



City of Ketchum

October 19th, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to hold a public hearing and approve the Lot Line Shift Preliminary Plat and Waiver Request to readjust the lot lines between two existing parcels, 131 Topaz Street and 151 Topaz Street

Recommendation and Summary

Staff recommends the City Council hold a public hearing and approve the Lot Line Shift Preliminary Plat and Waiver Request application by Galena Engineering, on behalf of Fritz Haemmerle and Reli Haemmerle, to reconfigure the lot lines between two existing parcels, 131 Topaz Street and 151 Topaz Street.

151 Topaz is a tax-lot 1.19 acres in size, contains a single-family residence (built 1951), and is an existing double-frontage lot with street frontage on both Topaz and Emerald Streets. 131 Topaz is Lot 1 of Shelby Dukes subdivision, is currently vacant, is 0.215 square feet in size and has frontage on Topaz Street only. The entirety of Topaz Street traverses the subject parcels, city right-of-way does not currently exist in this location. The majority of Emerald Street traverses the parcel addressed 151 Topaz, only a minimal length of city right-of-way (created and dedicated to the City with the platting of The Timbers condominiums) exists along the western portion of the parcel.

The Lot Line Shift action would reduce 151 Topaz to 0.76 acres in size and enlarge 131 Topaz to 0.43 acres in size. The proposed reconfiguration would also provide dedication of city right-of-way on both Topaz and Emerald Street for the entire lengths of both lots. However, the action as proposed would change 131 Topaz from a single-frontage lot into a double-frontage lot. The subdivision code prohibits the creation of new “double-frontage” lots and the property owners have requested a waiver from this standard.

City staff support granting the waiver request as part of this action because of the dedication of right-of-way to the city. See Figure 2 (next page) for the proposed right-of-way dedication. Additional analysis related to the waiver request is contained in Attachment D, Draft Findings of Fact, Conclusions of Law, and Decision.



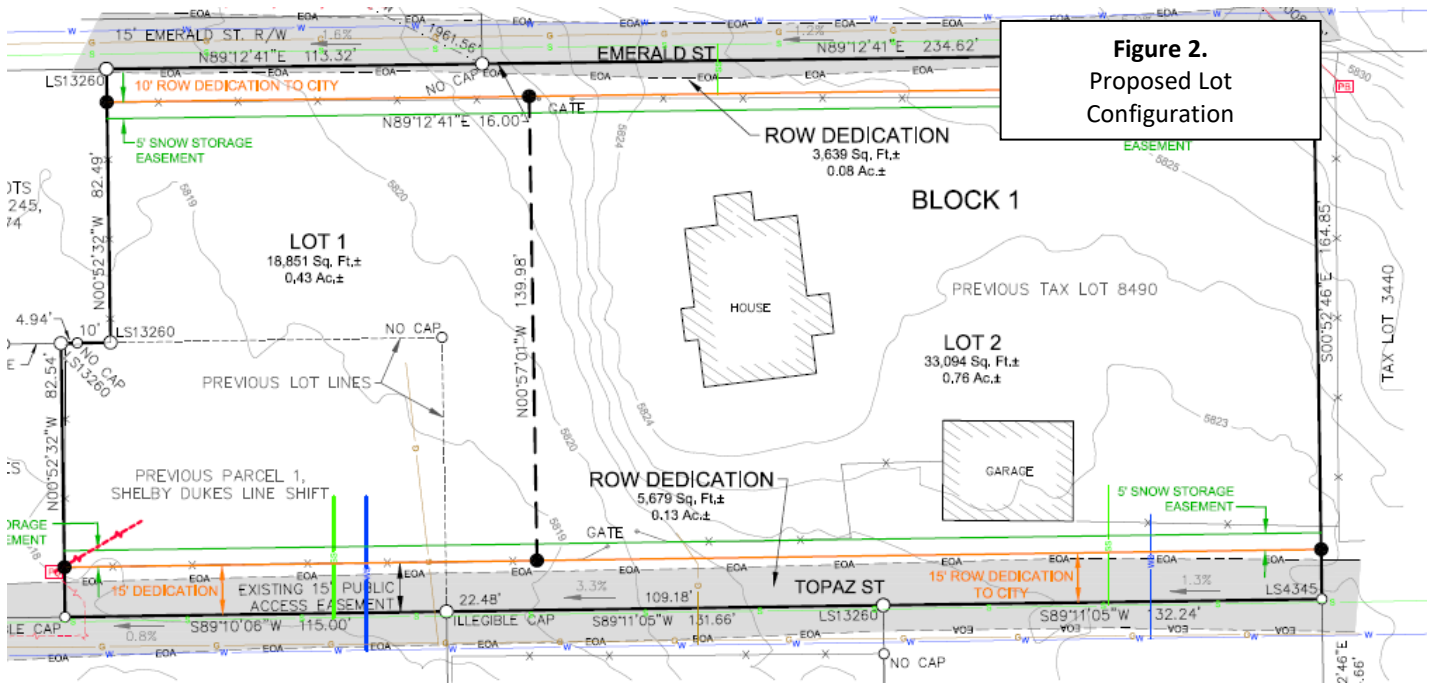


Figure 2.
Proposed Lot
Configuration

Recommended motion: "I move to approve the Gem Street Subdivision Lot Line Shift Preliminary Plat and Waiver Request application, subject to conditions 1-7 contained in the draft Findings of Fact, Conclusions of Law, and Decision and to adopt the draft Findings as presented."

The reasons for the recommendation are as follows:

- The request to subdivide meets all applicable standards for Lot Line Shift Preliminary Plats contained in Ketchum Municipal Code's Subdivision (Title 16) and Zoning (Title 17) regulations.
- The Planning and Zoning Commission recommended approval of the Preliminary and Waiver Request at their September 15th, 2020 meeting.
- Reconfiguring 131 Topaz into a double-frontage lot allows for the property owner to accomplish the goal of creating a more suitable building envelope and allows the city to obtain right-of-way that will facilitate and improve city operations in the vicinity, such as snow plowing and snow storage.
- The property owners have agreed to impose additional easements on both parcels as a result of this readjustment of lot lines, including new 5' wide snow storage easements along the street frontage of both parcels. Additionally, the property owners have agreed to enter into an indemnification agreement with the city prior to recording the Lot Line Shift Final Plat; the indemnification agreement will indemnify the city for any damages to existing fences which are located within the new easement areas being created.

Financial Impact

None at this time.

Attachments:

- A. Application
- B. Preliminary Plat dated July 2020
- C. Application for Waiver of Requirements dated August 5, 2020
- D. Draft Findings of Fact, Conclusions of Law, and Decision

Attachment A.
Application



City of Ketchum
Planning & Building

LLS - Preliminary Plat
Subdivision Application

OFFICIAL USE ONLY	
Application Number:	<i>P25-071</i>
Date Received:	<i>8-6-20</i>
By:	<i>mp</i>
Fee Paid:	<i>95000</i>
Approved Date:	
By:	

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

APPLICANT INFORMATION			
Name of Proposed Subdivision: Gem Street Subdivision			
Owner of Record: Fritz and Reli Haemmerle			
Address of Owner: PO Box 3154, Hailey, ID 83333			
Representative of Owner: Sean Flynn / Galena Engineering			
Legal Description: Tax Lot 8490 and Parcel 1, Shelby Dukes Line Shift			
Street Address: 131 and 151 Topaz Street			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 2			
Total Land Area: 61,264 sf			
Current Zoning District: LR			
Proposed Zoning District: LR			
Overlay District: None			
TYPE OF SUBDIVISION			
Condominium <input type="checkbox"/>	Land <input checked="" type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input type="checkbox"/>
Adjacent land in same ownership in acres or square feet: 10,861 sf			
Easements to be dedicated on the final plat: A 15' City Row Dedication along Topaz Street, a 10' ROW Dedication along Emerald St, and 5' snow storage easements adjacent each street.			
Briefly describe the improvements to be installed prior to final plat approval: Utility connections will be installed for Lot 1			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations One (1) copy of current title report and owner's recorded deed to the subject property One (1) copy of the preliminary plat All files should be submitted in an electronic format.			

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

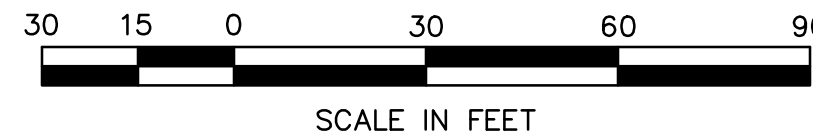
Sean Flynn Sean Flynn / Galena Engineering 08/05/2020
Applicant Signature Date

Attachment B.
Preliminary Plat dated July 2020

A PLAT SHOWING GEM STREET SUBDIVISION

WHEREIN THE LOT LINE BETWEEN TAX LOT 8490 AND PARCEL 1, SHELBY DUKES LINE SHIFT, ARE SHIFTED AS SHOWN HEREON
LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

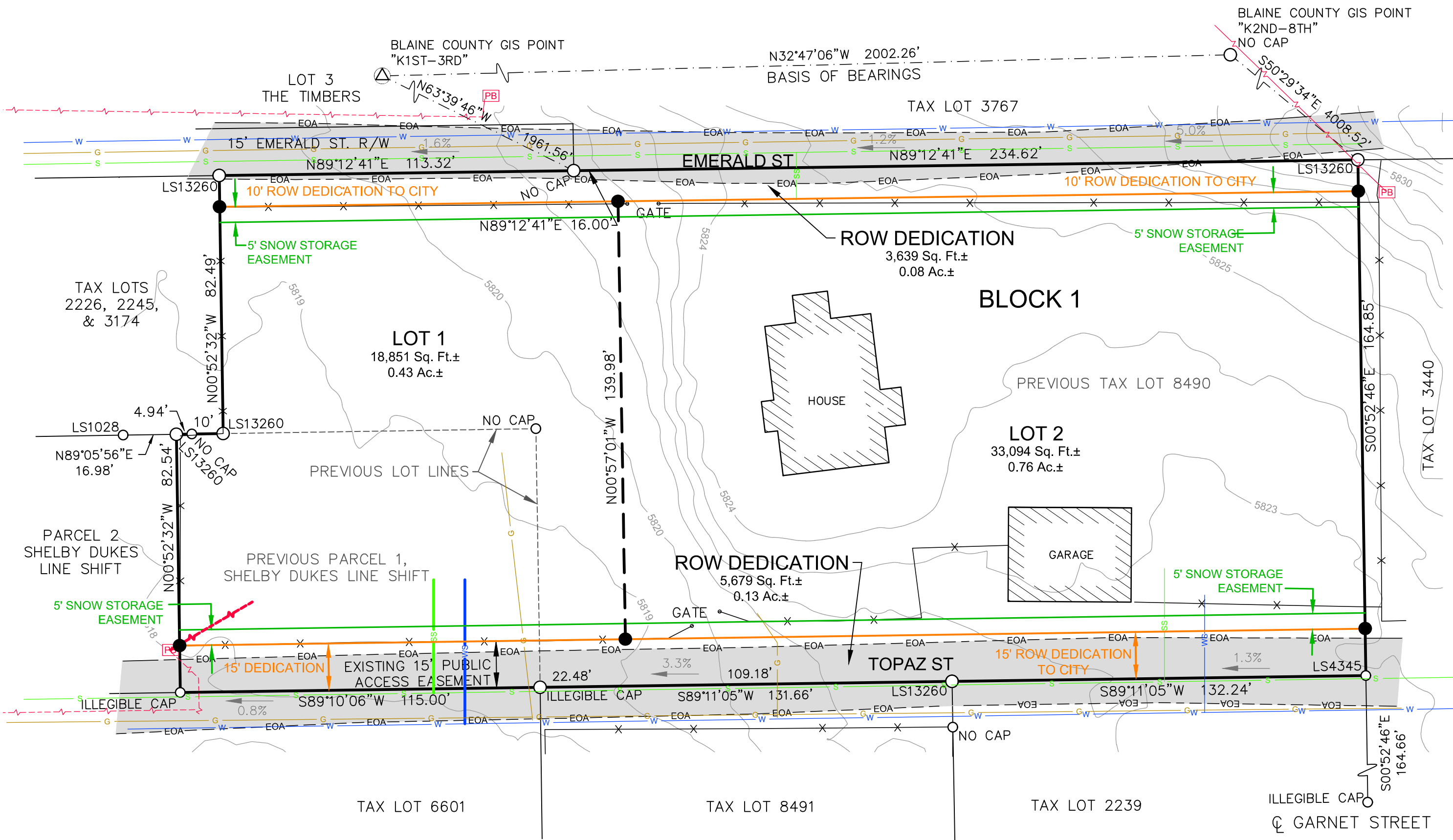
JULY 2020



SCALE: 1" = 30'

LEGEND

- Property Boundary
- Proposed Lot Line
- Adjoiner's Lot Line
- Proposed Right of Way Dedication
- Proposed 5' Snow Storage Easement
- Previous Lot Line
- x Fence Line
- Edge of Asphalt Line
- GIS Tie Line
- 1' Contour Interval per 2017 LIDAR data
- s Existing Sewer Main
- ss Existing Sewer Service
- ss Proposed Sewer Service
- w Existing Water Main
- ws Existing Water Service
- ws Proposed Water Service
- g Existing Gas Line
- Existing Overhead Power Line
- Existing Buried Power Line
- Proposed Buried Power Line
- Existing Asphalt
- Existing Structure
- △ Found Aluminum Cap on 5/8" Rebar
- Found 5/8" Rebar
- Found 1/2" Rebar
- Set 5/8" Rebar, P.L.S. 16670
- 1.3% Approximate Existing Drainage Direction and Grade
- PB Existing Power Transformer

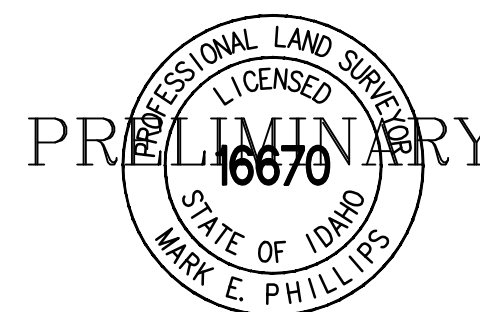


SURVEY NARRATIVE & NOTES

1. The purpose of this survey is to shift the lot lines between Tax Lot 8490 and Parcel 1, Shelby Dukes Line Shift, as shown hereon. The boundary shown is based on found monuments and the Record of Survey for Tax Lots 8265, 2241, 2246, and Parcel 1, Shelby Dukes Line Shift, Instrument Number 652396, records of Blaine County, Idaho. All found monuments have been accepted. Additional Documents used in the course of this survey include; Warranty Deeds, Instrument Numbers 132181, 132252, 229345, & 285434, all records of Blaine County, Idaho.
2. Except as specifically stated or depicted on this map, this survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations. An independent title search has not been performed by the surveyor for this project.
3. The current zoning is Limited Residential. Refer to the City of Ketchum Zoning Ordinance for more information about this zone and required setbacks.
4. The owners and subdividers are Fritz and Reli Haemmerle, PO Box 3154, Hailey, ID 83333. The representative is Sean Flynn, Galena Engineering, Inc., 317 N River St., Hailey, ID 83333.
5. As shown hereon, there are existing fences within the proposed snow storage easements. Said fences will be allowed to remain until their respective lots are developed. At that time, the fences will be required to be removed from the snow storage easements, and these easements will be required to be kept clear of obstructions..
6. A 5' Utility Easement exists adjacent all exterior lot lines and centered along all interior lot lines.
7. Parking of cars and other vehicles is prohibited along Emerald and Topaz Street within the areas shown to be dedicated to the City, or within any asphalted areas of the Streets.

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

Date _____ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670

GEM STREET SUBDIVISION

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2

Job No. 6817-01

Attachment C.

Application for Waiver of Requirements dated August 5, 2020



8-7-20

File Number: P20-074

APPLICATION FOR A WAIVER OF REQUIREMENTS

Name: Fritz & Reli Haemmerle

Phone No. (business): 208-578-0520 (home): _____

Mailing Address: PO Box 3154, Hailey ID, 83333

Project Address: 131 and 151 Topaz Street

Legal Description: Tax Lot 8490 and Parcel 1, Shelby Dukes Line Shift

Zoning Designation: LR

Overlay District: Flood ___ Avalanche ___ Pedestrian ___ Mountain ___

Please state with particularity the matters the applicant seeks waiver or deferral:

16.04.040.F.5, which does not allow for double frontage lots

Please state how the waiver or deferral would not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area.

The waiver is being requested given the existing conditions and the need to dedicate sufficient right of way to the City and provide snow storage, along with being able to have a suitable building envelope. It is not anticipated that this waiver will be detrimental to the public welfare, health and safety, nor be injurious to property owners in the immediate area.

Applicant's Signature: Sean Tly
Representative's _____
w/ Galena Engineering

Date: 08/05/20

Attachment D.

Draft Findings of Fact, Conclusions of Law, and Decision



**City of Ketchum
Planning & Building**

IN RE:)
)
Gem Street Subdivision Lot Line Shift) **KETCHUM CITY COUNCIL**
Lot Line Shift Preliminary Plat) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
Date: October 19th, 2020) **DECISION**
)
File Number: 20-071 and P20-074)

PROJECT: Gem Street Subdivision LLS

FILE NUMBER: P20-071 and P20-074

REPRESENTATIVE: Sean Flynn, P.E., Galena Engineering

OWNER: Fritz Haemmerle and Reli Haemmerle

REQUEST: Preliminary Plat Lot Line Shift to reconfigure two existing lots and waiver request to allow the creation of a new double-frontage lot

ASSOCIATED PERMITS: P20-074 (Waiver Request)

LOCATION: 131 Topaz Street (Lot 1, Shelby Dukes Subdivision) and 151 Topaz Street (FR SE SW TI 8490)

ZONING: Limited Residential (LR)

OVERLAY: None

NOTICE: A public hearing was held with the Ketchum City Council on October 19th, 2020; Notice was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on September 30th, 2020. Notice was published in the September 30th, 2020 edition of the Idaho Mountain Express.

FINDINGS OF FACT

1. On October 19th, 2020, the Ketchum City Council considered the readjustment of lot lines and waiver request during a public hearing and approved the applications.
2. The subject properties are located in the Limited Residential (LR) zoning district.
3. The proposed readjusted lots will meet all required zoning and dimensional standards. The waiver request to allow proposed Lot 1, Gem Street Subdivision, to become a double-frontage lot is warranted due Findings of Fact detailed in Tables 3 and 4. Proposed Lot 2, Gem Street Subdivision, is an existing double-frontage lot.

Table 1: City Department Comments

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

Table 2: Dimensional Standards

Compliance with Zoning and Dimensional Standards				
Compliant			Standards and Findings	
Yes	No	N/A	Ketchum Municipal Code Standard	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area
			Staff Comment	Required: 9,000 square feet minimum Proposed: Lot 1 will be 18,851 square feet, Lot 2 will be 33,094 square feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Lot Width
			Staff Comment	Required: 80' average Proposed: Both lots 1 and 2 will exceed 100' in width.

Table 3: Waiver Standards

16.04.130.A and 16.04.130.B				
Compliant			Standards and Findings	
Yes	No	N/A	City Code	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.130.A	<p>A. General Requirements: Waiver of any of the requirements of this chapter may be granted by the council on a case by case basis upon the recommendation of the commission. Application for such waiver(s) must be in writing and must show that there are special physical characteristics or conditions affecting the property in question where literal enforcement of this chapter would result in undue hardship not the result of actions by the subdivider, and that the waiver would not be detrimental to the public welfare, health and safety, nor injurious to property owners in the immediate area.</p>
			Findings	<p>The applicant requested the waiver in writing, see Application for a Waiver of Requirements, dated August 5, 2020, in project file. This application was given a separate application number, P20-074.</p> <p>The waiver request is to allow an existing single-frontage lot, addressed 131 Topaz Street, to become a double-frontage lot via the readjustment of lot lines action. Granting the waiver will allow the lot to have a depth of 139.93' after 10' of right-of-way is dedicated along the northern portion of the parcel and 15' of right-of-way is dedicated along the southern portion of the parcel.</p> <p>The LR zoning district requires a 15' front setback and a 20' rear setback. If the approximately 140' deep lot were split in equal halves, the result would be two lots with 70' of depth; after required setbacks are accounted for (15' front + 20' rear), the available building envelope would be only 35' in depth on each lot. By creating one lot instead of two lots the city can gain dedication of significant right-of-way and the property owner gains a more functional building envelope.</p> <p>The waiver request is not detrimental to the public welfare, health or safety and is not injurious to property owners in the immediate area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.130.B	<p>B. Application For Waiver: Applications shall be made to the administrator in writing at the time of subdivision application. Such waiver, together with such related data and maps as are necessary to fully illustrate the relief sought, shall be filed at that time. Such application shall be processed and considered with the preliminary plat application.</p>
				<p>An application for the waiver request (P20-074) was submitted concurrently with the Lot Line Shift Preliminary Plat application. The submittal materials are of sufficient detail to illustrate the relief sought.</p>

Table 4: Preliminary Plat Requirements

Preliminary Plat Requirements				
Present on Preliminary Plat?			Standards	
Yes	No	N/A	City Code	City Standards and Findings
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			Findings	All required items are present.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:
			Findings	All items are present.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	The scale, north point and date.
			Findings	Present
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .2	The name of the proposed subdivision.
			Findings	Present
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Findings	Present
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.4	Legal description of the area platted.
			Findings	Present
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Findings	Present
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.6	A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			Findings	Present

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .8	Boundary description and the area of the tract.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.9	Existing zoning of the tract.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			Findings	<ul style="list-style-type: none"> • The Plat includes a 15' dedication of right-of-way on Topaz street, with a 5' snow storage easement located parallel to the front property line. • The Plat indicates a 10' dedication of right-of-way on Emerald Street, with a 5' snow storage easement located parallel to the front property line.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			Findings	Present
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030.J .12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			Findings	No such improvements existing in the immediate vicinity of the subject lots.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .13	The direction of drainage, flow and approximate grade of all streets.
			Findings	Present for both Emerald and Topaz Streets.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			Findings	N/A – no canals or drainage easements are present. No grading will occur with this development action, no changes to site drainage is proposed.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.15	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials
			Findings	Vicinity map included in the project file.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J.16	The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or avalanche overlay district.
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J.17	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.
			Findings	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .18	Lot area of each lot.
			Findings	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .19	Existing mature trees and established shrub masses.
			Findings	An exhibit with an aerial photo showing trees and shrubs was provided with the prior application and copied to this project file.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .20	To be provided to Administrator: 20. Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.
			Findings	Subdivision name is unique.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J .21	All percolation tests and/or exploratory pit excavations required by state health authorities.
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.030. J .22	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			Findings	N/A, this action is a Lot Line Adjustment between two existing lots.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .23	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			Findings	Provided and included in project file.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .24	A digital copy of the preliminary plat shall be filed with the administrator.
			Findings	Provided and included in project file.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.A	<p>Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat.</p> <p>Construction design plans shall be submitted and approved by the city engineer.</p> <p>All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.</p> <p>Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</p>
			Findings	No improvements are required as this action is a Readjustment of Lot Lines between two existing lots.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.B	<p>Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.</p>
			Findings	N/A
		X	16.04.040.C	<p>Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.</p>
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.E	Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows: <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Findings	N/A

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: <ol style="list-style-type: none"> a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met. b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section. 3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use. 4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line. 5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts. 6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.
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			Findings	<p>Re: #5, 151 Topaz is an existing, non-conforming double-frontage lot. This Readjustment of Lot Lines would create an additional double frontage lot (131 Topaz), which is not permitted. However, the applicant has submitted a Waiver Request consistent with the requirements of Title 16 to request a waiver from this standard. The Commission recommended approval of the waiver request.</p> <p>#2, 3, 4 are N/A.</p> <p>Standards #1, and #6 have been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements. 3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features. 4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.
			Findings	No new blocks are being created. NA.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.1	<p>H. Street Improvement Requirements:</p> <ol style="list-style-type: none"> 1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;
			Findings	No new streets are proposed. NA.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.2	<p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</p>
			Findings	No new streets are proposed, only dedicated on right-of-way.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.3	<p>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</p>
			Findings	NA the subdivision does not contain an existing or propose a new arterial street, railroad, or limited access highway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.4	<p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p>

			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.5	5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;
			Findings	NA, the construction of a new street is not proposed.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.H.6	6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;
			Findings	Dedication parallel to the property lines with street frontage is proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.7	7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.8	8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.9	9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.10	10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.11	11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;
			Findings	NA, the construction of a new street is not proposed.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.12	12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.13	13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.14	14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.15	15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.16	16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;
			Findings	NA
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.H.17	17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;
			Findings	Dedication of ROW is proposed to be offset from property lines fronting existing streets.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.18	18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;
			Findings	N/A streetlights are not required in this zoning district.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.H.19	19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;
			Findings	Dedication of right-of-way in front of the subject parcels is required and proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.20	20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.21	21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.22	22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;
			Findings	N/A sidewalks, curb and gutter are not required in this zoning district.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.23	23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and
			Findings	N/A no gates are proposed in this subdivision application.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.24	24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.I	I. Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.
			Findings	N/A parcels are not located in a commercial or industrial zone.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J.1	<p>J. Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</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>
			Findings	Snow storage easements are indicated as required by city staff.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.2	<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>
			Findings	N/A parcels do not border a waterway, drainageway, channel or stream.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.3	<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>
			Findings	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.4	<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>
			Findings	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.5	<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>
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.6	<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>
			Findings	N/A

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.K	<p>K. Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider.</p> <p>Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			Findings	<p>151 Topaz is connected to municipal sewer.</p> <p>131 Topaz is not currently connected to municipal sewer but because it is an existing lot and this action is a readjustment of existing lot lines connection is not required at this time.</p>
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.L	<p>L. Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			Findings	<p>151 Topaz is connected to municipal water.</p> <p>131 Topaz is not currently connected to municipal water but because it is an existing lot and this action is a readjustment of existing lot lines connection is not required at this time.</p>
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.M	<p>M. Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			Findings	<p>N/A, this is readjustment of lot lines of existing lots and none of the conditions described by this standards are applicable.</p>

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.1	<p>N. Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <p>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.</p>
			Findings	Item #1, soil report, not required by staff as area is already platted and this is a small-scale readjustment of lot lines.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.2	<p>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information:</p> <p>a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.</p>
			Findings	N/A, no grading will occur. This is a readjustment of lot lines for existing lots.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.3	<p>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</p>
			Findings	N/A, no grading will occur. This is a readjustment of lot lines for existing lots.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.4	<p>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</p>
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.5	<p>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</p>
			Findings	No disturbance will occur. This action is a readjustment of lot lines for existing lots.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.N.6	<p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods).</p>
			Findings	No disturbance will occur. This action is a readjustment of lot lines for existing lots.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.0	<p>O. Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.</p>
			Findings	There are no culverts or drainage improvements in the vicinity.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.P	<p>P. Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.</p>
			Findings	N/A – extension of utilities is not required as this is a readjustment of lot lines between existing lots.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.Q	<p>Q. Off Site Improvements: Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.</p>
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.R	R. Avalanche And Mountain Overlay: All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.
			Findings	N/A property is not in Avalanche or Mountain Overlay.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.S	S. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	N/A

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67, of the Idaho Code the City has passed a subdivision ordinance, Title 16.
3. The Council has authority to review and approve of the applicant's Lot Line Shift Preliminary Plat with waiver request pursuant to Chapter 16.04 of Ketchum Code Title 16.
4. The project **does** meet the standards of approval under Chapter 16.04 of Subdivision Code Title 16.

DECISION

THEREFORE, the Ketchum City Council **approves** this Preliminary Plat application this Monday, October 19th, 2020 subject to the following conditions:

1. An indemnification agreement, indemnifying the city for damages to the existing fences located on both lots, shall be recorded prior to recording the Final Plat and the instrument number for the Agreement shall be indicated on the Final Plat; and
2. In accordance with Ketchum Municipal Code 17.132.010.C.1, existing non-compliant exterior lighting fixtures shall be brought into conformance with the Dark Sky ordinance prior to recordation of the Final Plat; and
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; and
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,

5. 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; and

6. The applicant shall provide a copy of the recorded final plat to the Department of Planning and Building for the official file on the application;

7. Failure to record a Final Plat within two (2) years of Council’s approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

Findings of Fact **adopted** this 19th day of October, 2020.

Neil Bradshaw, Mayor, City of Ketchum

Katrin Sharp, City Clerk