 East Ave. (11)

Block 46 Lot 3



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past (a residence of an early Ketchum family)

### History

- Circa 1912
- Like most immigrants who left their homelands for America during the turn of the Century, Mr. Thornton hoped to make a fortune in mining. He purchased this residence and lived here until World War I, when he returned to France to fight alongside his countrymen. He asked his friend, Albert Griffith, one of Ketchum's original pioneers, to watch over his house while he was away and dispose of it if he didn't return. He never came back, and whether he perished in the line of duty or simply decided to live elsewhere, is not known.
- Martyn Mallory, Hailey resident and County Assessor, purchased the house for his wife's parents, the Jim Obenchain's. Mallory, an exemplary photographer, took hundreds of photographs documenting the development of the Wood River Valley in the early part of the twentieth century.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

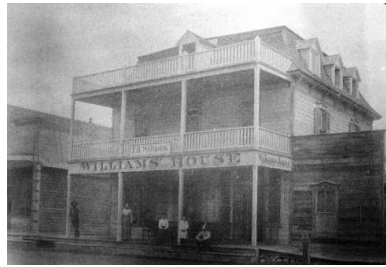
## Ed Williams House

520 East Ave. North (12)  
Block 46 Lot 2



E.B and Lesley Williams

Business owned by E.B. Williams



## Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past (a residence of an early Ketchum family)

## History

- Circa 1884
- When Nellie Easley married one-time postmaster and merchant, E.B. Williams, this home was a wedding gift from her father. The wedding took place at the Easley Stage Stop and Springs where Nellie had been raised, and the wedding reception was held here on East Avenue.
- Ketchum suffered several major fires during its heyday as a boom town, and in 1896 E.B.'s merchandise store on Main Street burned to the ground when a fire broke out in the Palace Hotel next door. As their next venture, the Williams' purchased a former brothel, had it towed several blocks to the site of their store, turned it into the fashionable William's Hotel. In 1904 it too was destroyed by fire and the Williams', hoping to find better luck elsewhere, moved away. Years later an arsonist in Mackay alleged he was paid \$100 by a rival hotelier to torch the establishment.

-source: Ketchum Historical Society

- NHRP Eligibility: IE



## George Castle Complex

591 4<sup>th</sup> St. East (67)

Block 45 Lot 5



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage

### History

- Circa 1930's to 1950's
- Former Motel
- NHRP Eligibility: IE

## George Castle Complex

431 ½ Walnut Ave. (2)

Block 45 Lot 6



### Criteria:

- Representative of traditional Ketchum residential architecture
- Representative of Ketchum's community traditions and/or heritage

### History

- Circa 1930's
- George Castle's original cabin was built in the late 1930's. With \$8 in his pocket he built a one room cabin and added two more rooms as he earned the money. "It was tough going...but I built it alone. Part of the bark was left on the logs, and at night wood worms working under the green bark made a 'tick-tick' noise so irritating that sometimes I got out of bed and picked out a handful of them so I could go to sleep!"

-source: Ketchum Historical Society

- NHRP Eligibility: IE

**Christiana's Restaurant**  
Walnut and Sun Valley Rd  
Block 44 Lot 5



**Criteria: :**

- Representative of Ketchum's community traditions (long standing restaurant)
- Associated with significant events and/or people of the past - Hemmingway



571 2<sup>nd</sup> St. (56)  
Block 43 Lot 5



### **Criteria:**

- Representative of traditional Ketchum residential architecture

### **History**

- Circa 1920's-30's
- NHRP Eligibility: IE

## McCoy/Gooding/Miller House

480 East 2nd Street  
Block 22 Lots 7 and 8



George and Jane McCoy ranch house  
one mile south of Ketchum

## Heritage Site Criteria

Age – late 1880s

Character - traditional Ketchum residential

Historical Significance - Governor Frank Gooding's House

## History (source: Ketchum Historical Society)

- Circa 1884
- Jim McCoy was one of ten children born to pioneers, George Washington and Sarah Jane McCoy. George and Sarah met and married in California and moved to Ketchum in 1880. George McCoy purchased a homestead south of town and built the house that still stands on the premises. Bought by the Reigheimer family after WWII, the property is referred to as the Reinheimer Ranch.
- In the 1890's Jim began hauling ore from the mines, and freight in the local area. He continued his operation into the 1920's. He and his wife, Rosie, bought a homestead two miles south of the McCoy Ranch, and started their own operation with a herd of cattle, milk cows, and horses for their freight business. They raised eight children, and when their first-born began school, the family moved into town and spent winters in this house.
- Frank Gooding, senator and two-term Idaho Governor also occupied this home at one time. Frank and his wife arrived by wagon early in 1881 and their daughter, Maude, was reputedly the first baby born in Ketchum. The Gooding brothers-Frank, Fred and Thomas-were involved in logging, and for several years operated the Ketchum Meat market, supplying the mines and the smelter during the boom.
- In the 1940's this residence was purchased by a waiter at Sun Valley, remodeled, and sold again a few years later. The original wood exterior was redone in stucco, presumably to match the alpine look typical of the architecture at Sun Valley Lodge.

**NHRP Eligibility:** Ineligible

## Lon Price/Esther Fairman House

180 Leadville Ave. North (22)

Block 22 Lot 4



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past - a residence of an early Ketchum family or resident (1880's to 1940's).
- Listed on or eligible for the National or State Register of Historic Places.

### History

- Circa 1929
- NHRP Eligibility: E; Criterion A, B, C

## St. Mary's Catholic Church

380 Leadville Ave. North (20)

Block 24 Lot 4



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1880's
- NHRP Eligibility: IE



## Fagan Property

411 Sun Valley Rd. (63)

Block 24 Lot 1



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- NHRP Eligibility: IE



## Heritage Block

### Block 4



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

## Mercantile/Clark/Comstock

300 North Main St. (30)

Block 4 Lot 1



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1887
- A.W. Comstock & Walter Clark built the brick structure in 1887 with materials from a local company. Soon after, it was sold to Tom Tague, a successful pack outfitter. It served as the upper valley's prime gathering spot for miners, and later ranchers, who worked in the surrounding hills. Jack Lane, a local rancher bought the building after Tague's death in 1917 and opened Lane Mercantile five years later. From 1967 till present, the building has had several occupants. Currently, Starbuck is continuing the building's retail history.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

