



**City of Ketchum
Planning & Building**

IN RE:)	
)	
Waterman Residence Addition)	KETCHUM PLANNING AND ZONING COMMISSION
Mountain Overlay Design Review)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: December 15th, 2020)	DECISION
)	
File Number: P20-027)	

FINDINGS REGARDING APPLICATION FILED

PROJECT: Waterman Residence Addition

FILE NUMBER: P20-060

APPLICATION TYPE: Mountain Overlay Design Review

REPRESENTATIVE: Owen Scanlon, Architect

OWNER: Gary & Karla Waterman

LOCATION: 604 S Leadville Avenue (Tax Lot 8554)

ZONING: Limited Residential (LR)

OVERLAY: Mountain Overlay (MO)

NOTICE: A public hearing notice for the project was mailed to all property owners within 300 ft of the development site on October 30th, 2020. A public hearing notice was posted on site and on the city’s website on November 3rd, 2020.

FINDINGS REGARDING ADDITION PROJECT

The subject Mountain Overlay (MO) Design Review is for the development of additions totaling 2,102 square feet to an existing single-family residence located at 604 S Leadville Avenue. The site is located within the Limited Residential (LR) Zoning District and within the Mountain Overlay. The additions will accommodate a new garage and guestroom. The new additions will match the existing home with the same colors and exterior materials. Site improvements proposed with the project include new landscaping, decks, and terraces as well as a new driveway section that extends to the upper garage addition.

Design Review is required for additions to buildings within the City’s Mountain Overlay (MO) Zoning District (KMC §17.104.050). These projects are subject to the MO criteria specified in Ketchum

Municipal Code §17.104.070 as well as all applicable Design Review standards and regulations (KMC §17.96.060).

The existing home was built in 1985 (Building Permit 85-16) before the City’s adoption of the Mountain Overlay Zoning District in 1989. The home was remodeled in 1988 (Building Permit 88-139) and its foundation was repaired in 1999 (Building Permit 99-163).

The existing driveway to the home is noncompliant with Fire Department requirements. This project will improve the existing driveway off Leadville Avenue to the satisfaction of the Fire Department. This improved driveway includes a fork that extends to the proposed garage addition.

MO Design Review criteria include standards for driveways. Findings regarding these driveway standards is included in Table 3.

MO Design Review Criteria (KMC §17.104.070.A)

- 3. *Driveway standards as well as other applicable standards contained in Title 12, Chapter 12.04 of Ketchum Municipal Code shall be met.*
- 9. *Cuts and fills allowed for roadways shall be minimized. Lengths of driveways allowed shall be minimized.*
- 11. *Access traversing twenty five percent (25%) or greater slopes does not have significant impact on drainage, snow and earthslide potential and erosion as it relates to the subject property and to adjacent properties.*

In addition to the Mountain Overlay and Design Review regulations regarding driveways and circulation design, the city has adopted standards for the design, construction, and repair of private driveways specified in Title 12 of Ketchum Municipal Code (KMC). KMC §12.04.030.L3 specifies criteria that must be considered for private driveways. These criteria include hillside impact, preservation of rock outcrops, historical significance of affected properties, extent of cuts and fills, impact on or through slopes of 25% or greater, the Comprehensive Plan, aesthetic impacts, rock removal, visibility, exposure to sun, curves, number of homes served, and drainage.

City Council review and approval is required for private driveways with grades over 10% and private driveways of any grade that traverse slopes of 25% or greater (KMC §12.04.030.L5). As noted in the City Engineer’s comments in Table 1, City Council review and approval is required for the proposed new driveway section. This Mountain Overlay Design Review application is conditioned upon City Council’s review and approval of the new driveway section. Any changes to the project resulting from City Council’s review of the proposed driveway require final review and approval by the Planning & Zoning Commission.

TABLE 1: FINDINGS REGARDING CITY DEPARTMENT COMMENTS

City Department Comments
<i>Note: City Department comments are preliminary and based on the project concept as proposed with the subject Design Review application. All City Departments shall review and approve the project through the Building Permit application process. All comments pertaining to the Design Review drawings are subject to change. All right-of-way and driveway improvements shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. All City Department</i>

requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

Fire Department:

- It is the General Contractor's responsibility to understand and adhere to all Fire Protection Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties.
- The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances.
- If a monitored fire detection system exists or is installed, it shall meet NFPA 72 and be monitored by an approved alarm monitoring station. An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department.
- Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade.
- Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.
- An approved access roadway per 2012 International Fire Code Appendix D (www.ketchumfire.org) shall be installed prior to any combustible construction on the site. The road shall be a minimum of twenty (20) feet in width and capable of supporting an imposed load of at least 75,000 pounds. The road must be an all-weather driving surface maintained free, clear, and unobstructed at all times. Grades shall not exceed 7%. Dead end access roadways exceeding 150 feet in length shall be provided with an approved turnaround. Gates, if installed, are required to be siren activated for emergency vehicle access.
- Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.
- Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.
- Final inspections of all fire department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org.
- Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

City Engineer & Streets Department:

- City Council review and approval is required for private driveways with grades over 10% and private driveways of any grade that traverse slopes of 25% or greater (KMC §12.04.030.L5). City Council review and approval is required for the proposed driveway section.
- Due to the new driveway section's length, proposed grades, and location, a design standard exception request is required. The applicant shall submit the design standard exception request form. The applicant shall update the project plans to include a profile of the proposed driveway section, limits of the cuts and/or fills, and the 25% slope areas for review by the City Engineer. The

driveway plans and design standard exception request will be forwarded to City Council for final review and approval.

- The design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code including design criteria for private driveways (KMC §12.04.030.L), ballast thickness design (KMC §12.04.030.H), cut and fill slopes (KMC §12.04.030.I), drainage plans (KMC §12.04.030.J), and erosion protection (KMC §12.04.030.K).
- Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site.
- All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities including excavation, material storage and deliveries, screening, and site clean-up (KMC §15.06.030) to be reviewed and approved by the Building Department prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor’s contact information to all neighbors with properties adjacent to the project site.
- The public right-of-way adjacent to the subject property shall be improved to the City’s right-of-way standards for local-residential street right-of-ways. Material within the first eight (8) feet from the edge of asphalt shall be (1) distinct from the driveway in order to visually appear to be available for parking, (2) pervious and permeable to enhance drainage, and (3) the surface must allow for vehicle parking and be consistent along the entire property frontage. No live plant materials or obstructions, such as boulder or berms, are permitted within the first 8 ft from the edge of asphalt.
- The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”).
- City Engineer & Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

Utilities:

- The existing home is connected to the municipal water and sewer system at Leadville Avenue.

Building:

- The building must meet the 2012 International Building Code and Title 15 Buildings and Construction of Ketchum Municipal Code.
- Building Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

Planning and Zoning:

Comments are denoted throughout Tables 2, 3, and 4.

TABLE 2: FINDINGS REGARDING ZONING AND DIMENSIONAL STANDARDS

Compliance with Zoning and Dimensional Standards				
Compliant			Standards and P&Z Commission Findings	
Yes	No	N/A	Ketchum Municipal Code	City Standards and P&Z Commission Findings
			17.12.030	Minimum Lot Area

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P&Z Commission Findings	Required: 9,000 square feet minimum Existing Tax Lot 8554: 53,580 square feet (1.235 acres)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030 P&Z Commission Findings	Building Coverage Permitted: 35% Proposed: The building coverage calculation is indicated on Sheet L1.0 of the project plans. 10% (5,060 square feet building coverage/ 53,580 square feet lot area)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030 P&Z Commission Findings	Minimum Building Setbacks Minimum Required Setbacks: Front: 15' Side: > of 1' for every 2' in building height, or 10' Rear: 20' Proposed: Front (Leadville Avenue/west): 58' Side (Lava Street/north): 115' Side (south): 74' from proposed guest bedroom addition and 23' from existing home Rear (interior/east): 20'
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030 P&Z Commission Findings	Building Height Maximum Permitted: 35 feet Existing: The existing two-story home is 32 feet tall. Proposed: Sheet C2-1.0 indicates the height of the proposed addition is 15'-9"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H P&Z Commission Findings	Curb Cut Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. Proposed: The existing driveway will be widened to 20 feet to comply with Fire Department requirements. 10% (20-foot wide driveway/approximately 200 linear street frontage) of the property's street frontage is used to access the home.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A. 2 & 17.125.050 P&Z Commission Findings	Parking Spaces Off-street parking standards of this chapter apply to any structure or use that is expanded or enlarged. Required: One-Family Dwelling Units in all Zoning Districts: 2 parking spaces per dwelling unit. Proposed:

				The applicant is proposing two parking spaces within the enclosed garage addition. The home has an existing two-car garage. 4 total parking spaces are provided within the two enclosed garages.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.128.010	Supplementary Lot Area and Lot Width Regulations
			P&Z Commission Findings	<p>Where an individual lot was held in separate ownership from adjoining properties or was platted in a recorded subdivision approved by the City Council prior to April 21, 1966, or was in such a condition at the time the lot was subsequently annexed to the City, or was of legal area and dimensions when held in separate ownership from adjoining properties or when platted in a recorded subdivision, such a lot may be occupied according to the permitted uses provided for the district in which the lot is located, provided the proposed uses, building construction, and all other regulations in regard to setbacks, supplemental yard regulations, and parking areas are strictly adhered to and complied with.</p> <p>The subject property located at 604 S Leadville Avenue (Tax Lot 8554) is not platted within a recorded subdivision. Tax Lot 8554 was held in separate ownership from adjoining properties prior to April 21, 1966. The title report references a warranty deed for the property recorded on August 27, 1951 as Instrument No. 99646. Satisfying the criteria specified in KMC §17.128.010, the site may be occupied according to the permitted uses provided for in the LR Zone.</p>

TABLE 3: FINDINGS REGARDING MOUNTAIN OVERLAY DESIGN REVIEW STANDARDS

Mountain Overlay Design Review Standards (KMC §17.107.070.A)				
Compliant			Standards and P&Z Commission Findings	
Yes	No	N / A	Ketchum Municipal Code	City Standards and P&Z Commission Findings
			17.104.070.A1	There is no building on ridges or knolls which would have a material visual impact on a significant skyline visible from a public vantage point entering the City or within the City. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P&Z Commission Findings	The Mountain Overlay boundary bisects the subject property. Within southeast Ketchum, the Mountain Overlay boundary is east of the Reinheimer/Weyyakin irrigation ditch (KMC §17.104.030.C). The existing home and proposed addition are located within the Mountain Overlay boundary east of the irrigation ditch. The property is not characterized by prominent knolls, ridges, or rock outcroppings. The home does not have a material visual impact as the property isn't characterized by a significant skyline visible from a public vantage point entering the City or within the City. This property is not visible from an identified or protected view corridor.

			<p>The ridge line is located beyond the extent of the property boundary. In 2001, the Planning & Zoning Commission approved Mountain Overlay 001-002 for the development of a new home uphill of subject Tax Lot 8554. The neighboring home located at 205 Lava Street is sited further up the hillside from the existing Waterman residence and proposed addition project. The highest point of the neighboring home located at 205 Lava Street is at an elevation of ~5,893 feet. The highest point of the Waterman home is at elevation of ~5883 feet. Both homes area screened from view by existing, mature vegetation within the neighborhood along Leadville Avenue and Lava Street.</p> <p>The proposed additions will be lower in height than the existing home. The home’s natural materials and simple geometrical design blend into the surrounding landscape and hillside.</p>
☒	☐	☐	<p>17.104.070.A2</p> <p>Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the City or within the City is minimized. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.</p>
			<p>P&Z Commission Findings</p> <p>Preliminary calculations submitted by the applicant indicate that approximately 640 cubic yards of earth will be excavated and 380 cubic yards of earth will be filled for the site improvement design.</p> <p>This Mountain Overlay Design Review application is conditioned upon City Council’s review and approval of the new driveway section proposed to access the upper garage addition. As conditioned, the project shall meet this requirement. Pursuant to KMC §12.04.030.L.3, the City Engineer and City Council shall consider hillside impact, the extent of cuts and/or fills, and visibility as part of their review of the private driveway application. The applicant shall update the project plans to include a profile of the proposed driveway section, limits of the cuts and/or fills, and the 25% slope areas for review by the City Engineer.</p> <p>The project will not impact surrounding view corridors due to the location of the subject property, existing landscaping, and site characteristics described in evaluation of the previous criteria KMC §17.104.070.A.1.</p>
☒	☐	☐	<p>17.104.070.A.3</p> <p>Driveway standards as well as other applicable standards contained in Street Standards Chapter 12.04 are met.</p>
			<p>P&Z Commission Findings</p> <p>The existing driveway is noncompliant with Fire Department requirements. The applicant has coordinated with the Fire Code Official to improve the driveway given the site constraints, including the existing ditch that bisects the property. The proposed improvements to the existing driveway meet Fire Department standards.</p> <p>This improved driveway includes a fork that extends to the proposed upper garage addition.</p>

				<p>Ketchum Municipal Code §12.04.030.L3 specifies criteria that must be considered for private driveways. These criteria include hillside impact, preservation of rock outcrops, historical significance of affected properties, extent of cuts and fills, impact on or through slopes of 25% or greater, the Comprehensive Plan, aesthetic impacts, rock removal, visibility, exposure to sun, curves, number of homes served, and drainage.</p> <p>City Council review and approval is required for private driveways with grades over 10% and private driveways of any grade that traverse slopes of 25% or greater (KMC §12.04.030.L5). As noted in the City Engineer’s comments in Table 1, City Council review and approval is required for the proposed driveway section.</p> <p>This Mountain Overlay Design Review is conditioned upon City Council’s review and approval of the new driveway section.</p> <p>See Table 1 for City Department comments including Fire Department, City Engineer, and Streets Department conditions. Fire Department, City Engineer, and Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
			17.104.070.A.4	All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150’) of the furthest exterior wall of any building.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P&Z Commission Findings	<p>Fire Department comments and conditions are included within Table 1. Sheet L1.0 of the project plans indicates the 150-foot Fire Department access. The improved existing driveway off Leadville Avenue will serve as the Fire Department’s apparatus access road. The proposed improvements to the existing driveway meet Fire Department standards.</p> <p>Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.104.070.A.5	Significant rock outcroppings are not disturbed.
			P&Z Commission Findings	The property does not contain significant rock outcroppings.
			17.104.070.A.6	International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P&Z Commission Findings	The project must comply with the 2012 International Building Code, the 2012 International Fire Code and Ketchum Fire Department requirements, as well as Title 15 of Ketchum Municipal Code. All IBC, IFC, Building Department, and Fire Department requirements shall be verified and met prior to issuance of a Building Permit for the project. See City Department comments specified in Table 1.
			17.104.070.A.7	Public water and sewer service comply with the requirements of the City.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P&Z Commission Findings	The home is connected to the municipal water and sewer systems from existing lines within Leadville Avenue. The project plans do not propose any changes to these existing connections. Public water and sewer service shall comply with city requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.8	Drainage is controlled and maintained to not adversely affect other properties.
			P&Z Commission Findings	<p>Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. As indicated on Sheet C1.0 of the MO Design Review submittal, the applicant has proposed a system drywells and culverts to control drainage on site.</p> <p>This Mountain Overlay Design Review application is conditioned upon City Council’s review and approval of the new driveway section. As conditioned, the project shall meet the requirement to maintain drainage on site. Pursuant to KMC §12.04.030.L.3m, the City Engineer and City Council shall consider drainage impacts as part of their review of the private driveway application.</p> <p>Prior to issuance of a Building Permit, the applicant shall submit a final drainage and grading plan stamped by an Idaho licensed engineer with associated specifications and details for the proposed drywells and culverts. All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.9	<p>Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials.</p> <p>Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.</p>
			P&Z Commission Findings	<p>Revegetation on the hillside within the 30-foot clear zone shall include low combustible, irrigated vegetation and appropriate species.</p> <p>This project includes a new driveway section that extends to the upper garage addition. City Council review and approval is required for private driveways with grades over 10% and private driveways of any grade that traverse slopes of 25% or greater (KMC §12.04.030.L5). As noted in the City Engineer’s comments in Table 1, City Council review and approval is required for the proposed driveway section.</p> <p>This Mountain Overlay Design Review is conditioned upon City Council’s review and approval of the new driveway section. Due to the new driveway section’s length, proposed grades, and location, a design</p>

			<p>standard exception request is required. The applicant shall submit the design standard exception request form and update the project plans to include a profile of the proposed driveway section, limits of the cuts and/or fills, and the 25% slope areas for review by the City Engineer. The driveway plans and design standard exception request will be forwarded to City Council for final review and approval.</p> <p>As conditioned, the project shall meet this requirement. Pursuant to KMC §12.04.030.L.3, the City Engineer and City Council shall consider hillside impact, the extent of cuts and/or fills, and visibility as part of their review of the private driveway application.</p> <p>The proposed driveway section length spans the length of Tax Lot 8554 almost 300 feet following the slope up the hillside. Options for siting the proposed upper garage addition and new driveway section were limited due to the location of the existing home and site constraints, including the Reinheimer/Weyyakin irrigation ditch that bisects the property. Accessing the upper garage addition off Lava Street is not feasible. Lava Street is a private driveway encumbered by an ingress & egress easement (Instrument No. 99644) to access certain lots within Lava Street Subdivision. Ketchum Municipal Code (KMC) §12.04.030.L limits access off of private driveways to no more than 4 single-family dwelling units. This project would have increased the number of dwelling units accessed from Lava Street above the maximum permitted for private driveways.</p> <p>See Table 1 for City Department comments including Fire Department, City Engineer, and Streets Department conditions. Fire Department, City Engineer, and Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.104.070. A.10</p> <p>There are not other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this Ordinance.</p> <p>P&Z Commission Findings</p> <p>Options for siting the proposed upper garage addition and new driveway section were limited due to the location of the existing home and site constraints, including the Reinheimer/Weyyakin irrigation ditch that bisects the property. Accessing the upper garage addition off Lava Street is not feasible. Lava Street is a private driveway encumbered by an ingress & egress easement (Instrument No. 99644) to access certain lots within Lava Street Subdivision. Ketchum Municipal Code (KMC) §12.04.030.L limits access off of private driveways to no more than 4 single-family dwelling units. This project would have increased the number of dwelling units accessed from Lava Street above the maximum permitted for private driveways.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.104.070. A.11</p> <p>Access traversing 25% or greater slopes does not have significant impact on drainage, snow and earth slide potential and erosion as it relates to the subject property and to adjacent properties.</p>

			P&Z Commission Findings	<p>This Mountain Overlay Design Review is conditioned upon City Council’s review and approval of the new driveway section. As conditioned, the project shall meet this requirement. Pursuant to KMC §12.04.030.L.3, the City Engineer and City Council shall consider hillside impact, the extent of cuts and/or fills, impacts on or through slopes of 25% or greater, and visibility as part of their review of the private driveway application.</p> <p>As noted in the City Engineer’s comments specified in Table 1, the applicant shall submit the design standard exception request form and update the project plans to include a profile of the proposed driveway section, limits of the cuts and/or fills, and the 25% slope areas for review by the City Engineer. The driveway plans and design standard exception request will be forwarded to City Council for final review and approval.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.12	Utilities shall be underground.
			P&Z Commission Findings	The home is connected the municipal water and sewer system. All utilities within the development site shall be located underground and concealed from public view. All on-site utilities shall be located underground.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070. A.13	Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.
			P&Z Commission Findings	As conditioned, the project shall comply with this standard. The limits of disturbance must be established on the construction activity plan submitted with the Building Permit application to be reviewed and approved by the Planning & Building Department and City Engineer prior to issuance of a Building Permit for the project. The silt and construction fencing demarcating the limits of disturbance shall be installed along the entire perimeter of the construction area and shall remain in place for the duration of construction.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.14	Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.
			P&Z Commission Findings	Excavation, fill, and vegetation disturbances that are not associated with building construction have been minimized - all excavation, fill and vegetation disturbance is associated with construction of the upper garage and guest bedroom additions, new driveway section, and associated site improvements.
				This Mountain Overlay Design Review is conditioned upon City Council’s review and approval of the new driveway section. Pursuant to KMC §12.04.030.L.3, the City Engineer and City Council shall consider hillside impact, the extent of cuts and/or fills, impacts on or through slopes of 25% or greater, and visibility as part of their review of the private driveway application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.104.070. A.15	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			P&Z Commission Findings	No significant landmarks have been identified on the subject property.

TABLE 4: FINDINGS REGARDING DESIGN REVIEW STANDARDS

Design Review Requirements IMPROVEMENTS AND STANDARDS: 17.96.060				
Yes	No	N/A	City Code	City Standards and <i>P&Z Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(A)(1) Streets	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.
			<i>P&Z Commission Findings</i>	<i>The existing driveway access off Leadville Avenue will be improved to Fire Department standards.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(A)(2) Streets	All street designs shall be approved by the City Engineer.
			<i>P&Z Commission Findings</i>	<i>N/A as no changes to Leadville Avenue are proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(B)(1)	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.
			<i>P&Z Commission Findings</i>	<i>N/A as sidewalks are not required or existing within this low-density residential neighborhood.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(2)c	Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.
			<i>P&Z Commission Findings</i>	<i>N/A as sidewalks are not required for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(3)	Sidewalks may be waived if one of the following criteria is met: a. The project comprises an addition of less than 250 square feet of conditioned space. b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.
			<i>P&Z Commission Findings</i>	<i>N/A as sidewalks are not required or existing within this low-density residential neighborhood.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(4)	The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
			<i>P&Z Commission Findings</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(5)	New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
			<i>P&Z Commission Findings</i>	<i>N/A as sidewalks are not required or existing within this low-density residential neighborhood.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(6)	The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.
			<i>P&Z Commission Findings</i>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(1)	All storm water shall be retained on site.
			<i>P&Z Commission Findings</i>	All storm water shall be retained on site. Drainage facilities shall be constructed per City standards. All drainage improvements shall be verified, reviewed, and approved by the City Engineer prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(2)	Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
			<i>P&Z Commission Findings</i>	The proposed shall drainage improvements span the width of the subject lot. See above analysis for KMC §17.96.060(C)(1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(3)	The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
			<i>P&Z Commission Findings</i>	The final drainage plan shall be submitted with the Building Permit shall be verified, reviewed, and approved by the City Engineer and the Streets Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(4)	Drainage facilities shall be constructed per City standards.
			<i>P&Z Commission Findings</i>	Drainage facilities shall be constructed per City standards. All drainage improvements shall be verified, reviewed, and approved by the City Engineer prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(1)	All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
			<i>P&Z Commission Findings</i>	The home is connected to the municipal water and sewer system. The applicant is aware that any new or improved utilities are the sole responsibility of the applicant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(2)	Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.
			<i>P&Z Commission Findings</i>	The home is connected the municipal water and sewer system. All utilities within the development site shall be located underground and concealed from public view.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(D)(3)	When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.

			<i>P&Z Commission Findings</i>	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(E)(1)	The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.
			<i>P&Z Commission Findings</i>	<i>The addition project will match the existing home by utilizing the same exterior materials and colors. The exterior materials include wood fascia, wood siding, and log trim. The natural materials and colors harmonize with the surrounding landscape and decrease visual impacts.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(2)	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			<i>P&Z Commission Findings</i>	<i>N/A. There are no identified landmarks on the property.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(3)	Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.
			<i>P&Z Commission Findings</i>	<i>N/A as the existing home was built in 1985.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(1)	Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
			<i>P&Z Commission Findings</i>	<i>No sidewalks are located within the neighborhood or required for the project.</i> <i>The new entryway to the upper garage addition is clearly defined by a decorative roof overhang that includes a Boston ridge.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(2)	The building character shall be clearly defined by use of architectural features.
			<i>P&Z Commission Findings</i>	<i>The home is defined by wood siding and log trim. The building mass is further characterized by roofing forms, including gable and Boston ridge elements, as well as large windows. The home has a low, horizontal massing with overhanging eaves and balconies supported by decorative columns. The home's natural materials and simple geometrical design blend into the surrounding landscape and hillside. The design of the home echoes certain characteristics of historic properties within the surrounding neighborhood, including the log architecture and use of natural resources.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(3)	There shall be continuity of materials, colors and signing within the project.
			<i>P&Z Commission Findings</i>	<i>The addition project will match the existing home by utilizing the same exterior materials and colors. The exterior materials include wood fascia and siding, log trim. The natural materials and colors harmonize with the surrounding landscape and decrease the development's visual impacts.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(4)	Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.

			<i>P&Z Commission Findings</i>	<i>The landscape features include a new terrace and deck in the backyard. The landscape plan includes ornamental trees, deciduous shrubs, perennial flowers, and natural glasses. The landscaping will complement and soften the principal building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(5)	Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
			<i>P&Z Commission Findings</i>	<i>The design incorporates variation in architectural features, including decorative columns, gable roof elements, and window openings, across all facades. The proposed elevation views provided by the applicant show that all building walls provide undulation and relief, serving to reduce the appearance of flatness at all facades.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(6)	Building(s) shall orient towards their primary street frontage.
			<i>P&Z Commission Findings</i>	<i>The building orients toward Leadville Avenue.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(F)(7)	Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.
			<i>P&Z Commission Findings</i>	<i>No satellite receivers are proposed. This is a residential project that will not have an exterior commercial garbage receptacle that requires screening.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(8)	Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.
			<i>P&Z Commission Findings</i>	<i>The proposed additions include roof overhangs that extend 3 feet from the building wall. As conditioned, the single-family residence will meet this standard. The applicant shall install a snow fence or clips as well gutters and downspouts to enhance weather protection to the satisfaction of the Building Official.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(1)	Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
			<i>P&Z Commission Findings</i>	<i>Sidewalks are not required or existing within the subject low-density residential neighborhood. Leadville Avenue and Lava Street are located within a low-traffic residential area. Pedestrian and bicycle access are provided from these low-traffic residential streets.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(2)	Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.
			<i>P&Z Commission Findings</i>	<i>N/A.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(3)	Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.
			<i>P&Z Commission Findings</i>	<i>Leadville Avenue and Lava Street are in a low-traffic residential neighborhood and traffic is anticipated to flow safely within the project and onto adjacent streets.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(4)	Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
			<i>P&Z Commission Findings</i>	<i>The existing driveway entrance is located over 150 ft from the nearest intersection located at Lava Street and S Leadville Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(5)	Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.
			<i>P&Z Commission Findings</i>	<i>Unobstructed access to the site is provided off Leadville Avenue.</i> <i>The existing driveway is noncompliant with Fire Department requirements. The applicant has coordinated with the Fire Code Official to improve the driveway given the site constraints, including the existing ditch that bisects the property. The proposed improvements to the existing driveway meet Fire Department standards.</i> <i>See Table 1 for City Department comments including Fire Department, City Engineer, and Streets Department conditions. Fire Department, City Engineer, and Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(1)	Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
			<i>P&Z Commission Findings</i>	<i>Sheet L1.0 indicates that the total driveway area is 14,200 square feet. The applicant has provided 7,100 square feet of snow storage on site, which is 2,840 square feet more than required by code.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(2)	Snow storage areas shall be provided on-site.
			<i>P&Z Commission Findings</i>	<i>As indicated on Sheet L1.0, the applicant has proposed 7,100 square feet of snow storage on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(3)	A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty five (25) square feet.
			<i>P&Z Commission Findings</i>	<i>The designated snow storage areas exceed these dimensions.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(H)(4)	In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.
			<i>P&Z Commission Findings</i>	<i>N/A as the applicant has provided the required snow storage areas on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(1)	Landscaping is required for all projects.
			<i>P&Z Commission Findings</i>	<i>The required landscape plan is indicated on Sheet L1.0 and L2.0 of the project plans.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(2)	Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and

				aspect, and shall serve to enhance and complement the neighborhood and townscape.
			<i>P&Z Commission Findings</i>	<i>The proposed landscape plan includes shrub groupings, ornamental trees, perennial flowers, and natural grasses. The landscape plan minimizes the development's visual impact on the hillside and complements surrounding residential neighborhood.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(3)	All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.
			<i>P&Z Commission Findings</i>	<i>See above P&Z Commission Findings for KMC §17.96.060.I1. All trees, shrubs, grasses, and perennials shall be drought tolerant. Native species are recommended.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(4)	Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.
			<i>P&Z Commission Findings</i>	<i>The landscaping proposed for this residential project in the Mountain Overlay is appropriate. The landscaping will provide a buffer between neighboring homes and screen the project from Leadville Avenue and Lava Street.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(J)(1)	Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.
			<i>P&Z Commission Findings</i>	<i>N/A. Sidewalks are not required for the project.</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 Design Review Application for the development and use of the project site.
2. The Commission has authority to hear the applicant’s Mountain Overlay Design Review Application pursuant to Chapters 17.96 and 17.104 of Ketchum Code Title 17.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
2. The Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.104, 17.124, 17.08, 17.12, 17.18, and 17.128.
4. The Waterman Residence Mountain Overlay Design Review application meets the standards specified in Title 17 of Ketchum Municipal Code subject to conditions of approval.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Mountain Overlay Design Review application this Monday, November 10th, 2020 subject to the following conditions:

CONDITIONS OF APPROVAL

1. This Mountain Overlay Design Review is subject to City Council’s review and approval of the proposed driveway. If City Council’s review of the proposed driveway results in changes to the project, then the applicant shall submit updated plans for the Planning & Zoning Commission’s final review and approval.
2. The project shall retain the existing landscaping and vegetative screening along Lava Street.
3. Any new retaining wall or rock retainage required for the proposed driveway section shall be contained within the inside edge of the existing fence along the rear property line at the northeast corner of the property.
4. The applicant shall comply with all City Department conditions in Table 1 and all Planning & Building Department conditions as specified in Tables 2, 3, and 4.
5. 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 shall be met prior to the issuance of a Certificate of Occupancy for the project.
6. Prior to issuance of a Building Permit, the applicant shall submit final civil drawings stamped by an Idaho licensed engineer including a driveway profile as well as a final drainage and grading plan for review and approval by the City Engineer and Streets Department.

7. The silt and construction fencing demarcating the limits of disturbance shall be installed along the entire perimeter of the construction area and shall remain in place for the duration of construction.
8. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. This Mountain Overlay Design Review conditioned upon City Council's review and approval of the proposed driveway. If City Council's review of the proposed driveway results in changes to the project, then the applicant shall submit updated plans for the Planning & Zoning Commission's final review and approval. Building Permit plans must conform to the approved Design Review plans unless otherwise approved in writing by the Planning & Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
9. All new exterior lighting on the property shall be in compliance with Ketchum Municipal Code, Chapter 17.132, Dark Skies. Exterior lighting shall be inspected by Planning Staff and conformity shall occur prior to issuance of Certificate of Occupancy for the project.
10. Design Review approval shall expire one year from the date the Findings of Fact, Conclusions of Law, and Decision are adopted by the Planning & Zoning Commission, unless an extension is requested and granted consistent with KMC §17.96.090.
11. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

Findings of Fact **adopted** this 15th day of December 2020.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission