



**City of Ketchum
Planning & Building**

IN RE:)
)
450 Wood River Dr Residence) KETCHUM PLANNING AND ZONING COMMISSION
Floodplain Development Permit) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
File Number: P23-111) DECISION
)
Date: June 11, 2024)
)

PROJECT: 450 Wood River Dr Residence
APPLICATION TYPE: Floodplain Development Permit
FILE NUMBER: P23-111
PROPERTY OWNER: 450-490 Wood River LLC
REPRESENTATIVE: Erik de Bruijn, Presidio Vista Properties
LOCATION: Mary’s Place Subdivision Lot 3 Block 1
ZONING: General Residential – Low Density (GR-L) & Floodplain Management Overlay District (FMOD)

RECORD OF PROCEEDINGS

The Planning and Zoning Commission considered the 450 Wood River Drive Floodplain Development Review Application File No. P23-111 during their meeting on May 28, 2024. After considering the project plans, staff’s analysis, the applicant’s presentation, and holding the required public hearing, the Planning and Zoning Commission approved the request with a vote of 5-0.

Public Hearing Notice & Public Comment

A public meeting notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on May 8, 2024. The notice was published in the Idaho Mountain Express on May 8, 2024. A notice was posted on the project site and the city’s website on May 13, 2024.

BACKGROUND

The applicant is proposing to construct a new 8,077 square foot residence (the “project”), located at 450 Wood River Drive (the “subject property”) in the West Ketchum neighborhood. The subject

property is zoned General Residential – Low Density (GR-L) and portions of the property are within the Floodplain Management Overlay District.

The subject property contains an existing residence that is proposed to be demolished. The proposed residence is sited within the platted building envelope, a majority of which is out of the floodplain. The subject property also contains wetlands in the form of a manmade pond, drainage channels, and riparian vegetation, all of which are proposed to be modified for the proposed residence and associated site improvements. The pond which spans the subject property and properties to the east (440 & 430 Wood River Dr) contains water from the high groundwater table as well as surface water from the swales and drainage channels present on 490 & 460 Wood River Dr. This pond is proposed to be removed from the subject property, as well as 430 & 440 Wood River Dr, and to be replaced with a swale that will connect with the one present on 490 Wood River Dr up to its confluence with the Big Wood River. Existing vegetation around the pond will be removed due to construction of the swale but newly proposed riparian grasses, shrubs & trees are proposed along the proposed swale.

The groundwater table underneath the existing pond on the subject property is not regularly high enough to reach the overflow point at 430 Wood River Dr to enable flow through the pond. Surface water flow is intermittent and is controlled by the conditions on 490 Wood River Dr which typically only receives input in the spring and early summer due to rising groundwater levels, groundwater pumping of residences nearby or flooding conditions. As the influx of water into the system typically only occurs in the spring and early summer, the pond sits stagnant for a majority of the year. Limited native plant species surround the pond, leading to increased presence of algae and warmer water temperatures from lack of vegetation shading. The pond also serves as a bottle neck when flooding conditions in the spring occur. As the outlet of the pond is at a higher elevation than the rest of the pond, increased amounts of groundwater and surface drainage are needed to enter into the system of ponds and channels in the Mary's Place Subdivision in order to get the pond to a high enough elevation to start discharging into the Big Wood River. The removal of the pond and introduction of the swale across 450, 440, & 430 Wood River Dr will alleviate this issue as there will no longer be a high point, blocking flow of water.

Pursuant to Ketchum Municipal Code (KMC) §17.88.050.D.2,

"If the Administrator, in his or her sole discretion, determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits.

a. Criteria for sending applications to the Planning and Zoning Commission includes, but is not limited to:

- (1) Encroachments proposed within the floodway;*
- (2) Stream alteration projects containing riprap;*
- (3) Stream alteration projects including gravel extraction; and*
- (4) Stream alteration projects involving multiple separate parcels of land."*

Due to the proposed modification of ponds, drainage channels, and wetlands on the subject property, staff determined the project fell in line with the more complex stream alteration projects which warrant review by the Planning & Zoning Commission. The project is subject to all floodplain development review criteria and standards specified in KMC §17.88.050 & 17.88.060.

Subject Property History & Existing Conditions

The subject property is located within the Mary's Place Subdivision which was platted in 2000. This subdivision modified four existing tax lots adjacent to the Big Wood River. All four lots contain manmade ponds and channels which are connected and empty into the Big Wood River at the southern portion of 430 Wood River Dr. The subject property is in the middle point of this system of ponds and channels and contains the largest of the manmade ponds. The creation of these ponds and channels occurred prior to the subdivision without any permits or approval from local or state bodies. This created the need for the subdivision to create building envelopes for all of the lots and outlined pond and drainage channel easements to allow for water to flow through the properties. The subject property currently has a residence within the platted building envelope that is proposed to be removed and replaced with the proposed project.

The subject property receives drainage through channels and swales present on 490 Wood River Dr & 460 Wood River Dr which confluence with the pond that exists on the subject property. The 490 & 460 properties are the receiving point of drainage from other areas within the West Ketchum neighborhood during seasonal flooding or significant rain events. As the properties within the Mary's Place Subdivision (including the subject property) sit at a lower point than most of West Ketchum, drainage from surrounding properties enters into rights-of-way and ultimately flows towards the subject property. This was especially prevalent in the seasonal flooding that occurred in Spring/Summer of 2023 where many properties within West Ketchum experienced increased levels of groundwater necessitating groundwater pumping which ultimately discharged into public rights-of-way. Much of this discharge led its way to the 490 & 460 properties either through culverts or sheet flowing over roadways such as Williams St to the north or Wood River Drive to the west. Most of this drainage and floodwater enters into the 490 & 460 properties and moves through the system of ponds and channels until it discharges into the Big Wood River at 430 Wood River Dr.

Process to Date

The Planning and Building Department received the Floodplain Development application for the project on December 19th, 2023. Following receipt of the application, staff routed the application materials to all city departments for review. The application was scheduled for hearing after all city department comments were resolved.

FINDINGS OF FACT

The Planning and Zoning Commission having reviewed the project record, provided notice, and conducted the required public hearing does hereby find that the project does conform to applicable standards and criteria as set forth in Ketchum Municipal Code Chapter 17.88 – Floodplain

Management Overlay Zoning District (FP). The Commission discussed the project's impact to floodwater carrying capacity, drainage impacts, and wetland mitigation. After deliberation, the Commission found the project to be in conformance with the floodplain development criteria. Therefore, the Commission does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows: make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

Drainage

The Commission reviewed the project to ensure that the proposed project maintained its own drainage as well as confirm that off-site drainage that historically has moved through would not be impacted by the proposed project. Touching on regional drainage first, as discussed above, the subject site receives excess drainage from other properties in the surrounding area as well as drainage from the Williams St & Wood River Dr rights-of-way which empty into the 490 & 460 properties and ultimately lead to the subject property. The Commission evaluated the project to confirm that the proposal would not inhibit drainage from continuing to flow in and out of the project site in the same manner it currently does. The City does require that the proposed project maintain existing drainage flows through the property but does not have the ability to require the applicant to improve the drainage situation which currently exists. Drainage is required to move through the project site by plat note #4 of Mary's Place Subdivision which states, "A 10' wide Drainage Easement is reserved centered over existing channels and 5 feet from edge of ponds to provide for maintenance and to preserve natural drainage through the property." The Commission reviewed drainage/flood models, drainage memos, and calculations provided by the applicant to ensure this drainage would still occur. The proposed project looks to replace the existing pond with a swale that has a bottom width of 7 feet, side slope of 4:1 or flatter, and overall slope of 0.7%. This swale design has a capacity of 68 cfs at a flow depth of 2.0 feet, matching the carrying capacity of the swale that is under construction on 490 Wood River Dr which empties into the existing pond on the subject property. Through the submitted materials detailing these proposed changes to the site, the Commission found that the proposed swale is of sufficient size to effectively handle the existing drainage which flows on and through the site today.

Shifting to on-site drainage, new single-family developments must meet the standard that "All stormwater shall be retained on site" as stated in KMC 17.124.170.A.1. The project proposes to handle drainage through trench drains, catch basins, and a drywell. Drainage from the driveway is to be collected in a trench drain and moved through a series of catch basins to the proposed drywell at the rear of the residence. A majority of site improvements are located on the portion of the subject property outside of the floodplain. A detailed explanation of the on-site drainage, including calculations are provided in a memo from Galena-Benchmark in Attachment G. The City Engineer has reviewed this report as well as the proposed grading & drainage plan and has found the drainage

features to be sufficient in handling the stormwater generated by the impervious surfaces in a 25-year storm event. As such, the Commission does find the project to retain all stormwater on site.

As discussed in the “Preserves Natural Characteristics of River/Floodplain” section below, the Commission finds the project allows for floodwaters, riverine as well as groundwater flooding from other properties, to still be able to move through the subject property sufficiently through the conversion of the existing pond into a swale.

Preserving Natural Characteristics of River/Floodplain & Floodwater Carrying Capacity

Pursuant to KMC 17.88.050.E.1 projects must demonstrate that, “The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and riparian zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.” The project does not propose any alterations within the Big Wood River or the twenty-five (25) foot riparian setback zone, so the Commission focused its review of this criterion on whether the project preserves the natural characteristics of the floodplain. The project proposes more cut than fill below the Base Flood Elevation (BFE) outside of the fill required for the home and includes a continuation of the swale present on 490 Wood River DR all the way through 440 & 430 Wood River Dr. In flood years, floodwaters from the Big Wood River crest the bank on properties to the west (upstream) of the subject property and typically flow down Wood River Dr until they reach 490 Wood River Dr. From there, water flows through a series of channels and swales until they reach the subject properties existing pond. The proposed project looks to remove the pond and instead have a swale that carries through water onto the Big Wood River in a west to east direction across the property as it has historically done. This swale will allow for sheet flow to occur on the property and will not provide any obstructions to floodwaters flowing through the site. This more closely matches conditions which existed on the property prior to the creation of the manmade ponds and channels which exist today. As such, the Commission finds the proposal to preserve the inherent natural characteristics of the floodplain.

As discussed in further detail in “Wetlands” the section below, the Commission finds the proposed wetland mitigation and enhancement helps to maintain and improve wildlife habitat. The proposed plantings outside of the delineated wetland areas are also native species which are reminiscent of riparian habitat found on the site currently.

Regarding floodwater carrying capacity, projects must show that, “floodwater carrying capacity is not diminished by the proposal.” Many of the design elements touched on earlier in this section

contribute to maintaining floodwater carrying capacity. Based on flood models of the Big Wood River, historic flooding events will be able to move through the site within the proposed swale. The proposed project shows the removal of 372.7 cubic yards of fill from the project site, resulting in an increased conveyance for floodwaters. Through HEC-RAS (Hydraulic Engineering Center's River Analysis System) models provided by the applicant and reviewed by staff, it has been determined that with the proposed swale, the project will not increase the base flood elevation for adjacent properties.

Wetlands

Per KMC 17.88.050.E.21, "Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement." As seen in the Joint Application for Permits (Attachment H), wetlands on the site are classified as Palustrine Unconsolidated Bottom Permanently Flood Excavated (PUBHx). These types of wetlands are excavated in an artificial manner, have water cover throughout year, have less than 30% vegetative cover, and have at least 25% cover of particles smaller than stones. Characteristics of this wetland type on the subject property include open water (pond) and vegetated wetland margin (vegetation around pond, both native and introduced/invasive species). The wetlands will be impacted due to the construction of the residence, landscape elements and proposed restoration activities. Approximately 2,300 square feet of wetlands will be permanently impacted by the activities mentioned so the applicant has proposed wetland mitigation/enhancement areas (11,000 sq ft wetland restoration & 29,000 sq ft wetland mitigation as seen in Sheets L2.01 & L2.03 in Attachment H). Wetland mitigation area is primarily ground outside of the existing delineated jurisdictional area while the wetland restoration area is primarily ground within the existing delineated jurisdictional area on the subject property that will be restored to riparian wetland habitat. As seen on the landscape plan (Sheet L-2.03 in Attachment H), proposed plantings in these locations are native species which fit within the expected species seen in a forested/scrub shrub wetland including cottonwoods, aspens, willows, dogwoods and other riparian species. The wetland mitigation/restoration also opens the opportunity to remove invasive species which are found on the site including reed canary grass. This removal of invasive species provides a greater opportunity for native plant species to establish and outcompete invasives which offers better habitat to wildlife in the area.