## **Pioneer Saloon (The Commerce Club)**

308 North Main St. (29)

Block 4



### **Criteria:**

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past - Hemmingway

### **History**

- Circa 1945
- NHRP Eligibility: IE



## Helm Property

340 North Main St. (28)

Block 4



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage

### History

- Circa 1940's
- NHRP Eligibility: IE

## Former Post Office

460 Main St.

Block 5 Lot 4



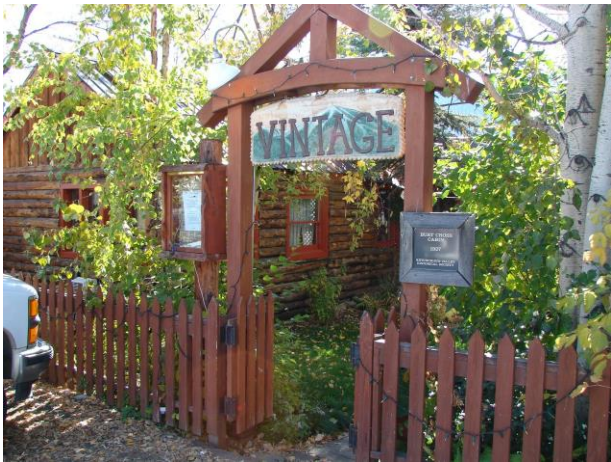
### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past - Former Post Office

## **Bert Cross Cabin**

271 ½ Leadville Ave. North (18)

Block 3 Lot 6



### **Criteria:**

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### **History**

- Circa 1938
- The cabin served as lodging for early Sun Valley employees and for personnel working at the Lodge during its conversion to a naval hospital during World War II. After the war it was home to artist and ski instructor Bert Cross.
- NHRP Eligibility: IE

**Ketchum Kamp Hotel**  
220 North Main St. (32)  
Block 3



**Criteria:**

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

**History**

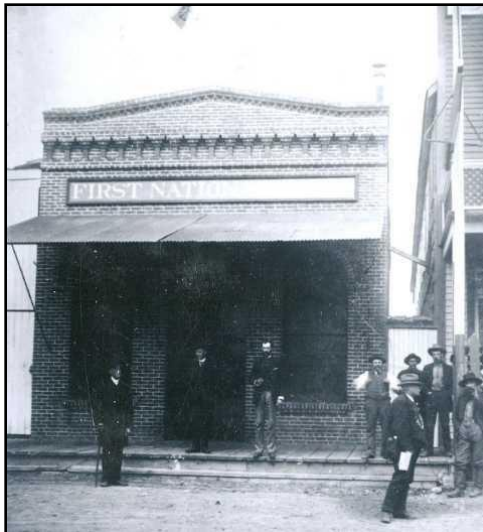
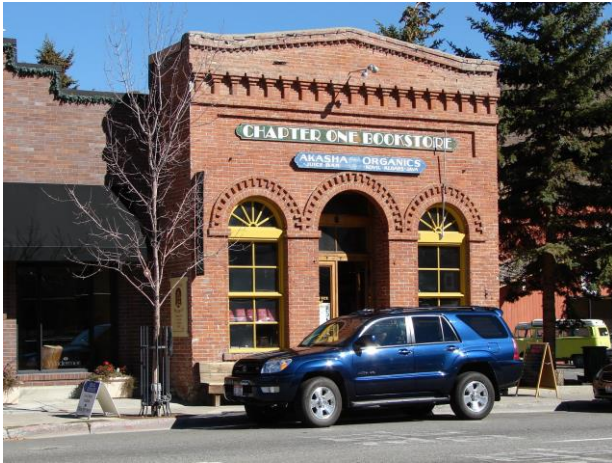
- Circa 1925
- This entire block stood vacant for many years after the 1904 arson of the Williams Hotel, which spread to destroy all other structures on the block. Elmer Ebbe bought the land from Nellie Easley Williams, cut the timber and built his hotel by himself. The hotel included a salon and dining room furnished with big game trophies and rustic hand-made furniture. The bar featured a dance floor, a large fireplace and French doors.
- Slavey and Dora Werry purchased the property the year Sun Valley Resort opened. They changed the name and built a gambling casino which thrived until Idaho began to enforce its anti-gambling laws in 1948. The remodeled Casino still operates as a bar and reputed to have the second-highest yield, by volume, of any bar in Idaho. Werry family members still own the property.  
-source: Ketchum Historical Society
- NHRP Eligibility: IE



## Lewis Bank/Ketchum Drug Annex

180 North Main St. C (33)

Block 2 Lot 4



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage, including but not limited to, mining, railroad, ranching, timber, farming, sheep herding or skiing.
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1880's
- Isaac Lewis was drawn here by the mining strikes in the Wood River Valley. He left his banking position in Butte, Montana and headed to Ketchum by wagon with "all necessary tools and equipment for a genuine prospecting and mining outfit." He pitched the first tent in Ketchum on the morning of May 3, 1880 after purchasing 4 lots at \$2 each from a party that was platting the town on a sheet of brown paper. He was indeed active. He invested in real estate, opened the town's first drug store in 1881, helped build the Guyer Hot Springs Resort, purchased the local newspaper the Ketchum Keystone in 1883, and then built this bank using locally made brick. After weathering several bank crises, the national financial panic of 1896 forced him to close his doors.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

## First Telephone Company and Dick Alfs Fly Shop

340 2<sup>nd</sup> St. (59)

Block 2 Lot 8



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's) - Location of first telephone company

### History

- Circa 1930's to 1940's
- NHRP Eligibility: IE

## Dynamite Shed

271 Sun Valley Rd. (61)

Block 17



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Listed on or eligible for the National or State Register of Historic Places.

### History

- Circa 1880
- This building was constructed of thick stone to store explosives sold by the Gillette & Evans hardware store on Main Street. The store was the chief supplier of mining supplies during Ketchum's mining and smelting boom. After the Silver Crash of 1894, this building passed through numerous hands, occasionally standing vacant or housing a number of small businesses. Glenn and Esther Mueller bought it in 195- and added the second story as their living area. She ran a gift shop downstairs. The Jailhouse beauty shop later occupied the premises and the bars were in keeping with the jail theme.

-source: Ketchum Historical Society

- NHRP Eligibility: IE



## **Battis House**

431 Washington Ave. (45)

Block 36 Lot 3



### **Criteria:**

- Representative of traditional Ketchum residential architecture

### **History**

- Circa 1940's
- NHRP Eligibility: IE

**McAtee House**  
380 1<sup>st</sup> Ave. (47)  
Block 37 Lot 5



**Criteria:**

- Representative of traditional Ketchum residential architecture, scale proportion and site orientation
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

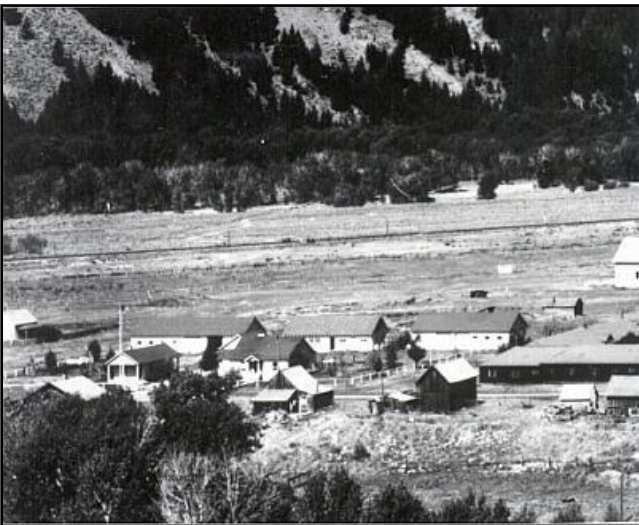
**History**

- Circa 1930's
- NHRP Eligibility: IE

## Forest Service Park

Between River St. and 1<sup>st</sup> St. (83)

Block 40



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Eligible for the National or State Register of Historic Places.

### History

- Circa 1930-33
- In 1926, Ranger Arthur Berry began to operate the Ketchum Ranger Station out of his home in town. Not satisfied with the arrangement, he purchased several lots from Mrs. Walter Leflang, and Fred Pothier donated the remainder of the land to complete this site. Berry had his crew construct the center warehouse building in 1930.
- In 1933 President Franklin D. Roosevelt formed the Civilian Conservation Corps to provide jobs for young during the Depression. Some 250 CCC workers made up of boys or men from Idaho, established a camp five miles west of Ketchum on Warm Springs Creek on April 5, 1933. The first major project of the local CCC was construction of the ranger station structures, including the two large warehouses and living quarters. Arthur Berry moved his family into the new complex in the fall of 1933. Wayne Sorenson and Marvin Obenchain were two local CCC youths who represented Ketchum. -source: Ketchum Historical Society
- NHRP Eligibility: E; Criterion A and C



**Gold Mine Thrift Store  
331 Walnut**



Building constructed in 1957. Good example of mid-century modern architectural style.

## Horace Lewis Home

280 East Ave. North (13)

Block 43 Lot 3 and 4



### Criteria:

- Representative of traditional Ketchum residential architecture,
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Listed on or eligible for the National or State Register of Historic Places.

### History

- Circa 1880's
- Horace Lewis established the Ketchum Fast Freight Line and built the first wagon road over Trail Creek Summit, called the Ketchum-to-Challis Toll Road.
- Horace built this home in the early 1880's and was the first residence to have indoor plumbing and a modern bathroom.
- Horace married Katherine Barry and when the mining boom ended they moved to Seattle. After Horace died in 1911, Kate returned to spend the remainder of her life in this home. Members of the Lewis family lived here until 1967 when it was sold and converted to commercial use. The right-side rear portion remains much as it was in the early part of the century.

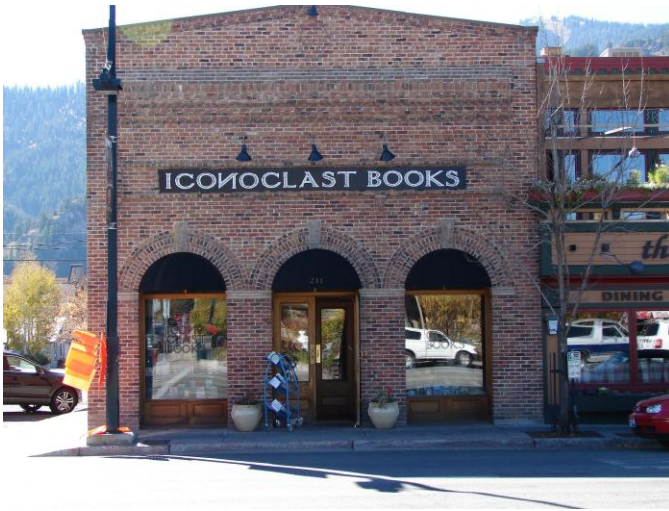
-source: Ketchum Historical Society

- NHRP Eligibility: IE

## Greenhow & Rumsey/Lewis & Lemon/Griffith Store

211 North Main St. (31)

Block 18 Lot 4



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage, including but not limited to, mining, railroad, ranching, timber, farming, sheep herding or skiing.
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Listed on the National or State Register of Historic Places.

### History

- Circa 1884
- A.W. Comstock started the first store in Ketchum in a tent on this site in 1880. It has been a hub of retail activity ever since. Isaac Lew encouraged the building of this store by Robert Leonard and former Boise U.S. Marshal Joe Pinkham. Locally made brick was used and three layers were placed on the roof for fire protection. After Leonard left, Lewis became Pinkham's partner, but Pinkham proved to be more interested in card games than in groceries.  
-source: Ketchum Historical Society
- NHRP Eligibility: E; Listed

# Properties Not Included on 2020 Updated List



## Ketchum Drug

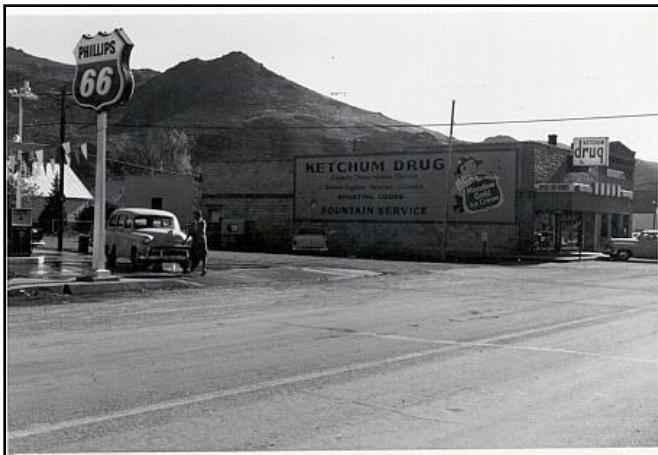
180 North Main St. B

Block 2 Lot 4



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Associated with significant events and/or people of the past – site of old drug store

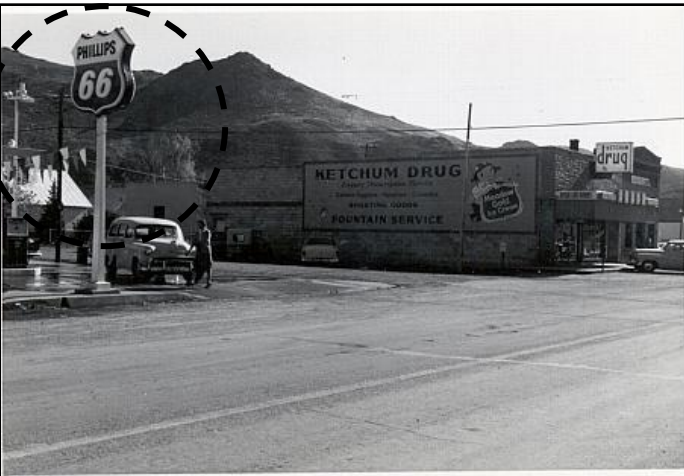


**Rico's**  
200 North Main St.  
Block 3



**Criteria:**

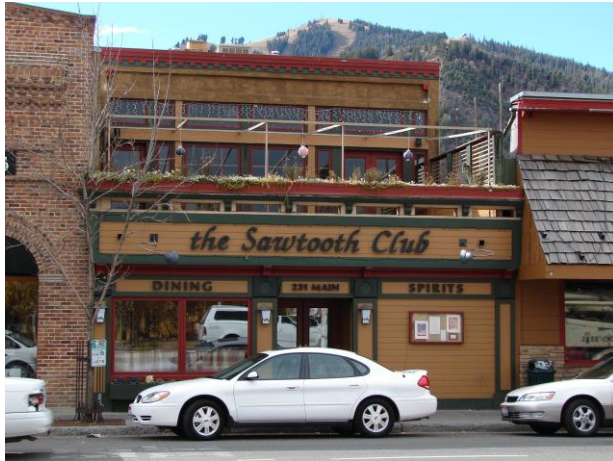
- Representative of traditional Ketchum commercial architecture



## Sawtooth Club

231 N. Main St.

Block 18 Lot 3



### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).



**Former Liquor Store**  
250 North Main St. (25)  
Block 3



**Criteria:**

- Representative of traditional Ketchum commercial architecture

**History**

- Circa 1940's
- NHRP Eligibility: IE

## Former Restaurant

260 North Main St. (26)

Block 3



## Criteria

- Representative of traditional Ketchum commercial architecture

## History

- Circa 1940's
- NHRP Eligibility: IE



## Slavey's

Main St. and Sun Valley Rd. (27)

Block 3

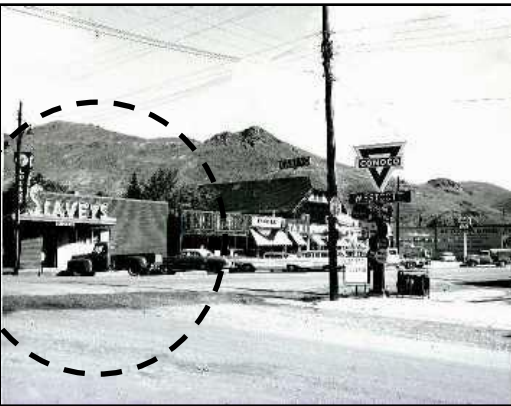


### Criteria:

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage - formerly Slavey's

### History

- Circa 1930's
- NHRP Eligibility: IE



**Memory Park**  
Main St.  
Block 6 Lot 4



**Criteria:**

- Representative of Ketchum's community traditions and/or heritage - Community Gathering Place



**Mary Simpson House**  
471 Washington Ave. (44)  
Block 36 Lot 2



**Criteria:**

- Representative of traditional Ketchum residential architecture

**History**

- Circa 1940's
- NHRP Eligibility: IE

## Ikauniek's Salon

491 Washington Ave. (43)

Block 36 Lot 1



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- NHRP Eligibility: IE

**Sun Valley Real Estate**  
500 N Washington Ave  
Block 15 Lot 8



**Criteria:**

- Representative of traditional Ketchum residential architecture

## Obenchain House

520 Washington Ave. (34)

Block 15 Lot 5



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1930's
- NHRP Eligibility: IE



## Shurtz House Property; Chinese Gardens

680 Washington Ave. (35)

Block 14 Lot 5



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1900 to 1935
- NHRP Eligibility: IE

## Strega

360 1<sup>st</sup> Ave. (46)

Block 37 Lot 6



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- NHRP Eligibility: IE

## Clear Creek Property

140 Leadville Ave. North (15)

Block 22 Lots 3 & 2



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- Temporary housing after World War II.
- NHRP Eligibility: IE



## Rollie Sanger House

200 Leadville Ave. (19)

Block 23 Lot 1



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1929
- "Rollie" and Hazel Sanger arrived in Ketchum in 1912, and Rollie opened a blacksmith shop on Main Street. He entered into a partnership with Lon Price and Will Smith in 1920 and built Ketchum's first auto garage next to his blacksmith shop.
- The Sanger's home on Leadville Avenue was the first pre-fabricated home in town, and was ordered from the Alladin Company.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

## **Majors Property**

240 Leadville Ave. North (16)

Block 23 Lot 2



### **Criteria:**

- Representative of traditional Ketchum residential architecture

### **History**

- Circa 1940's
- NHRP Eligibility: IE

## Sydney Venable Home (Kneadery)

260 Leadville Ave.

Block 23 Lot 3



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1912
- Sidney Venable operated Venable Livery Stable on Main Street, and built his house next to the old Isaac Lewis home, which stood at the corner of Sun Valley Road and Leadville. Frances Venable outlived her husband by many years, and was known as "Mother V" to generations of Ketchum children. She operated her home as a boarding house until after World War II. The front of the building is virtually unchanged, except that the former screened-in porch has become the restaurant main entrance. Interior room partitions have been removed to create the restaurant's large dining space.

**McCann Daech Fenton Realtors**  
271 Leadville Ave. North (21)  
Block 3 Lot 7



#### **Criteria:**

- Representative of traditional Ketchum commercial architecture
- Representative of Ketchum's community traditions and/or heritage, including but not limited to, mining, railroad, ranching, timber, farming, sheep herding or skiing.
- Associated with significant events and/or people of the past

#### **History**

- Circa 1938
- Home of Albert R. Griffith and Warehouse
- "Bert" was the eldest son of Albert Griffith, the first prospector to come to Ketchum, homestead and remain.
- Bert built this house one block from the Griffith Brother's Grocery and Hardware store on Main Street, which he and his brother owned. Bert's son, Jim, was the town's first native son to make the U.S. Olympic Ski Team.  
-source: Ketchum Historical Society
- NHRP Eligibility: IE

## Tomason House/ Kate Knight's Antiques

491 Leadville Ave North (17)

Block 5 Lot 8



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1915
- NHRP Eligibility: IE



## James Shaw & Obenchain House

111 East Ave. North (60)

Block 22 Lot 8



Obenchain Family and Others



Eugene Flowers, Ethelyn Obenchain, **Marvin Obenchain**, Quincy Obenchain, Unidentified Man, Elma Obenchain, Elfred Obenchain, James Obenchain, Morris Obenchain, Lydia Zemmer Obenchain, Jedith Peterson Obenchain

**Criteria:** Age; Architecture: cross gabled roof; Character: Traditional Ketchum residential; Size and Scale in relation to neighborhood; Historical Significance: Obenchain Family

### History

- Circa 1910
- James Shaw...
- Marvin Obenchain served as the guide and skiing companion of Felix Schaffgotsch from Austria who visited Ketchum as a scout for Union Pacific Chairman Averell Harriman. Following the Count's visit Harriman founded the soon to be world famous Sun Valley Resort.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

Joe Giocoechea  
180 East Ave. North (7)  
Block 42 Lot 4



George J. Lewis Sr., George J. Lewis Jr.,  
Crawford Lewis, Unidentified Man



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- NHRP Eligibility: IE



## Sanger House

380 East Ave. North (8)

Block 44 Lot 4



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1884
- NHRP Eligibility: IE

591 East Ave. North (9)  
Block 26 Lot 8



**Criteria:**

- Representative of traditional Ketchum residential architecture

**History**

- Circa 1930's
- NHRP Eligibility: IE

## Siegel Property (Lister's Fally & Troutner Redesign)

231 Walnut Ave. (5)

Block 43



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1930's
- NHRP Eligibility: IE

## George Castle Complex

431 Walnut Ave (1)

Block 45 Lot 6



## Criteria:

- Representative of traditional Ketchum residential architecture
- Representative of Ketchum's logging and ski heritage,

## History

- Circa 1950's
- The building facing Walnut Avenue was built as a duplex in the 1950's by George Castle, and independent prospector and logger who came to Ketchum in the 1930's. The duplex was a renown "crash pad" for skiers who came for sport and stayed to carve out a niche for themselves.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

## Griffith House (Mary Jane Griffith-Conger)

380 Second St. East (54)

Block 2 Lot 8



### Criteria:

- Representative of traditional Ketchum residential architecture
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).
- Eligible for the National or State Register of Historic Places.

### History

- Circa 1929
- "Bert" was the eldest son of Albert Griffith, the first prospector to come to Ketchum, homestead and remain. He dabbled in mining and headed to Alaska to make his fortune. When he ran out of money, he wired his parents for passage home and went to work for the U.S. Forest Service. Bert served a term as County Commissioner and another as State Representative from Blaine County. He built this house one block from the Griffith's Grocery and Hardware Store on Main Street, which he and his brother owned.
- Bert's son, Jim, was the town's first native son to make the U.S. Olympic Ski Team. While practicing in Alta, Utah for the 1952 Olympic Games, Jim died in a tragic ski accident.

-source: Ketchum Historical Society

- NHRP Eligibility: E Criterion A, B, C



**Cristina's**  
2<sup>nd</sup> St.  
Block 42



**Criteria:**

- Representative of traditional Ketchum residential architecture



591 2<sup>nd</sup> St. (55)  
Block 43 Lot 7



### **Criteria:**

- Representative of traditional Ketchum residential architecture

### **History**

- Circa 1940's
- NHRP Eligibility: IE

## Womack House & Ed Scott's Ski Shop

200 Sun Valley Rd. (66)

Block 18 Lot 5A



### Criteria:

- Representative of traditional Ketchum residential architecture
- Representative of Ketchum's community traditions and/or heritage
- Associated with significant events and/or people of the past, including but not limited to, being a residence or business of an early Ketchum family or resident (1880's to 1940's).

### History

- Circa 1895
- Mr. Womack worked in the mines, and his wife ran a restaurant on south Main Street. In 1949 Ed Scott purchased the home from Bert Griffith, son early Ketchum settler Albert Griffith. Scott moved the abandoned, weather-beaten home from the alley behind the old Griffith Grocery Store to this location and turned it into a ski-repair shop. He shortly thereafter developed the Scott USA ski pole, which revolutionized the ski industry world-wide. This building was the first factory and distribution center for Scott poles. When Scott sold his company after ten years, the building was also sold. Ed Scott moved on to develop a mountain bike brake shoe, considered one of the best in the business. Since the 1970's the building has housed several retail and restaurant ventures. Although there have been some interior remodels and additions, the original home to the left retains its basic structure.

-source: Ketchum Historical Society

- NHRP Eligibility: IE

## Paul Sugasa House

171 4<sup>th</sup> St. East (68)

Block 36 Lot 4



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1940's
- NHRP Eligibility: IE

## American West Gallery

520 4<sup>th</sup> St. East (69)

Block 44 Lot 4



### Criteria:

- Representative of traditional Ketchum residential architecture

### History

- Circa 1930's
- NHRP Eligibility: IE



## Webster Pottery

291 E. 6th Street (75)  
Block 14 Lot 4



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage

### History

- Circa 1940
- NHRP Eligibility: IE

## Les Smith Community Church

711 Warm Springs Road (82)

Block 13 Lot 4



### Criteria:

- Representative of traditional Ketchum architecture
- Representative of Ketchum's community traditions and/or heritage

### History

- Circa 1945
- NHRP Eligibility: IE



COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 1a		Nancy Parry Family Practice /Falandro Property (George Castle Complex)	431 Walnut Ave.		T4N, R18E, S18	1950's	1 story log house with metal roof	Good	Settlement; Medicine; Commerce/Trade	IE
CC 1b		Jenifer's of Australia/Eich Antiques/ Falandro Property (George Castle Complex)	431 1/2 Walnut Ave.		T4N, R18E, S18	1930's	1 story log cabin with metal roof	Good	Settlement; Commerce/Trade	IE
CC 2		Maude's / Property (Colonel's Restaurant)	391 Walnut Ave.		T4N, R18E, S18	1940's	1 story wood frame building with metal roof	Good	To be demo for Walnut and 4th Mixed-Use Building	IE
CC 3		Gold Mine (Community Library)	331 Walnut Ave.		T4N, R18E, S18	1957	1 story wood frame & brick building with slanted metal roof	Very good	Commerce/Trade	IE
CC 4		Jiva Salon/Siegel Property (Lister's Fally & Troutner Re-Design)	231 Walnut Ave.		T4N, R18E, S18	1930's	1 story wood frame house with wood shake roof	Good	Settlement; Commerce/Trade	IE
CC 5		Abel (Mary Brooks) Property	160 East Ave. North		T4N, R18E, S18	1940's	1 story wood frame house	Good	Currently a vacant lot	IE
CC 6		SPUR Foundation/Medical Offices /Steve Cook Property (Goicochea)	180 East Ave. North		T4N, R18E, S18	1940's	1 story wood frame house	Good	Settlement; Commerce/Trade	IE
CC 7	13-16098	Elephant's Perch/Rosso Property (George Lewis Home)	280 East Ave. North		T4N, R18E, S18	1882	2 story wood frame house with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 8		Big Wood Café/Avventura/Wiggins Property (Sanger House)	380 East Ave. North		T4N, R18E, S18	1884	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 9	13-16105	Ketchum Grille/Stone Property (EB Williams House)	520 East Ave. North		T4N, R18E, S18	1884	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 10	13-16120	The Picket Fence/Cahen Property (Thornton House)	560 East Ave. North		T4N, R18E, S18	1912	1.5 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 11		Monkey Business Property	591 East Ave. North		T4N, R18E, S18	1930's	1 story wood frame house with metal roof; detached single car wood frame garage with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 12		Panda Property	515 East Ave. North		T4N, R18E, S18	1940's	2 story wood frame building with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 13	13-16097	Sisilli Property (James McCoy/ Fran Gooding House)	111 East Ave. North		T4N, R18E, S18	1884 & 1940's	2 story wood frame & stucco house with metal roof	Poor	Settlement; Commerce/Trade	IE

COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 14		Clear Creek Property	140 Leadville Ave. North		T4N, R18E, S18	1940's	1 story wood frame building with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 15	13-16113	Sable Property (Alonzo Price/Esther Fairman House)	180 Leadville Ave. North	LT 4 BK 22	T4N, R18E, S18	1928	1.5 story wood frame house; detached wood frame garage both with metal roof	Excellent	Settlement	E; Criterion A, B & C
CC 16	13-16126	Ketchum Realty (Sanger House)	200 Leadville Ave. North		T4N, R18E, S18	1929	1.5 story wood frame house with metal roof	Poor	To be Demo October 2020	IE
CC 17		Majors Property	240 Leadville Ave. North		T4N, R18E, S18	1940's	2 story wood frame house with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 18	13-16128	River Ranch (Tomason House/Kate Knight's Antiques)	491 Leadville Ave. North		T4N, R18E, S18	1915	1 story wood frame house with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 19	13-16139	McCann, Daech, Fenton (MDF) (Albert Griffith Warehouse & Grocery Annex)	271 Leadville Ave. North		T4N, R18E, S18	1900 to 1938	1.5 story wood frame duplex with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 20		Vintage Restaurant/MDF property (Bert Cross Cabin)	271 1/2 Leadville Ave. North		T4N, R18E, S18	1925	1 story log cabin with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 21		Argyros/Next Stage Theater (Sun Valley Motors)	120 South Main		T4N, R18E, S18	1940's	2 story masonry structure with metal roof	Poor	Argyros Performing Arts	IE
CC 22	13-1034	Rocky Mt Hardware/Chapter One Bookstore (Isaac Lewis First National Bank)	160-180 North Main		T4N, R18E, S18	1880	2 story brick building with roof top apartment	Poor	Commerce/Trade	IE
CC 24	TIM 115	Main Strip T's (old liquor store)	240 North Main		T14N, R18E, S18	1940's	1 story wood frame building	Poor	Part of Warfield Brewery	IE
CC 23	13-16122 13-16141	The Casino building & cabin in alley (Ketchum Kamp Hotel)	220 North Main		T4N, R18E, S18	1900 1925	2 story wood frame & log building	Poor	Recreation/ Tourism; Commerce/Trade	IE
CC 25	TIM 114	Expressions in Gold (old restaurant)	260 North Main		T4N, R18E, S18	1940's	1 story wood frame building	Poor	Part of Warfield Brewery	IE
CC 26	TIM 113	Warfield/Roosevelt Grille/Werry Family Trust (Ted Werry)	Main Street and Sun Valley Road		T4N, R18E, S18	1930's	2 story brick building	Poor	Commerce/Trade	IE
CC 27	13-1268	Enoteca/Starbucks (Comstock & Clark/Lane Mercantile)	300 North Main Street		T4N, R18E, S18	1887	2 story brick building	Very Good	Commerce/Trade	IE
CC 28	switch	Sturtevant's (Helm Property)	340 North Main		T4N, R18E, S18	1940's	2 story wood frame & stucco building with metal roof	Poor	Commerce/Trade	IE

**COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA**

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 29	TIM 112	Pioneer Saloon/ Duffy Witmer Property (The Commerce Club)	308 North Main		T4N, R18E, S18	1945	1 story wood frame & stucco building	Poor	Commerce/Trade	IE
CC 30	13-13742	SV Culinary/Iconoclast Books (Lewis/Lemon/Greenhow & Rumsey/Griffith Grocery/Golden Rule)	211 North Main	527 LT 4 BK 18	T4N, R18E, S18	1884 1897	2 story brick building	Excellent	Commerce/Trade	E; Listed
CC 31	13-004288	Limelight Hotel/Bald Mt. Hot Springs	151 South Main		T4N, R18E, S18	1929	1 story log cabins (main lodge & plunge destroyed)	Poor	Limelight Hotel	E; Listed
CC 32		The Covey/Daily Automatic (Obenchain House)	520 Washington Ave.		T4N, R17E, S13	1930's	1 story frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 33	13-16134	Moss Gardens (Shurtz House Property; Chinese Gardens)	680 Washington Ave.		T4N, R17E, S13	1900 to 1935	1 story historic log barn; modern 2 story building & parking lot	Good	Settlement; Commerce/Trade	IE
CC 34		The Community School (Flowers)	706 Washington Ave.		T4N, R17E, S13	1909 to 1939	1.5 story wood frame house with metal roof	Good	Settlement; Culture and Society	IE
CC 35		Taylor Made Pottery	760 Washington Ave.		T4N, R17E, S13	1930's	1 story wood frame house with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 36		Obenchain Property	791 Washington Ave.		T4N, R17E, S13	1930's	Complex of buildings; 1 story log house, 1 story log cabin, log garage	Good	Settlement	IE
CC 37		Mullins Property	731 Washington Ave.		T4N, R17E, S13	1930's	1 story log house with metal roof	Good	Settlement	IE
CC 38		Cosgriff Property (McCoy Complex)	631 Washington Ave.		T4N, R17E, S13	1930's	1 story log house; 1.5 story log & board & batten house both with metal roofs	Good	Demolished	IE
CC 39		Rod Tatsuno Property	571 Washington Ave.		T4N, R17E, S13	1947	1 story wood frame house with metal roof	Good	Settlement	IE
CC 40		ERC Property (Mary Simpson House)	531 Washington Ave.		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Settlement	IE
CC 41		Ikaunieks' Salon	491 Washington Ave.		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 42		Property	461 Washington Ave.		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Settlement	IE
CC 43		Property (Battis House)	431 Washington Ave.		T4N, R17E, S13	1940's	1 story wood frame & stucco house with metal roof	Good	Settlement	IE

COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 44	13-16132 10 BN 120	Forest Service Park	Washington Ave. & First Street		T4N, R18E, S18	1933	Former USFS Administrative Complex; two 1 story wood frame warehouses, one 1 story corrugated metal warehouse, wood frame pump house, wood frame garage, and two 1 story wood frame dwellings all with metal roofs	Excellent	Agriculture; Government; Recreation/Tourism	E, Criterion A & C
CC 45		Strega	360 1st Ave.		T4N, R18 E, S18	1940's	1 story wood frame building with metal roof	Good	Settlement; Commerce/Trade	IE
CC 46	13-16177	Taste of Thai/Felix's Restaurant (McAtee House)	380 1st Ave.		T4N, R17E, S13	1930's	1 story wood frame house with metal roof	Good	Settlement; Commerce/Tra	IE
CC 47		Property (Pyrah House)	460 1st Ave.		T4N, R17E, S13	1940's	1.5 story wood frame house with metal roof	Good	Settlement	IE
CC 48		Condos/ Property	518 1st Ave.		T4N, R17E, S13	1940's	2 story wood frame & stucco house with metal roof. Tyrolean motifs on outside walls	Poor	To be demo 1st and 4th Mixed-Use Building	IE
CC 49		Wood River Hospice Duplex/? Property	507 1st Ave. 511 1st Ave.		T4N, R17E, S13	1935	1 story wood frame duplex	Good	Settlement	IE
CC 50		Antiquities	331 1st Ave.		T4N, R17E, S13	1940's	1 story wood frame building with metal roof	Good	Settlement	IE
CC 51	13-16130	Parking Lot/Ziegler Property (Carl Brandt House)	211 First St.		T4N, R17E, S13	1930	1 story wood frame house, wood frame shed, both with metal roofs (moved to property)	Poor	URA Parking Lot	IE
CC 52	13-16150	Property	111 First St. 113 First St.		T4N, R17E, S13	1940's	1 story wood frame house, single car garage with metal roofs	Good	Settlement	IE
CC 53		Property	591 Second St.		T4N, R18E, S18	1940's	1 story wood frame house with metal roof	Good	Settlement	IE
CC 54		The Sun Club (Brass Ranch House)	571 Second St.		T4N, R18E, S18	1920's to 1930's	1 story wood frame & stucco house with metal roof	Good	Settlement; Culture and Society	IE
CC 55		Durance Cycle	131 Second St.		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 56		Ketchum Office Club/ Property	160 Second St.		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Demolished	IE

COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 57		Chapter One/Emerick & Associates /Bobbie Alfs Property (First Telephone Company & Dick Alfs Fly Shop)	340 Second St.		T4N, R18E, S18	1930's to 1940's	2 story wood frame & stucco building with metal roof. Tyrolean motifs on outside walls	Good	Commerce/Trade	IE
CC 58	13-16125	Griffith/ Conger Compound (Albert Griffith House)	380 Second St.		T4N, R18E, S18	1929	2 story wood frame house, 2 story wood frame garage, corrugated metal shed/garage all with metal roofs	Excellent	Settlement; Commerce/Trade (shed only)	E; Criterion A, B & C
CC 59	13-16117	Lee-Gilman/Sisilli Property/UPS Store (James Shaw & Obenchain House)	480 Second St.		T4N, R18E, S18	1910	1 story wood frame house, metal shed, metal roofs	Good	Settlement; Commerce/Trade	IE
CC 60		Country Cousin (Fagan)	411 Sun Valley Rd.		T4N, R18E, S18	1940's	2 story log building with metal roof, attached single car garage/apartment	Good	Settlement; Commerce/Trade	IE
CC 61	13-16103	TnT Taproom/Bobby Burns (Dynamite Shed)	271 Sun Valley Rd.		T4N, R18E, S18	1880	2 story wood frame & stucco building with metal roof	Good	Culture and Society; Commerce/Trade	IE
CC 62		Mixed=-Use Building/Vacant/Former Ketchum Flowers (Mary Simpson/The Norge Laundromat)	231 Sun Valley Rd.		T4N, R18E, S18	1940's	1 story wood frame & stucco building with metal roof	Good	<b>231 Sun Valley Rd Mixed-Use Building</b>	IE
CC 63	13-16108	Antiques/T Shirt Shop /Former River Run Auto Parts (Sabala House)	151 Sun Valley Rd.		T4N, R18E, S18	1930's	1 story wood frame building with metal roof	Poor	Settlement; Commerce/Trade	IE
CC 64		Smoky Mt. Pizza (Womack House & Ed Scott's Ski Shop)	200 Sun Valley Rd.		T4N, R18E, S18	1895	1 story wood frame building with metal roof	Poor	Commerce/Trade	IE
CC 65		Gallert and Gold Mine Consign/Burnsie's Bocca/ Falandro Property (George Castle Complex)	591 Fourth St. East		T4N, R18E, S18	1930's to 1950's	1 story log cabin complex with metal roof (former motel)	Good	Recreation/Tourism; Commerce/Trade	IE
CC 66	13-16179	Rippo/Java on Fourth (Paul Sugasa House)	191 Fourth St. East		On the line of T4N, R17E, S13 T4N, R18E, S18	1940's	1.5 story wood frame & stucco house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 67		MESH Gallery/Room & Board (Our Lady of the Snows Catholic Church)	420 Fourth St. East		T4N, R18E, S18	1885	2 story wood frame building with metal roof	Poor	Culture and Society; Commerce/Trade	IE
CC 68		American West Gallery	520 Fourth St. East		T4N, R18E, S18	1930's	1 story wood frame building with metal roof	Good	<b>Bigwood Square</b>	IE

**COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA**

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
CC 69	13-16099	City of Ketchum (Bonning Cabin)	591 Fifth St. East OR Alpine Lane & Fifth St.		T4N, R18E, S18	1880	1 story log cabin with metal roof (moved to property)	Good	Settlement	IE
CC 71		Pioneer West/Resource Salon (Gloria Battis House)	100 Fifth St.		On the line of T4N, R17E, S13 T4N, R18E, S18	1940's	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 70		Property (Obenchain House)	520 ½ Fifth St.		T4N, R17E, S13	1940's	1 story log & wood frame house, metal roof	Good	<b>Silver Creek Outfitters Parking Lot</b>	
CC 72	13-16178	Property (Willie Helmings House & Fix It Shop)	140 Fifth St.		T4N, R17E, S13	1930's	1 story wood frame & stucco house, shed with metal roofs. Tyrolean motifs on outside main residence walls	Good	Settlement	IE
CC 73	13-WS 011	Sawtooth Brewery/Globus Noodles (Leon Bilboa House)	291 Sixth St.		T4N, R17E, S13	1947	1 story wood frame building with wood shingle roof	Good	Settlement; Commerce/Trade	IE
CC 74	13-WS 012	Old Goatd Hardware/Webster Pottery	Sixth St./ Warm Springs Rd.		T4N, R17E, S13	1900	2 story corrugated metal outbuilding renovated into shop/apartment (moved to site)	Poor	Agriculture; Settlement; Commerce/Trade	IE
CC 75		Lefty's Bar & Grill	231 Sixth St.		T4N, R17E, S13	1940's	1 story wood frame building with metal roof	Good	Settlement; Commerce/Trade	IE
CC 76		Property	111 A Sixth St. 111 B Sixth St.		T4N, R17E, S13	1940's	2 story wood frame duplex with metal roof	Good	Settlement	IE
CC 77		Hall-Brown/ Property	121 Sixth St. (Listed as 111 on house)		T4N, R17E, S13	1940's	1 story wood frame house with metal roof	Good	Settlement; Commerce/Trade	IE
CC 78		Ketch/ Property (Alice Roundy House)	131 Sixth St.		T4N, R17E, S13	1940's	1 story frame house with metal roof	Good	<b>Ketch Building</b>	IE
CC 79		Peter Mowatt Apartments	120 Sixth St.		T4N, R17E, S13	1940's	Complex of three units all 1 story wood frame with metal roofs	Good	<b>Demolished</b>	IE
CC 80		Property (Davis House)	111 Seventh St.		T4N, R17E, S13	1940's	1 story log house with metal roof	Good	Settlement	IE



**COMMUNITY CORE/WARM SPRINGS ROAD COMMUNITY CORE SURVEY AREA**

Temp. No.	SHPO OR OTHER NO.	Name or Type	Address	Tax lot no.	Legal or UTM	DATE BUILT	DESCRIPTION	CONDITION	THEME	NRHP ELIGIBILITY
WS 2		Grumpy's and Laundromat	860 Warm Springs Rd.		T4N, R18E, S18	1938	1 story wood frame house with metal roof; 1 story shed on single car garage with metal roof.	Good	Settlement, Trade	IE
WS 4		Cook Book Restaurant/Mama Inez/Community Church	271 E 7 <sup>th</sup> St		T4N, R18E, S18	1932	1 story wood frame house with metal roof;	Good	Society & Culture; Commerce/Trade	IE
WS 5		Fisher House (Residence)	731 Warm Springs Rd		T4N, R18E, S18	1900	1 story wood frame house with metal roof;	Good	Settlement, Trade	IE
WS 6		Von Hagen Property	771 Warm Springs Rd		T4N, R18E, S18	1900-1947	Small wood frame shed with metal roof	Good	Settlement	IE
WS 7		Sun Summit	791 Warm Springs Rd		T4N, R18E, S18	1900	1 story wood frame house with brick chimney and metal roof	Good	Settlement / Trade	IE

**Properties on 2006 Historic Preservation Commission Recommended Heritage Sites**

		<b>Christiana's Restaurant</b>	<b>Walnut and Sun Valley Road</b>		<b>Block 44 Lot 5</b>					
		Christina's	520 E 2 <sup>nd</sup> St		Block 42					
		Old Gas Station (Ricos)	200 N Main St		Block 3					
		Sawtooth Club	231 N Main St		Block 18 Lot 3					
		<b>Formula Sports</b>	<b>460 N Main St</b>		<b>Bloc 5 Lot 4</b>					
		Girl Friday	440 East Ave N							
		Sister	100 N Leadville Ave							
		Kneadery (Sydney Venable Home)	260 Leadville		Block 23 Lot 3	1912				
		Obenchain House	520 Washington Ave		Bloc 15 Lot 5					
		Sun Valley Outfitters	415 E Sun Valley Rd							