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)1	The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and riparian zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.
			<i>Staff Comments</i>	<i>The project does not alter the main channel of the river, and it preserves the inherent natural characteristics of the floodplain by including native wetland plantings and maintaining a system of drainage channels and culverts to allow for historic flow of floodwaters through the site.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)2	No temporary construction activities, encroachment or other disturbance into the 25-foot riparian zone, including encroachment of below grade structures, shall be permitted, with the exception of approved stream stabilization work and restoration work associated with a riparian zone that is degraded.
			<i>Staff Comments</i>	<i>While the subject property does contain riparian zone, this area is over 100 feet from the project site. Staff will confirm at time of building permit submittal that the riparian zone is not impacted by construction activities</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)3	No permanent development shall occur within the 25-foot riparian zone, with the exception of approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below: a. Access to a property where no other primary access is available; b. Emergency access required by the fire department; c. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths; d. Development by the City of Ketchum.
			<i>Staff Comments</i>	<i>The project does not propose any improvements within the riparian zone</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)4	New or replacement planting and vegetation in the riparian zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				<p>vegetation appropriate for the riparian zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within the 25-foot riparian zone that is degraded, not natural, or which does not promote bank stability.</p> <p><i>Staff Comments</i> No riparian restoration is proposed. Still, the project does contain wetlands and proposes species associated with riparian habitat.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)5	<p>Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.</p> <p><i>Staff Comments</i> The driveway is located entirely outside of the floodplain. Converting existing pond to swale and other landscape/site improvements allow for sheet flooding to occur over portions of the property which contain floodplain</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)6	<p>Flood water carrying capacity is not diminished by the proposal.</p> <p><i>Staff Comments</i> The proposed development has more excavation (638.1 cubic yards) than fill (265.4 cubic yards) resulting in a net cut-fill balance of 372.7 cubic yards. The proposed swale allows for sheet flow to occur in a northwest to southeast movement as historically has been the case as a result of evening out the grade where currently the existing pond has more steep topography. All cut and fill considered for floodwater carrying capacity is below the Base Flood Elevation (BFE). The HEC-RAS model for the site shows no increase in floodwaters on adjacent properties to the north & south.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)7	<p>Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.</p> <p><i>Staff Comments</i> The wetland plantings will be beneficial to water quality and aquatic life. No work is proposed within the floodway or stream. No downstream impacts or across stream impacts will be associated with the approved landscape plan.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)8	<p>Building setback in excess of the minimum required along waterways is encouraged. An additional ten-foot building setback beyond the required 25-foot riparian zone is encouraged to provide for yards, decks and patios outside the 25-foot riparian zone.</p>

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
			<i>Staff Comments</i>	<i>The proposed residence is setback from the riparian zone over 200'.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)9	<p>The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the flood protection elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section 17.88.060, figures 1 and 2 of this chapter to reference construction details. See chapter 17.08 of this title for definition of "lowest floor."</p> <p>a. In the SFHA where base flood elevations (BFEs) have been determined, the FPE shall be 24 inches above the BFE for the subject property; 24 inches or two feet is the required freeboard in Ketchum City Limits.</p> <p>b. In the SFHA where no BFE has been established, the FPE shall be at least two feet above the highest adjacent grade.</p>
			<i>Staff Comments</i>	<i>The top of the lowest floor (finished floor) is elevated 24" above the Base Flood Elevation of 5766.95 as shown on Sheets A-400 & A-401. As the proposed elevation is located within the AE zone the top of the lowest floor is required to be 24" above the BFE.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)10	<p>The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.</p> <p>a. Compensatory storage shall be required for any fill placed within the floodplain.</p> <p>b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.</p>
			<i>Staff Comments</i>	<i>Backfill used around the foundation which provides a reasonable transition to existing grade is not considered as part of the compensatory storage requirement. The proposed cut on the site is 638.1 cubic yards while the proposed fill not associated with the residence is 265.4 cubic yards, resulting in a net cut-fill balance of 372.7 cubic yards. The proposed cut occurs around modified drainage channels and wetlands which are hydraulically connected to the Big Wood River.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)11	All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
			<i>Staff Comments</i>	<i>The proposed residence will be constructed with concrete slab on grade foundations designed by David Funk who is a licensed professional engineer within Idaho.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)1 2	Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot or less during the one percent annual chance event.
			<i>Staff Comments</i>	<i>Driveway is entirely outside of floodplain. Driveway complies with City of Ketchum street standards. The Fire & Streets Departments have both approved the proposed driveway design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)1 3	Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
			<i>Staff Comments</i>	<i>Landscaping is proposed on all areas of the property including around the proposed swale which will experience grading. The landscaping will conceal any cuts and fill which are required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 4	(Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 5	(Stream alteration.) No increase to the one percent annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 6	(Stream alteration.) The project has demonstrated no adverse impact or has demonstrated all impacts will be mitigated.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 7	(Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 8	(Stream alteration) Fish habitat is maintained or improved as a result of the work proposed.

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)19	(Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)20	(Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)21	(Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.
			<i>Staff Comments</i>	<i>Project site contains wetlands as delineated by Trent Stumph with Sawtooth Environmental. The proposed development will impact, permanently fill approximately 2,300 square feet of wetlands with proposed wetland mitigation of 29,000 square feet and wetland restoration of 11,000 square feet. Wetlands include species such as Black Cottonwood, Red-osier Dogwood, Quaking Aspen, and many other riparian grasses, shrubs and trees.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060.A.1	A. General Standards: In all areas of special flood hazard, the following standards are required: 1. Anchoring: a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).
			<i>Staff Comments</i>	<i>The proposed development is a single-family home that will be constructed on site and attached to a foundation designed by a professional engineer. Note 209 on Sheet S-111 indicates foundation has been designed to meet standards of this section. The new construction will be anchored to prevent flotation, collapse, or lateral movements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060.A.2	2. Construction Materials And Methods: a. All structural and nonstructural building materials utilized at or below the base flood elevation must be flood resistant. Flood damage resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood damage resistant materials are not used for building elements, those elements must be elevated above the base flood elevation. This requirement applies regardless of the expected or historical flood duration. b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage. c. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
			<i>Staff Comments</i>	A. <i>Proposed materials below the BFE as listed on Sheets G-002 & S-101 include reinforced concrete, ferrous metal, and steel panels with waterproof adhesives. All materials are acceptable per FEMA Technical Bulletin 2.</i> B. <i>This project consists of new construction. All floodplain development regulations required by Ketchum Municipal Code will be met.</i> C. <i>The mechanical room and all mechanical equipment are to be located above the BFE and outside of the SFHA. No HVAC or electrical panels will be located below the BFE. Any plumbing and electrical leading from mains to the residence will be watertight and located underground.</i>
			17.88.060.A.3	3. Utilities:

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;</p> <p>b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and</p> <p>c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.</p>
			Staff Comments	Water and sewer services into the residence will be located underground and built to required plumbing codes
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B.1	<p>1. All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures</p>
			Staff Comments	Proposed residence is within the AE zone, not the AO.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060.B.2. a	<p>2. Residential Construction:</p> <p>a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated a minimum of twenty four inches (24") above the base flood elevation.</p>
			Staff Comments	The top of the lowest floor (finished floor) will be elevated 24" above the Base Flood Elevation of 5766.95'. As the proposed elevation is located within the AE zone the top of the lowest floor is required to be 24" above the BFE. Sheets A-400 & A-401 show lowest floor elevated above BFE by at least 24".
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. b	<p>b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").</p>
			Staff Comments	N/A. Proposed residence is within the AE zone, not the AO
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.	<p>c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures</p>

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section):
			Staff Comments	<i>N/A. No enclosed areas below the lowest floor are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(1)	(1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters.
			Staff Comments	<i>N/A. No enclosed areas below the lowest floor are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(2)	(2) The bottom of each flood vent opening shall be no higher than one foot (1') above the lowest adjacent exterior grade.
			Staff Comments	<i>N/A. No enclosed areas below the lowest floor are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(3)	(3) Engineered flood vents are required.
			Staff Comments	<i>N/A. No enclosed areas below the lowest floor are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(4)	(4) Portions of the building below the base flood elevation shall be constructed with material resistant to flood damage.
			Staff Comments	<i>N/A. No enclosed areas below the lowest floor are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(5)	(5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) below the base flood elevation shall not be more than two feet (2') below the lowest adjacent exterior grade.
			Staff Comments	<i>N/A. No crawlspace proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(5)	6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
			Staff Comments	<i>N/A. No crawlspace proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B2. c.(5)	(7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
			Staff Comments	<i>N/A. No crawlspace proposed.</i>
			17.88.060.B2. c.(6)	(8) The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
			Staff Comments	<i>N/A. No crawlspace proposed.</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 Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Floodplain Development Permit application for the development and use of the project site.
2. The Commission has authority to hear the applicant’s Floodplain Development Permit Application pursuant to Chapter 17.88 of Ketchum Municipal Code Title 17.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §17.88.050.D.2.b.
4. The Floodplain Development Permit application is governed under Ketchum Municipal Code Chapters 17.88.
5. The 450 Wood River Floodplain Development Permit Application File No. P23-111 meets all applicable standards specified in Title 17 of Ketchum Municipal Code, as more fully described in the Findings of Fact above.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Floodplain Development Permit Application File No. P23-111 this Tuesday, June 11, 2024, subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This approval is subject to the scope of work described in the documents shown in Attachment C.

2. Any modification to approved plans as referenced in this approval shall be subject to a written amendment to this permit approval. If construction or improvements differ from the approved plans, such work may be subject to removal at the applicants expense.
3. Follow up site visits to ensure compliance with the approved Landscaping Plan, L-4.00 dated 4/15/2024, are required for the three (3) years following the initial site visit that occurs in conjunction with issuance of the Certificate of Occupancy.
 - a. If, upon an annual inspection, 80% or fewer of the plants indicated on Landscape Plan L-4.00 dated 4/15/2024 have not survived, the property owner shall re-install new plantings.
4. The Administrator shall conduct site inspections of work in progress. The Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the terms of this permit, approved plans, and KMC 17.88. In exercising this power, the Administrator has a right, upon presentation of proper credentials, to enter the property at any reasonable hour for the purposes of inspection or other enforcement action.
5. Floodplain Development Permit approval shall expire one (1) year from the date of signing of approved Findings of Fact per the terms of KMC, Section 17.88.050.G, Terms of Approval, if construction has not commenced. Once a building permit has been issued, the approval shall be valid for the duration of the building permit.
6. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high-water mark on any property within the city limits at any time (KMC 17.88.040.C.3);
7. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates (KMC 17.88.040.C.4);
8. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the City Arborist (KMC 17.88.040.C.5);
9. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.
10. Prior to issuance of a building permit for the proposed residence, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector.
11. A building under-construction Elevation Certificate (FEMA FORM 86-0-33) shall be submitted within seven calendar days upon completion of the foundation and lowest floor.
12. A final, as built finished construction Elevation Certificate (FEMA Form 86-0-33) with supporting documentation such as an as-built survey of the project produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be submitted prior to issuance of Certificate of Occupancy. Deficiencies detected by such documentation shall be corrected by the permit holder immediately and prior to certificate of occupancy issuance. In some instances, another

certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a certificate of occupancy.

13. The finished construction elevation certificate certifier shall provide at least two photographs showing the front and rear of the building taken within 90 days after the date of certification. The photographs must be taken with views confirming the building description and elevation locations identified on the approved plans. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents if applicable. All photographs must be in color and measure at least three inches by three inches. Digital photographs are acceptable.
14. Regional drainage swales shall be kept clear of any obstructions at all times to allow for drainage to move through the subject property as intended.
15. The realigned and reconfigured ponds and drainage channels as approved by this floodplain development permit shall be considered the ponds and drainage channels, and corresponding drainage easements, identified by plat note #4 of Mary's Place Subdivision.
16. Notarized authorization of the property owners of record for 430 and 440 Wood River Dr for proposed off-site improvements is required to be submitted with the building permit application for the development approved with this Floodplain Development Permit. If at any time during the construction period staff is notified that the authorization of work has been rescinded, construction shall cease immediately until resolution with the adjacent property owner is found or revised development plans are submitted to the City for review and approval that do not require adjacent property owner consent.

Administrative Appeal Notice: Applicant has the opportunity, pursuant to Ketchum City Code 17.20.030(F) and 17.144, to administratively appeal this Decision to the City Council.

Regulatory Taking Analysis Notice: Applicant has the opportunity, pursuant to Idaho Code 67-8003, to submit a written request for a regulatory taking analysis of this Decision.

Findings of Fact **adopted** this 11th day of June 2024.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission