



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF SEPTEMBER 9, 2019

PROJECT: 220 Lava Street Single-Family Residence

FILE NUMBER: P19-085

APPLICATION TYPE: Mountain Overlay Design Review

REPRESENTATIVE: McLaughlin & Associates Architects

OWNER: George and Leslie Biddle (220 Lava Street LLC per Blaine County Assessor's Office Data as of 9/3/19)

REQUEST: Mountain Overlay Design Review

LOCATION: 220 Lava Street (Lava Street Subdivision: Block 1: Lot 1A)

ZONING: Limited Residential (LR)

OVERLAY: Mountain Overlay (MO) & Avalanche Overlay (A)

NOTICE: A public hearing notice was mailed to adjacent property owners on August 30th, 2019.

REVIEWER: Abby Rivin, Associate Planner

BACKGROUND

The subject Mountain Overlay (MO) Design Review is for the development of a new 8,982 sq ft single-family residence located at 220 Lava Street (Lava Street Subdivision: Block 1: Lot 1A). The site is located in the Limited Residential (LR) Zoning District and also within both the Mountain Overlay and Avalanche Overlay. The subject 9.83 acre property is currently undeveloped and is characterized by significant grade change from Lava Street to the rear property line. The recorded building envelope slopes uphill gaining approximately 65 ft of elevation.

Pursuant to Ketchum Municipal Code (KMC) §17.104.050.A, the construction or placement of structures within the MO District is subject to all applicable Design Review improvements and standards (KMC §17.96.060) as well as subject to the Mountain Overlay Design Review requirements set forth in KMC §17.104.070. Building in the Avalanche Zone must meet the standards and comply with certain



restrictions specified in KMC §17.92.010. Prior to issuance of a Building Permit, new construction in the Avalanche Zone must be certified by an engineer licensed in the State of Idaho certifying that the proposed construction as designed will withstand the avalanche forces specific to the subject site (KMC §17.02.010.D.3). The applicant has submitted an avalanche evaluation for the subject property, which has been attached as Exhibit A4 to the Staff Report.

At the June 10th, 2019 meeting, the Planning & Zoning Commission held a site visit and considered the Pre-Application Mountain Overlay Design Review submittal as well as Staff analysis, the applicant's presentation, and public comment. After providing feedback to the applicant, the Commission unanimously moved to advance the project to final Design Review.

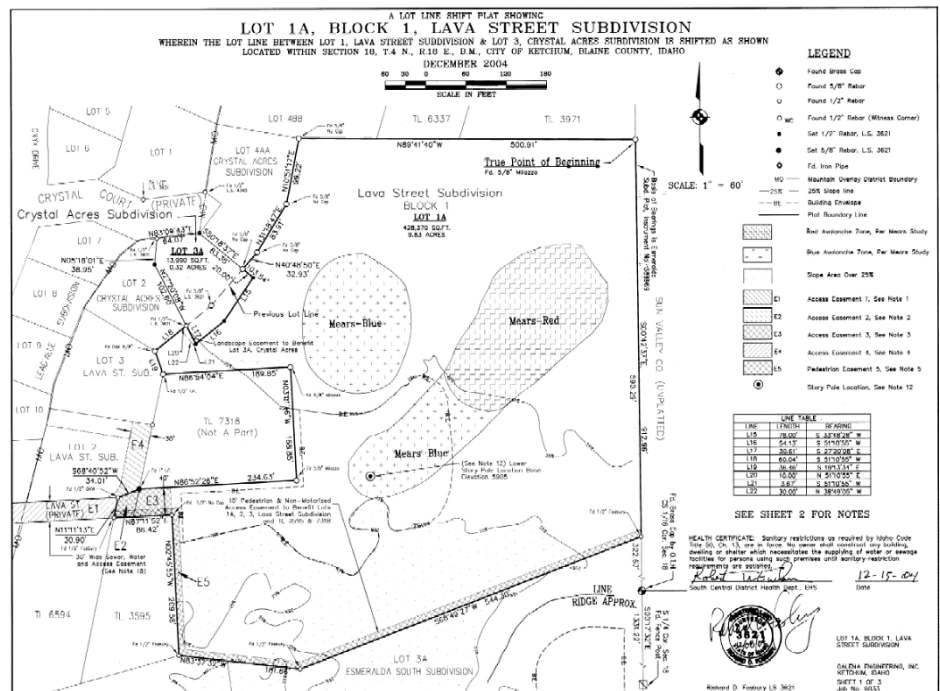
The Staff Report provides an overview of the project and highlights specific issues and standards for review and consideration by the Planning & Zoning Commission. Staff analysis of the proposed single-family residence in relation to LR Dimensional Standards (KMC §17.12.030), Mountain Overlay Design Review Criteria and Standards (KMC §17.104.070), and Design Review Improvements and Standards (KMC §17.96.060) as well as City Department comments and conditions are attached as Exhibit B.

ANALYSIS

In addition to the Mountain Overlay design criteria and standards as specified Ketchum Municipal Code §17.104.070, development on the property is also subject to plat notes with additional parameters pertaining to the placement of structures on the site. Staff recommends that the Planning & Zoning Commission review the *Lava Street Subdivision: Block 1: Lot 1A* plat and associated plat notes included as Exhibit C1 to the Staff Report.

Lava Street Subdivision: Block 1: Lot 1A Plat Note Analysis

Plat notes affecting the subject property include easements for ingress, egress, and utilities (plat notes #1-#6 and #18). Descriptions regarding the red and blue avalanche zones present on the site are included in plat notes #8 and #11. Plat notes #10 and #17 highlight City Department standards including Fire Department requirements regarding heating the driveway and providing a turnaround. Standards pertaining to site drainage are included in plat note #20. The following plat notes pertain to Mountain Overlay standards as well as the bulk, mass, and scale of development:



Staff Comment: No portion of the proposed single-family residence exceeds an elevation of 5921' except for portions of three chimneys. Pursuant to KMC §17.08.020, chimneys are excluded from maximum building height regulations. The applicant has included a reference to the 5921' elevation on the renderings included on Sheet A-4.1 as well as the building sections indicated on Sheets A-3.1 and A-3.2.

#13: In the event that any portion of the Lot 1A building is visible from the centerline intersection of East Avenue and Fourth Street landscaping shall be installed to minimize visibility pursuant to Ketchum Mountain Overlay Design Review.

Staff Comment: With the Pre-Application MO Design Review submittal, the applicant included a conceptual perspective from the intersection of 4th Street and East Avenue. The perspective image included landscaping with healthy green foliage, which serves to enhance screening. During review of the Pre-Application, the Commission commented that the proposed Swedish Aspens will not provide the same degree of screening during the fall and winter seasons when the trees lose their foliage. The Commission recommended installing Douglas Fir trees instead of Swedish Aspen to enhance screening the single-family residence on the hillside from this view corridor. As indicated on Sheet L2 of the MO Design Review submittal, the applicant modified the landscape plan and has proposed installing ten Evergreen trees to screen the building from the intersection of East Avenue and Fourth Street.



Figure 2: Pre-Application MO DR Submittal Conceptual Perspective (Sheet 8)

#14: The maximum building square footage for Lot 1A shall be no larger than 12,000 square feet. The maximum building footprint shall be no larger than 8,000 square feet.

Staff Comment: The total proposed floor area of the single-family residence is 8,982 sq ft, which is 3,018 sq ft less than the maximum building square footage permitted pursuant to Plat Note #14. The total proposed building coverage is 5,995 sq ft, which is 2,005 sq ft less than the maximum permitted pursuant to Plat Note #14.

#15: The maximum building height for any portion of Lot 1A not visible from the centerline intersection of East Avenue and Fourth Street shall not exceed 25 feet above existing grade, and/or elevation 5950 feet, at the highest point of the building envelope, or as determined by Ketchum Mountain Overlay Design Review.

Staff Comment: The proposed single-family residence is contained below the 5921' elevation as prescribed by Plat Note #12 and within the lower portion of the recorded building envelope. While the recorded building envelope extends to an elevation of 5925', the proposed limits of disturbance do not extend beyond 5910' in elevation.

#16: The Lot 1A building height for any portion of the building below 5921 feet shall be subject to Ketchum Mountain Overlay Design Review.

Staff Comment: As measured pursuant to KMC §17.08.020, the maximum building height of the proposed single-family residence is 31'-1". As indicated on Sheet A-4.1, the greatest vertical distance as measured from the lowest exposed finished grade at the garage (5889.89') to the roof ridge (5921') is 31'-1". While the 5921' elevation is referenced as a threshold maximum building height, the plat notes give the Planning & Zoning Commission discretion to further restrict building height through Mountain Overlay Design Review. Minimizing visual impact on the hillside through the use of natural materials and colors as well as the low-profile design, the proposed single-family residence exemplifies the intent of Mountain Overlay Design standards as the project complements the natural land features and preserves the hillside and ridgeline.

#19: Building materials and colors may be required to be natural to meet the standards of Ketchum Mountain Overlay Design Review.

Staff Comment: The proposed material palette is included on Sheet A-4.5 of the MO Design Review submittal. Exterior materials include a charcoal standing seam metal roof, stone veneer, exposed cedar rafter tails and beams, finished cedar vertical planking and soffits, wood clad windows, steel lift and slide glass doors, as well as transparent glass connectors. Providing relief to each façade, the proposed fenestration celebrates the surrounding hillside as the window, door, and connector openings fully immerse the building within the landscape. Balancing this openness, the stone veneer, cedar siding, and charcoal metal roof articulate the facades and ground the building within the hillside. The natural materials and colors harmonize with the surrounding landscape.

Analysis: Easements and Fire Department Requirements

Easements: Water Right No. 37-7787 and Grant of Irrigation Pipeline Easement

As indicated on Sheet L3.0 of the Pre-Application MO Design Review submittal, portions of the building and hardscape improvements were proposed to encroach outside of the recorded building envelope. Pursuant to KMC §16.04.020, building envelopes are defined as the site for location of a structure delineated on a preliminary plat and final plat within which the entire building must be constructed. The encroachment outside of the recorded building envelope was over a knoll, which serves as a point of diversion for a water collection and cistern system associated with water right no. 37-7787. With the final Design Review submittal (Sheet L2), the applicant has modified the design to contain the entirety of the residence and associated site improvements within the recorded building envelope. The Grading Plan (Sheet L3) specifies that the existing knoll/point of diversion will be preserved. While the knoll/point of diversion is proposed to be preserved, associated site grading may impact the flow of water into the existing cistern and pipeline system. In order to ensure that sufficient water quantity will continue to flow through the system, Staff has added the following recommended condition of approval:

12. The applicant shall preserve sufficient drainage on site in order to carry 0.14 cubic feet per second of water quantity from the existing point of diversion through the cistern system to benefit the holder

of water right #37-7787. The existing irrigation pipeline associated with the Grant of Irrigation Pipeline Easement (Instrument #47886) shall be protected throughout the duration of construction. Any damage to the existing irrigation pipeline associated with construction activity shall be repaired and replaced at the sole expense of the applicant.

Easements: Pedestrian Access

Existing Lot 1a is encumbered by a 10 ft wide pedestrian and non-motorized access easement for access through Lava Street Subdivision through to Sun Valley Company Land. The easement connects to an existing trail system that links to Dollar Mountain. The existing easement borders the southern property line. As indicated on Sheet L5 of the MO Design Review submittal, the applicant has proposed an alternative trail that meanders through this area of the property. Staff has added the following recommended condition of approval regarding the proposed trail:

13. Prior to issuance of a Building Permit, the applicant shall install a public access sign at the intersection of Lava Street with subject Lot 1A to demarcate the pedestrian easement. The trail circulation as proposed by the applicant on Sheet L5 of the Design Review submittal shall be cleared of brush, shrubs, and other obstructions to a width of 5 ft and a clear height of 8 ft. The trail's tread width shall be surfaced with gravel, decomposed gravel, wood chips, or similar material.

Fire Department Requirements

Fire Department comments have been included with Exhibit B1 to the Staff Report. In addition to the requirements referenced in plat note #17, the Fire Department requires that all portions of the single-family residence be protected with a fire sprinkler system, the driveway must be heated and include an emergency turnaround, the roof covering and exterior of the structure must be covered in non-combustible material, and 50 ft of defensible space is required to be maintained around the residence. In addition to the 50 ft defensible space requirement, KMC §17.104.070.A9 recommends that revegetation of hillsides maintain a 30 ft clear zone around all structures in order to serve as defensible space to reduce the potential for damage to homes from wildfires. In this zone, plant species should be low-growing and fire-resistant. The proposed landscape plan shall meet NFPA Firewise standards including utilizing hardscape to minimize continuous fuels, utilizing low-growing and fire-resistant plants, reducing plant density by spacing trees and shrubs, and minimizing overlapping branches between trees and shrubs.

RECOMMENDATION

Staff recommends that the Commission consider the analysis contained in the Staff Report, the applicant's presentation, and any public comment received, deliberate, and move to approve the 220 Lava Street Single-Family Residence Mountain Overlay Design Review subject to conditions as specified below.

RECOMMENDED CONDITIONS OF APPROVAL

1. The applicant shall comply with all City Department conditions in Exhibit B1 and all Planning & Zoning Conditions as specified in Exhibits B2, B3, and B4.
2. 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.
3. As the property is located within the Avalanche Zone, the project shall comply with all applicable standards specified in Chapter 17.92 Avalanche Zone District prior to issuance of a Building Permit for the project.
4. 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.

5. The applicant shall submit a Street and Alley Digging, Excavation, and Trenching ("DIG") Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. 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").
6. 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.
7. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
8. 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.
9. 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.
10. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.
11. The proposed retaining and site walls as indicated on Sheets L2 and L3 of the MO Design Review submittal shall not exceed 4 feet when located less than 30 ft from the front property line and shall not exceed 6 ft when located more 30 ft from the front property line.
12. The applicant shall preserve sufficient drainage on site in order to carry 0.14 cubic feet per second of water quantity from the existing point of diversion through the cistern system to benefit the holder of water right #37-7787. The existing irrigation pipeline associated with the Grant of Irrigation Pipeline Easement (Instrument #47886) shall be protected throughout the duration of construction. Any damage to the existing irrigation pipeline associated with construction activity shall be repaired and replaced at the sole expense of the applicant.
13. Prior to issuance of a Building Permit, the applicant shall install a public access sign at the intersection of Lava Street with subject Lot 1A to demarcate the pedestrian easement. The trail circulation as proposed by the applicant on Sheet L5 of the Design Review submittal shall be cleared of brush, shrubs, and other obstructions to a width of 5 ft and a clear height of 8 ft. The trail's tread width shall be surfaced with gravel, decomposed gravel, wood chips, or similar material.

Exhibits:

- A. Mountain Overlay Design Review Applicant Submittal
 1. Application
 2. Mountain Overlay Design Review Submittal Drawings & Renderings
 3. Conceptual Perspective from Intersection (4th St & East Ave)
 4. Mountain Overlay District (MOD) and Design Review Ordinance/Regulations Narrative
 5. Xcell Engineering Avalanche Evaluation
- B. Staff Analysis
 1. City Department Comments
 2. Zoning and Dimensional Standard Analysis
 3. Mountain Overlay Design Review Standards
 4. Design Review Standards
 5. Comprehensive Plan Analysis
- C. Reference
 1. Lava Street Subdivision: Block 1: Lot 1A Plat
 2. Chapter 17.92 Avalanche Zone District of Ketchum Municipal Code Title 17

Exhibit A:

Mountain Overlay Design
Review Applicant Submittal

Exhibit A1:
Mountain Overlay
Design Review
Application



City of Ketchum
Planning & Building

CERTIFIED
COMPLETE
8-5-19
mp

OFFICIAL USE ONLY	
File Number	P19-085
Date	8-5-19
By	mp
Fee Paid	
Amount	1400 -
Denied Date	
By	X

Mountain Overlay Design Review Application

OWNER INFORMATION			
Project Name: Biddle - Lava Street Residence			
Owner Name: Leslie and George Biddle			
Mailing Address: 131 E 95th St., New York, NY 10128			
Phone: (917) 968-8540			
Email: gcbiddle@gmail.com			
PROJECT INFORMATION			
Architect/Representative: Jim McLaughlin, McLaughlin and Associates			
Phone: 208-726-9392			
Mailing Address: PO Box 479, Sun Valley, ID 83353			
Email: jim@mclaughlinarchitects.com			
Engineer of Record: Galena Engineering, Inc.			
Engineer Email: sflynn@galena-engineering.com			
Legal Land Description: Lot 1A, Block 1, Lava Street Subdivision			
Project Address: 220 Lava Street			
Lot Area: 428,370 square feet (9.83 acres)			
Zoning District: LR			
Anticipated Use: Private Residence			
Number of Residential Units: One			
TYPE OF CONSTRUCTION			
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Remodel	<input type="checkbox"/> Addition	<input type="checkbox"/> Other, please explain:
TOTAL FLOOR AREA			
Proposed		Existing	
Basement:			
1 st Floor: 2,987 sq.ft.			
2 nd Floor: 5,995 sq.ft.			
3 rd Floor:			
Decks:			
Mezzanine:			
Total: 8,982 sq.ft.			
Building Coverage: 5,995 SF .014 %		Curb Cut: SF %	
PROPOSED SETBACKS			
Front:	Side:	Side:	Rear:
ADDITIONAL INFORMATION			
Building Height: 25' from existing grade		Parking Spaces Provided: 7	
Will Fill or Excavation Be Required? <u>Yes</u> No			
If Yes, Amount in Cubic Yards Fill:		Excavation: 3,000 +/- sq.ft.	
Will Existing Trees or Vegetation Be Removed? Yes <u>No</u>			

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

Signature of Owner/Representative

Date

Exhibit A2:
Mountain Overlay
Design Review
Submittal Drawings &
Renderings

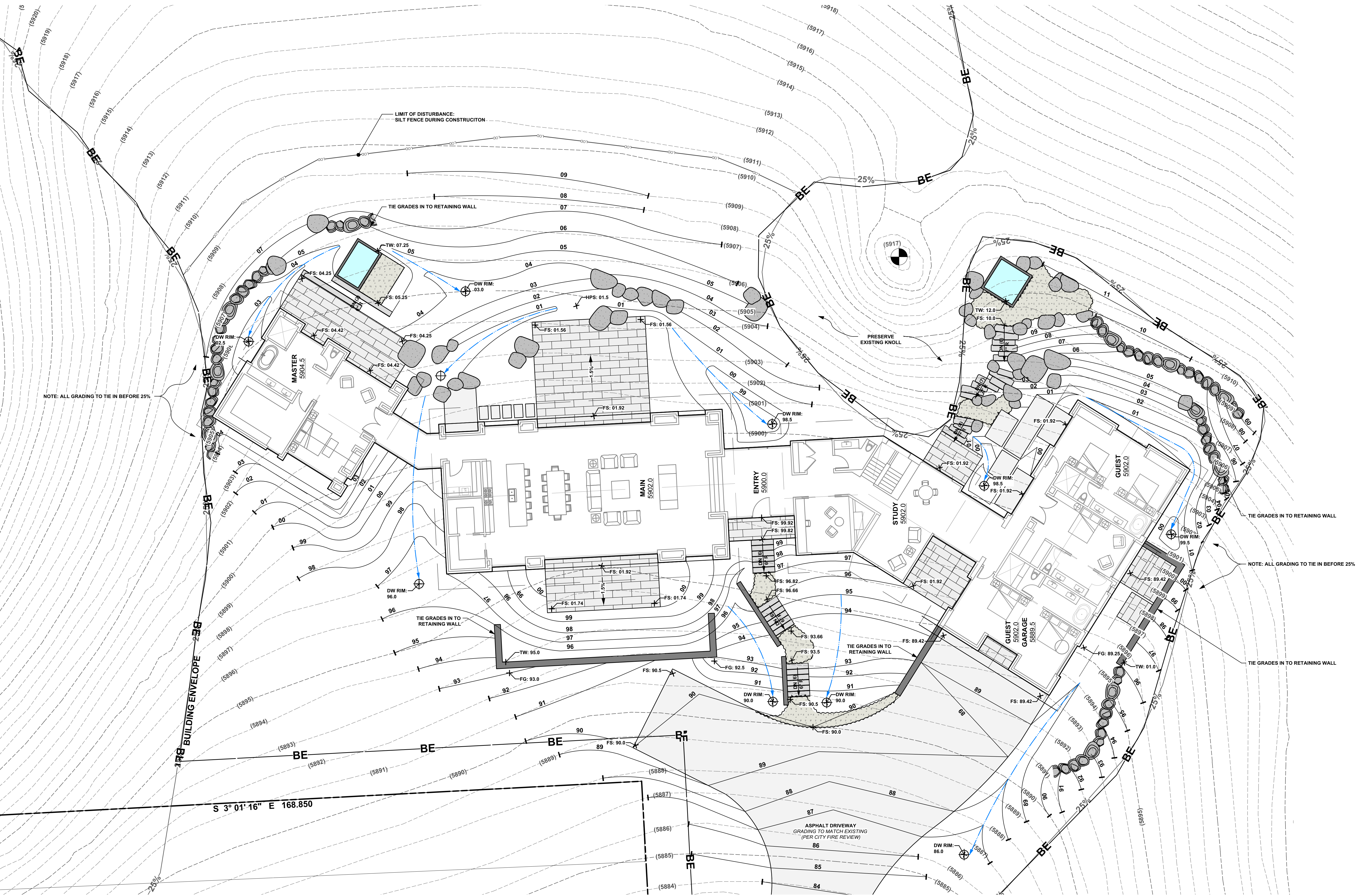




SHEET LEGEND	
SYMBOL	DESCRIPTION
	Property Line
	Building Envelope
	25% Slope
	Limit of Disturbance
	Existing Contours
	Proposed Contours
	Existing Vegetation
	Proposed Vegetation
	Surface Material - Gravel
	Hardscape - Concrete
	Hardscape - Cut Stone Pavers
	Hardscape - Stone Steps
	Landscape - Native Revegetation
	Landscape - Irrigated Area
	Site Wall
	Boulder Retaining Wall
	Landscape Boulder

SNOW STORAGE CALCULATIONS	
	SNOW STORAGE
PROPOSED DRIVEWAY SQ. FT.	7370 SF
PROPOSED DRIVEWAY MATERIAL.....	ASPHALT
SNOW MELT.....	YES
TOTAL SNOW STORAGE DEPICTED.....	2300 SF
CALCULATION: 2300 / 7370 = 31% (THESE CALCULATIONS ARE IN COMPLIANCE WITH KMC §17.96.060.H)	

PLANT SCHEDULE					
TREES					
SYMB.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	SPACING
CD	21	10' B&B	<i>Crataegus douglasii</i>	Russian Hawthorn	PER PLAN
PMT	7	12" B&B	<i>Pinus mugo 'Tannenbaum'</i>	Tannenbaum Pine	PER PLAN
PMT-1	3	8" B&B	<i>Pinus mugo 'Tannenbaum'</i>	Tannenbaum Pine	PER PLAN
PT	17	3" cal	<i>Populus tremuloides</i>	Quaking Aspen	PER PLAN
SHRUBS					
SYMB.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	SPACING
RA	13	5 Gal.	<i>Ribes alpinum</i>	Alpine Currant	3 ft.
SA	87	5 GAL.	<i>Symphoricarpos albus</i>	Snowberry	3 ft.
SB	50	6" B&B	<i>Salix bebbiana</i>	Bebb's Willow	6 ft.
PERENNIALS					
SYMB.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	SPACING
PERENNIAL GRASSES					
SYMB.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	SPACING



SHEET LEGEND	
SYMBOL	DESCRIPTION
	Property Line
	Building Envelope
	25% Slope
	Limit of Disturbance
	Existing Contours
	Proposed Contours
	Surface Material - Gravel
	Hardscape - Concrete
	Hardscape - Cut Stone Pavers
	Hardscape - Stone Steps
	Site Wall
	Boulder Retaining Wall
	Landscape Boulder

GRADING + DRAINAGE LEGEND	
SYMBOL	DESCRIPTION
	12" Catch Basin: #
	12" Drywell: #
	4" / 6" Solid SDR-35 Drain Pipe
	4" Perforated Drain Pipe
	% Pitch
	Flow Direction
	Flush Grade Condition
	Finished Grade
	Finished Surface
	Top of Wall
	Low Point
	High Point

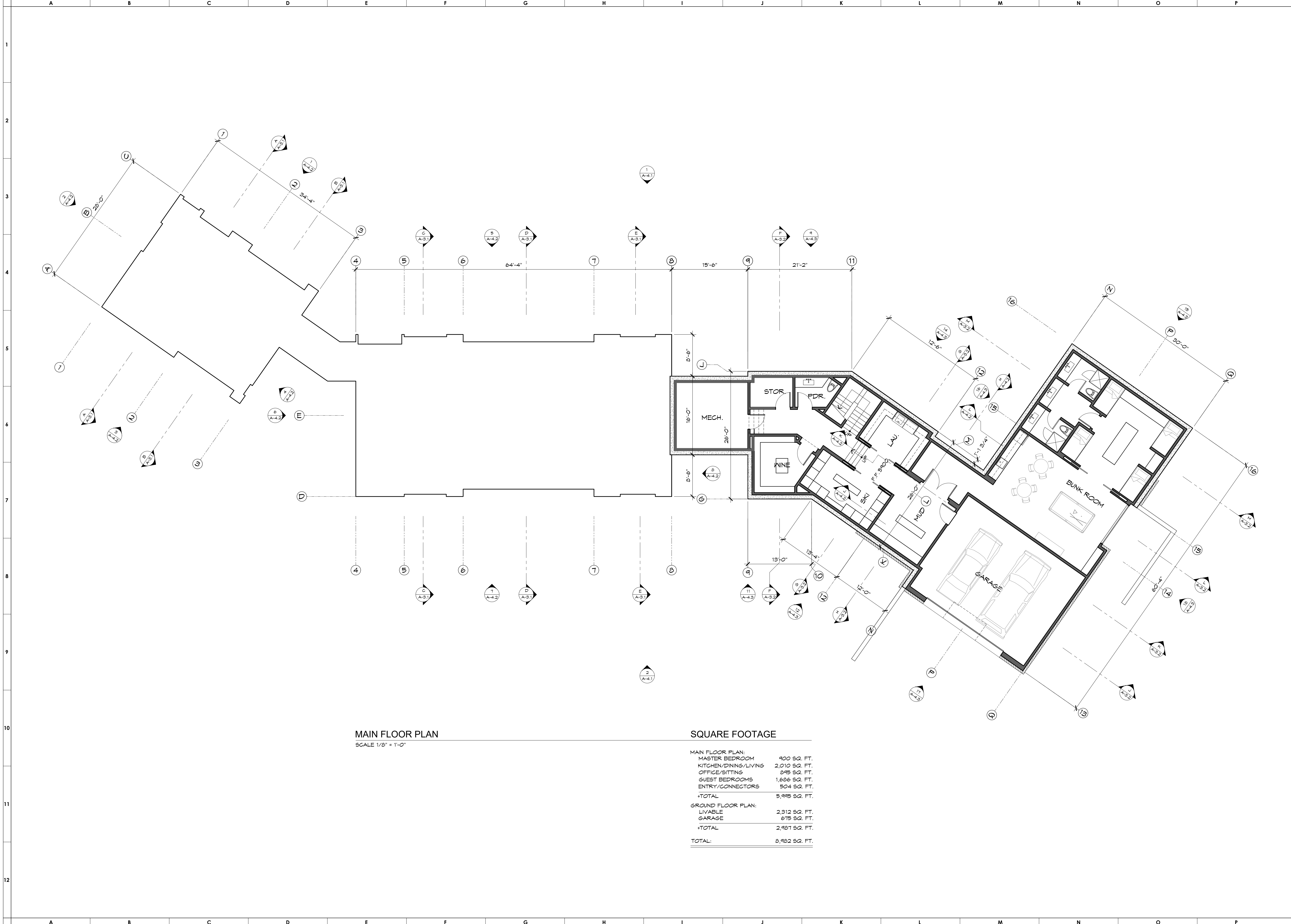


SHEET LEGEND	
SYMBOL	DESCRIPTION
---	Property Line
BE	Building Envelope
25%	25% Slope
LOD	Limit of Disturbance
(5889)	Existing Contours
(5990)	Existing Contours
Hatched Area	Construction Access

CONSTRUCRTION MNGMT LEGEND	
SYMBOL	DESCRIPTION
1	Job Trailers
2	Dumpster
3	Blue Room
4	Staging Areas



SHEET LEGEND	
SYMBOL	DESCRIPTION
---	Property Line
BE	Building Envelope
25%	25% Slope
LOD	Limit of Disturbance
(5989)	Existing Contours
(5990)	Existing Contours
---	Existing Trail Circulation
---	Proposed Trail Circulation



Plotted:

Revisions:

Rev	Description	Date
1		

McLaughlin & Associates Architects

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100 South Leadville Ave. 3rd Floor
San Jose, CA 95128
Tel: 408.276.9392
www.mclaughlinarchitects.com

Project Issue Date:

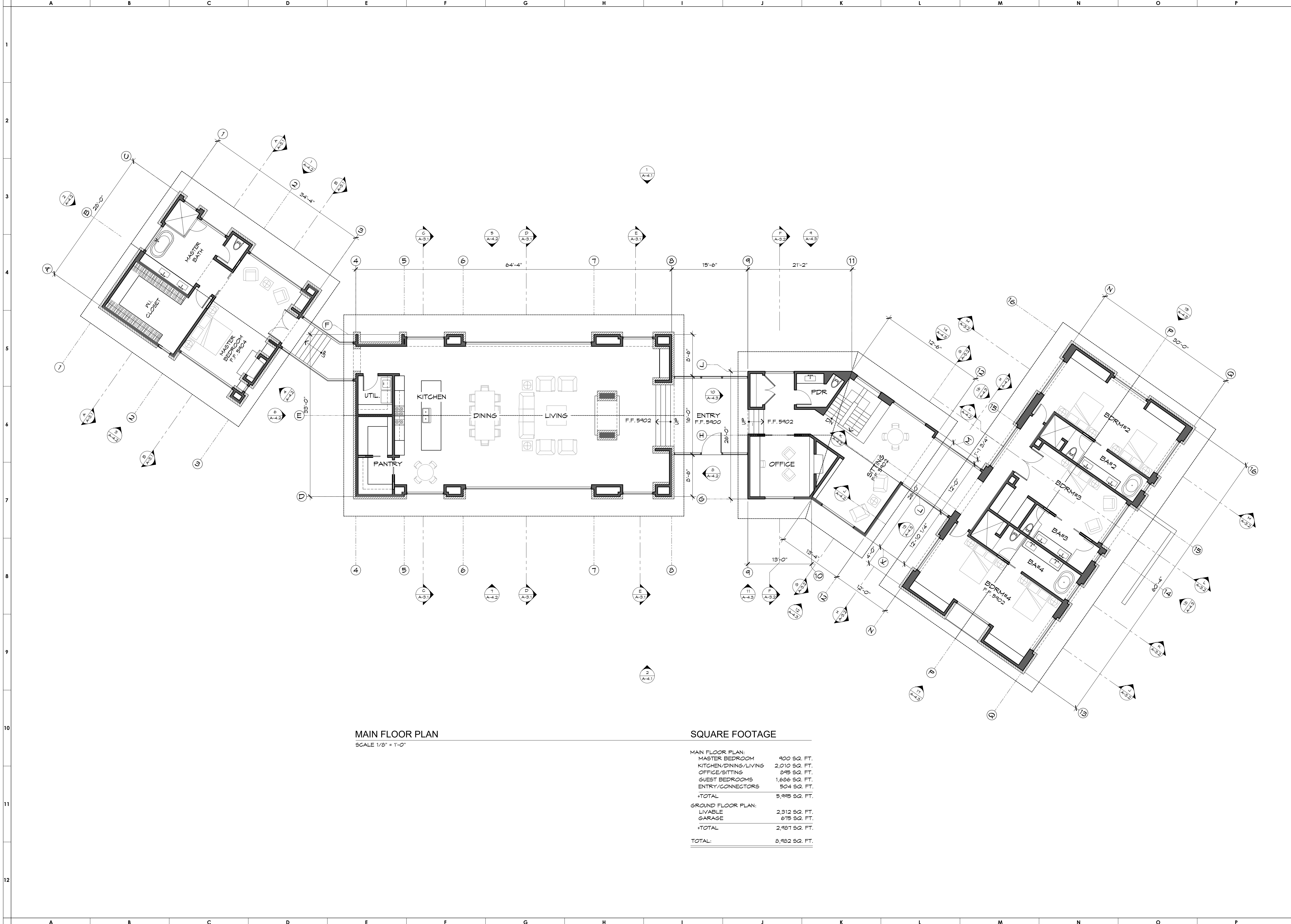
8/26/2019

DESIGN REVIEW

A-1.1

Biddle - Lava Street Residence

LOCATION: Lot 1A, BLOCK 1, Lava Street Subdivision
Address: 220 Lava Street, Ketchum, ID 83340
Parcel # 8PK047300001A
JOB #: 0385.17



MAIN FLOOR PLAN
SCALE 1/8" = 1'-0"

SQUARE FOOTAGE

MAIN FLOOR PLAN:	
MASTER BEDROOM	900 SQ. FT.
KITCHEN/DINING/LIVING	2,010 SQ. FT.
OFFICE/SITTING	895 SQ. FT.
GUEST BEDROOMS	1,888 SQ. FT.
ENTRY/CONNECTORS	504 SQ. FT.
+TOTAL	5,995 SQ. FT.
GROUND FLOOR PLAN:	
LIVABLE	2,312 SQ. FT.
GARAGE	675 SQ. FT.
+TOTAL	2,987 SQ. FT.
TOTAL:	8,982 SQ. FT.

Plotted:

Revisions:

McLaughlin & Associates Architects
Chartered, AIA

Project Issue Date:
8/26/2019
DESIGN REVIEW

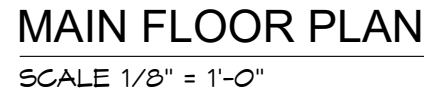
SCHEMATIC
A-1.2

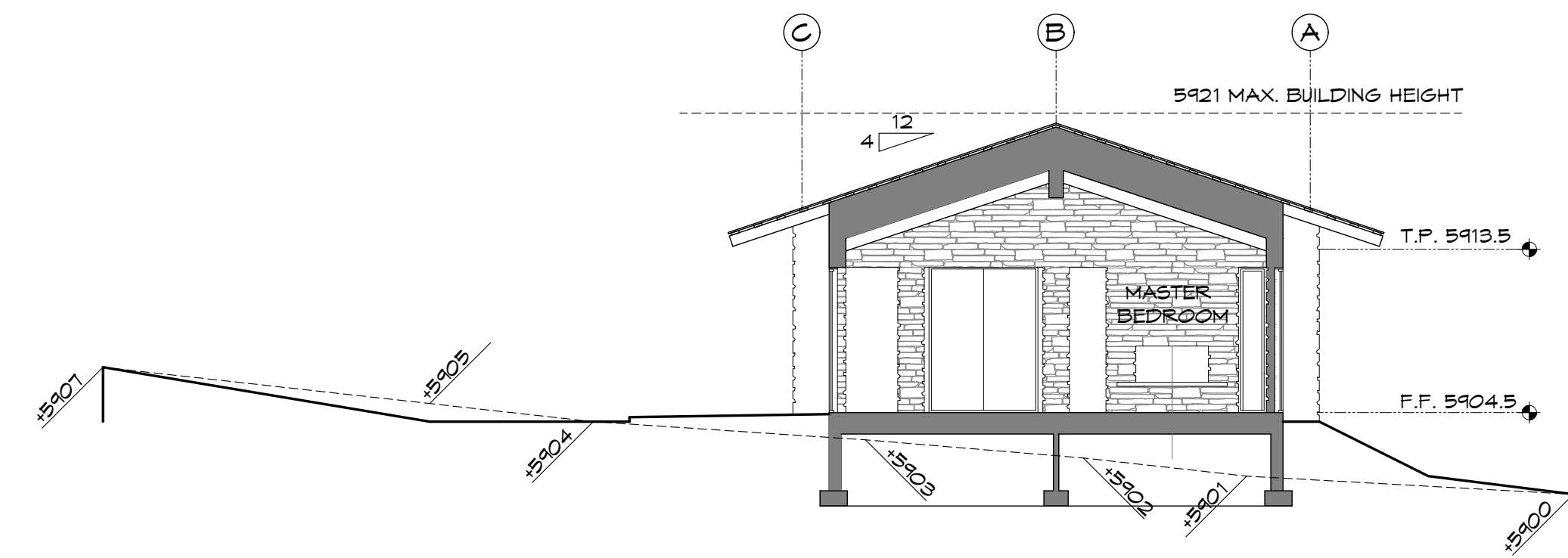
LOCATION: Lot 1A, BLOCK 1, Lava Street Subdivision
Address: 220 Lava Street, Ketchum, ID 83340
Parcel # 8P0047300001A
JOB #: 0385.17

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Chartered, AIA

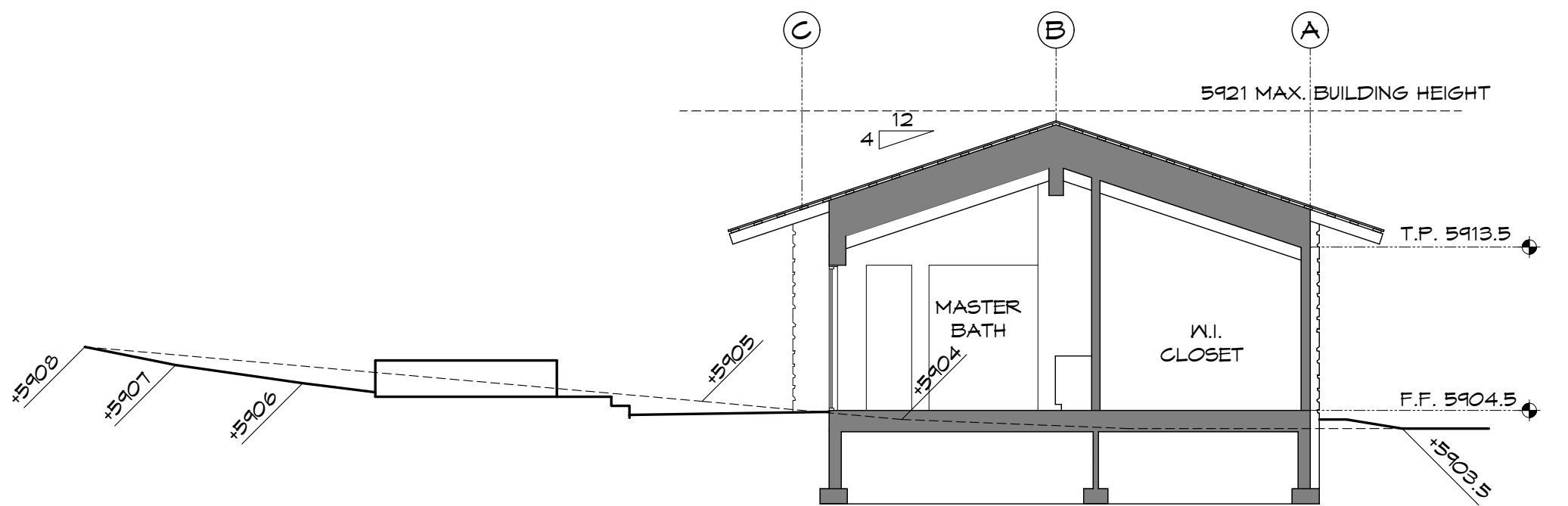
Telephone: 208.726.9392
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Shipping: 100 South Leadville Ave. 3rd floor
Ketchum, ID 83340

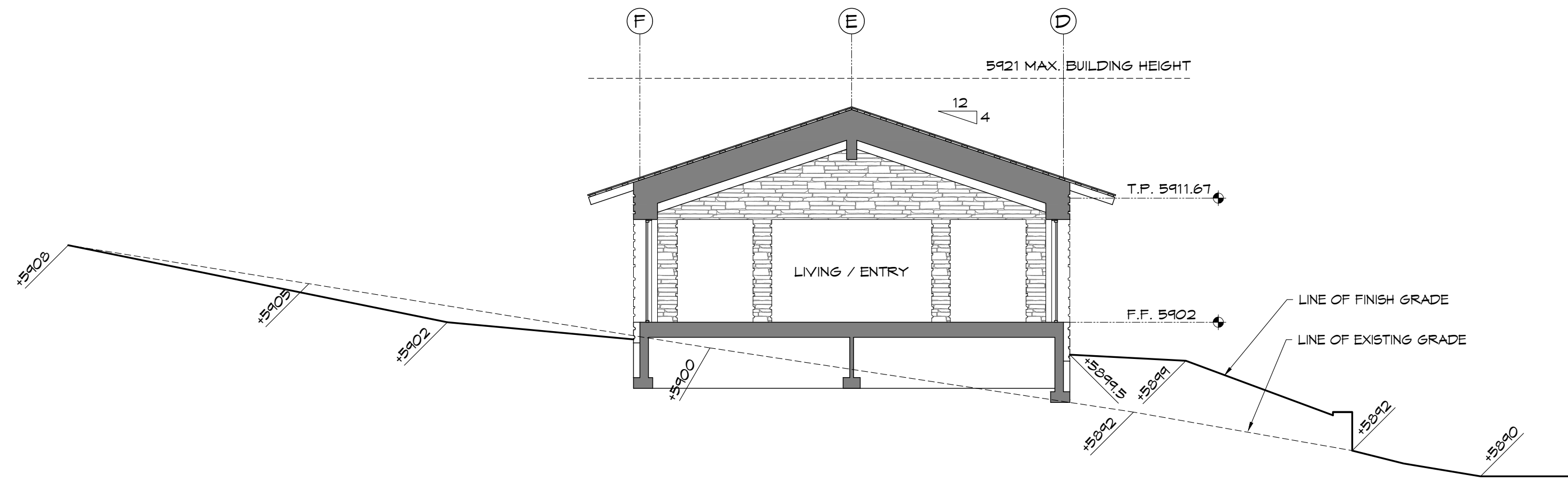




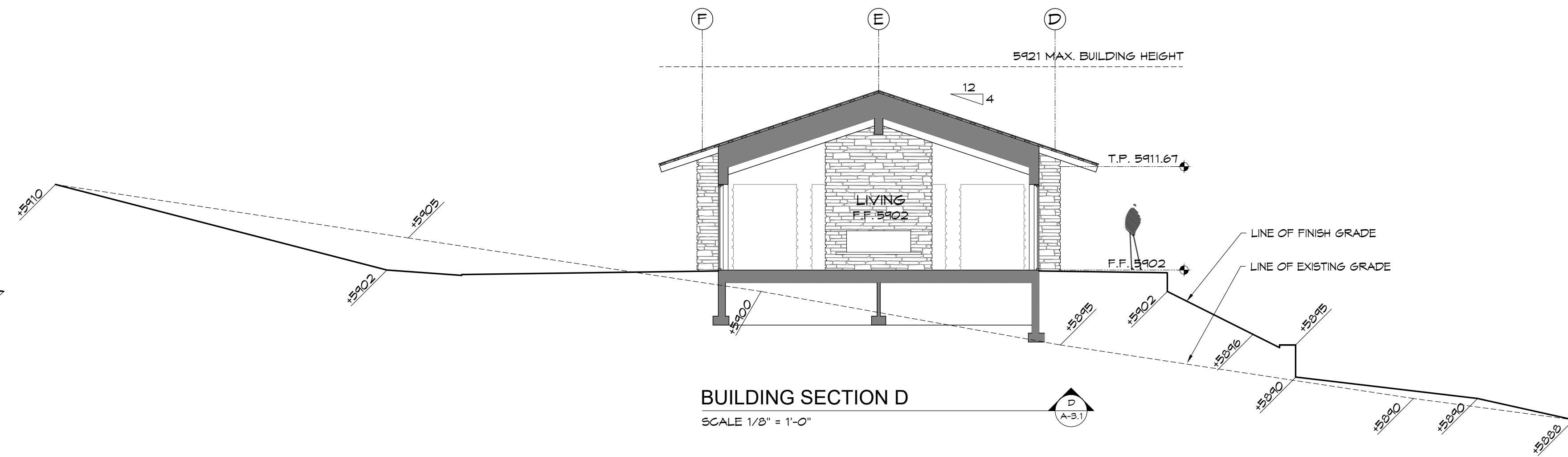
BUILDING SECTION B
SCALE 1/8" = 1'-0"



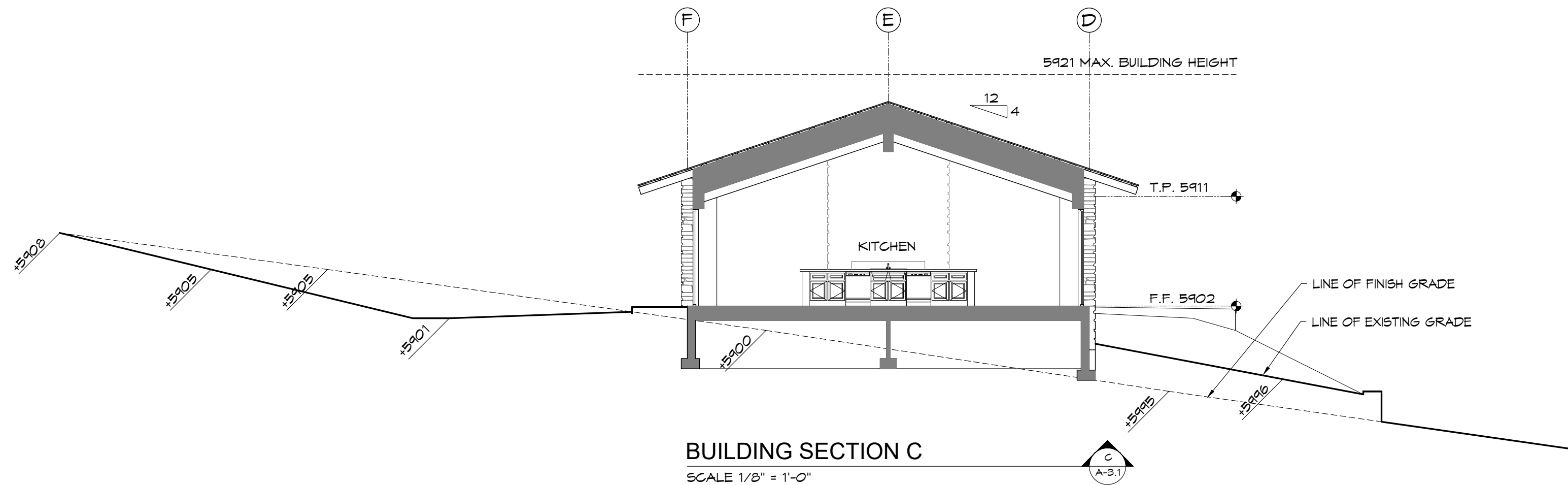
BUILDING SECTION A
SCALE 1/8" = 1'-0"



BUILDING SECTION E
SCALE 1/8" = 1'-0"



BUILDING SECTION D
SCALE 1/8" = 1'-0"



BUILDING SECTION C
SCALE 1/8" = 1'-0"

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Chartered, AIA

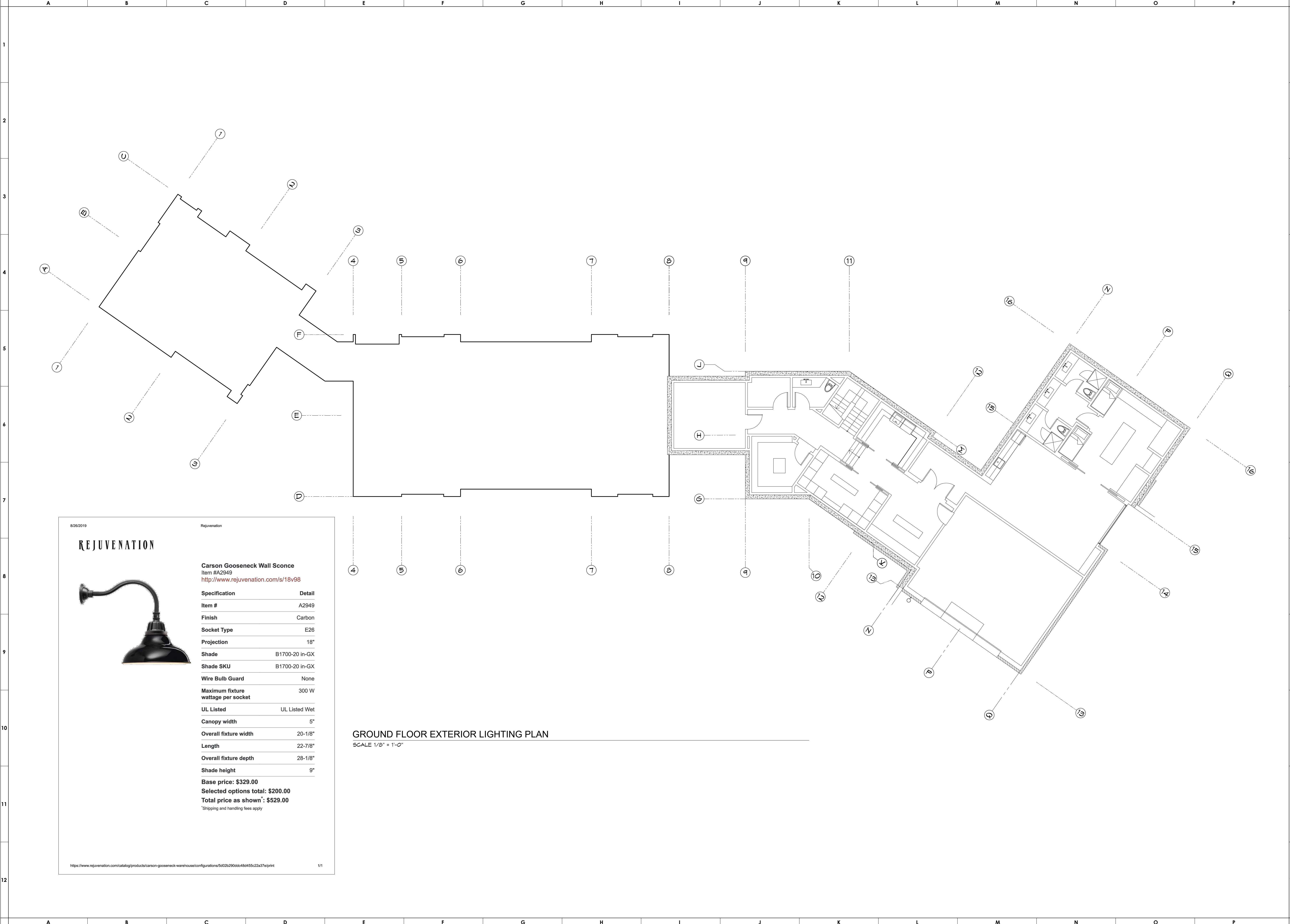
Project Issue Date:
8/26/2019
DESIGN REVIEW

LOCATION: Lot 1A, BLOCK 1, Lava Street Subdivision
Address: 220 Lava Street, Ketchum, ID 83340
Parcel # 8PK04730001A
JOB #: 0385.17

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Email: info@mcclarchitects.com
www.mcclarchitects.com

Shipping: 100 South Leadville Ave. 3rd floor
Ketchum, ID 83340

A-3.1



PLOTTED:

REVISIONS:

#	Description	Date
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McLaughlin & Associates Architects

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San Jose, CA 95128

San Jose, CA 95128

Telephone: 202.724.9392

Cell: 408.298.1111

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Project Issue Date:

8/26/2019

DESIGN REVIEW

E-1.1

McLaughlin & Associates Architects

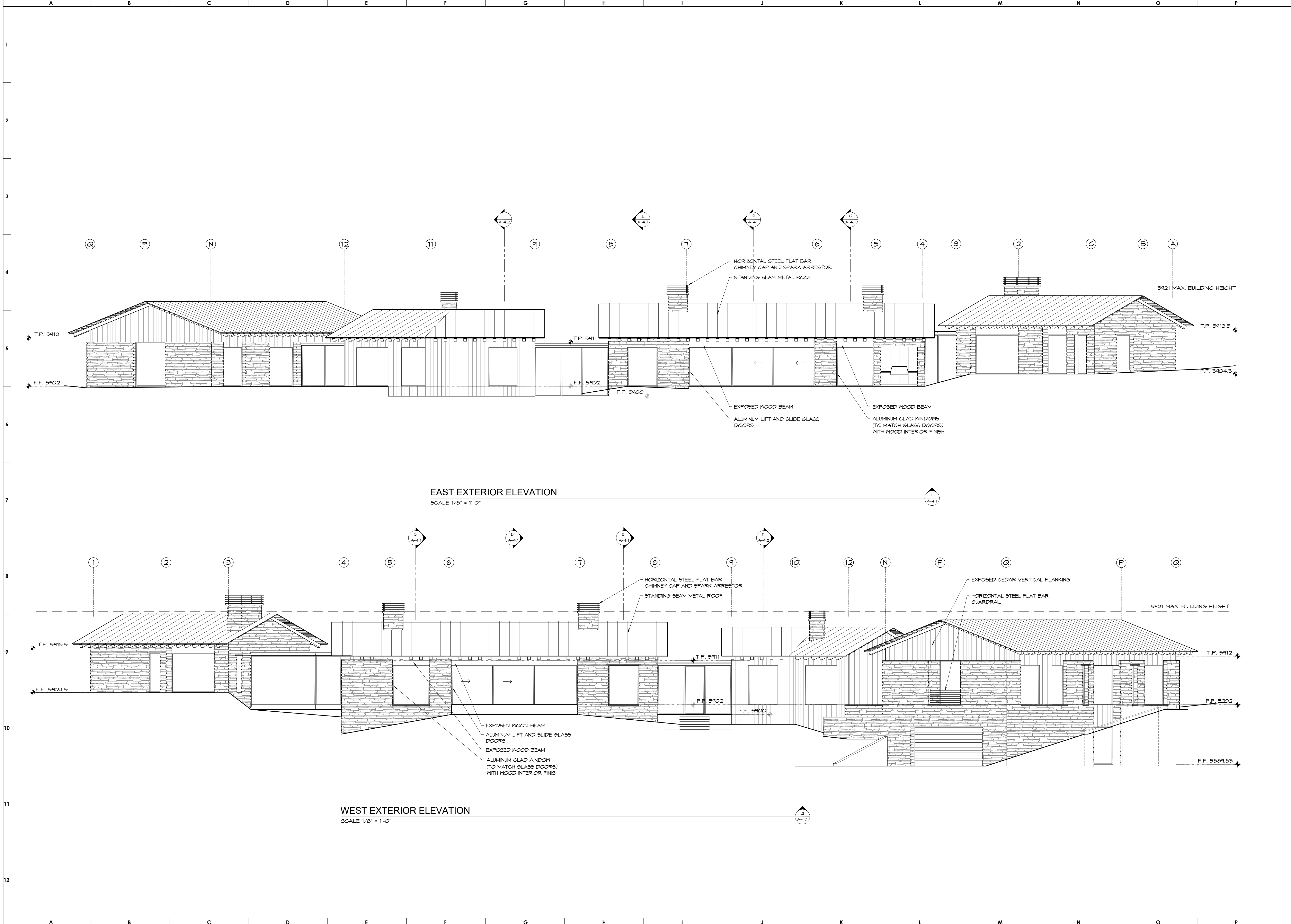
Chartered, AIA

LOCATION: Lot 1A, BLOCK 1, Lava Street Subdivision

Address: 220 Lava Street, Ketchum, ID 83340

Parcel # 8P0047300001A

JOB #: 0385.17



Plotted:

Revisions:

McLaughlin & Associates Architects

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Phone: 360.726.9392
www.mclaughlinarchitects.com

Project Issue Date:

8/26/2019

Design/Review

A-4.1

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Silverdale, WA 98283
Phone: 360.726.9392
www.mclaughlinarchitects.com

Project Issue Date:

8/26/2019

Design/Review

A-4.1

LOCATION: Lot 1A, Block 1, Lava Street Subdivision

Address: 220 Lava Street, Ketchikan, ID 83340

Parcel # 8P0047300001A

JOB #: 0385.17

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Chartered, AIA

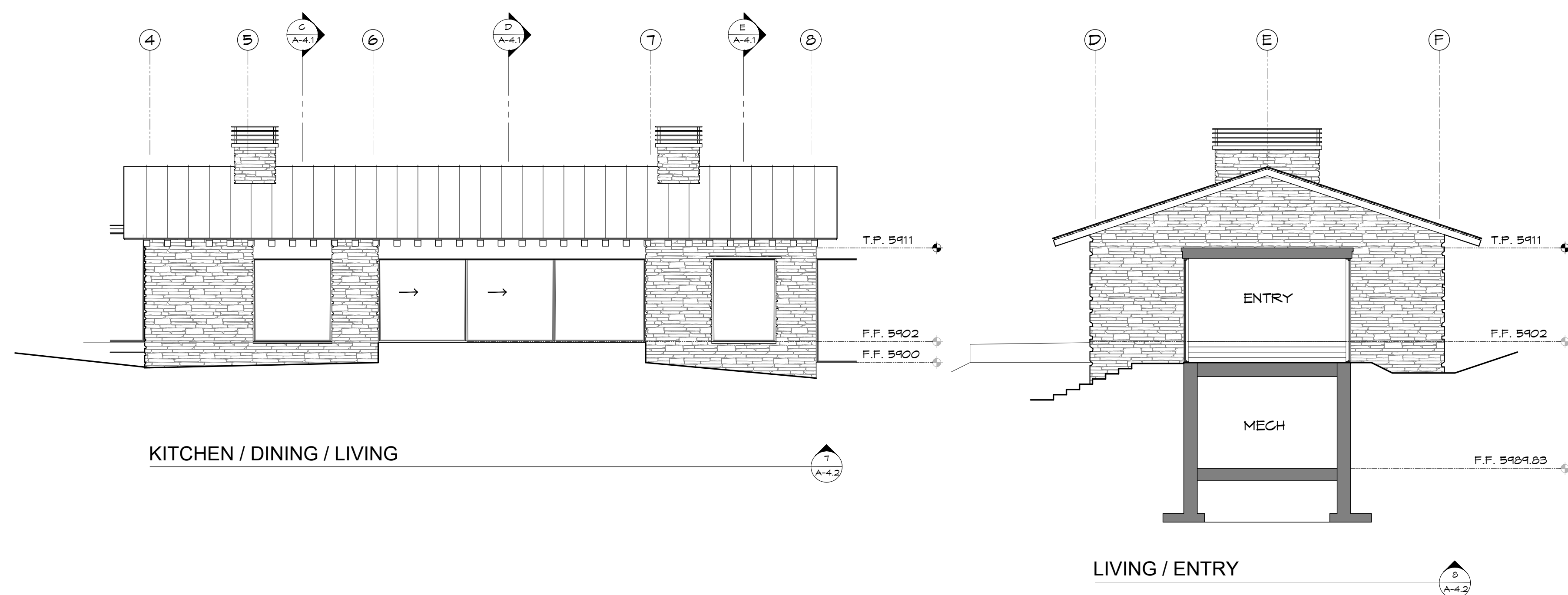
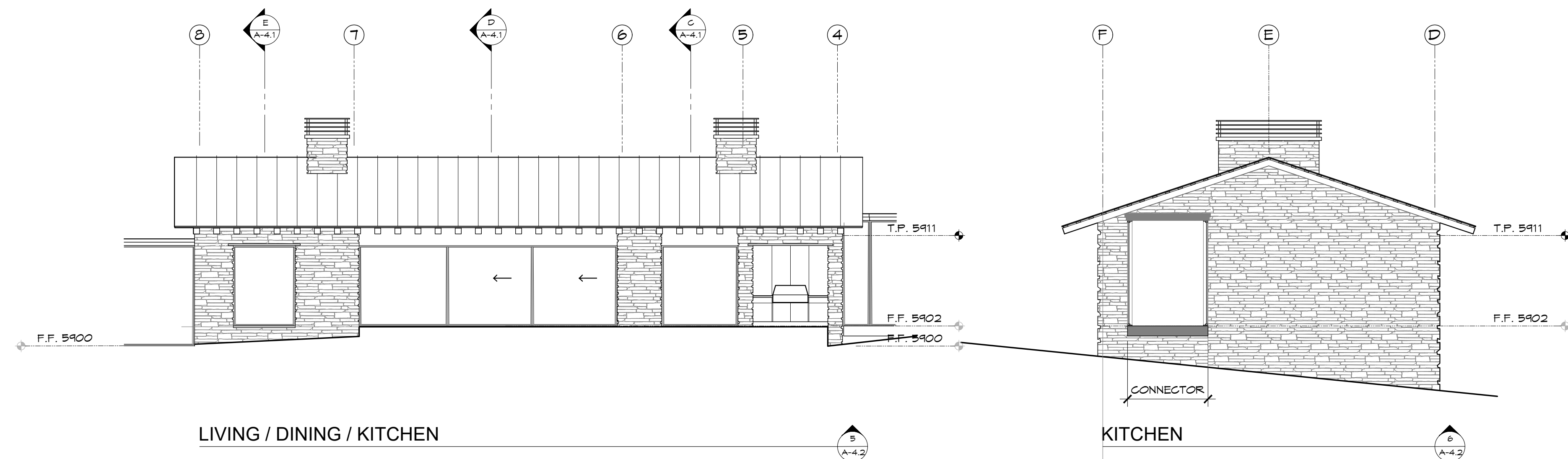
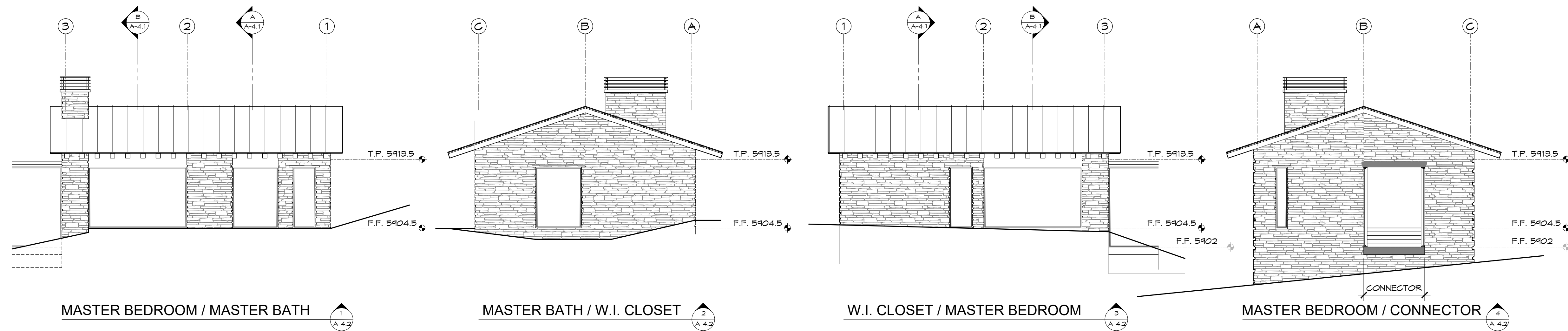
100 South Leadville Ave. 3rd Floor
Silverdale, WA 98283
Phone: 360.726.9392
www.mclaughlinarchitects.com

Project Issue Date:

8/26/2019

Design/Review

A-4.1





RENDERING NORTH-WEST

CONCEPTUAL IMAGE MATERIALS



CHARCOAL STANDING SEAM METAL ROOF OAKLEY STONE VENEER NATURAL FINISH CEDAR VERTICAL PLANKING AND SOFFITS STEEL LIFT AND SLIDE GLASS DOORS TRANSPARENT GLASS CONNECTORS

MATERIAL PALETTE

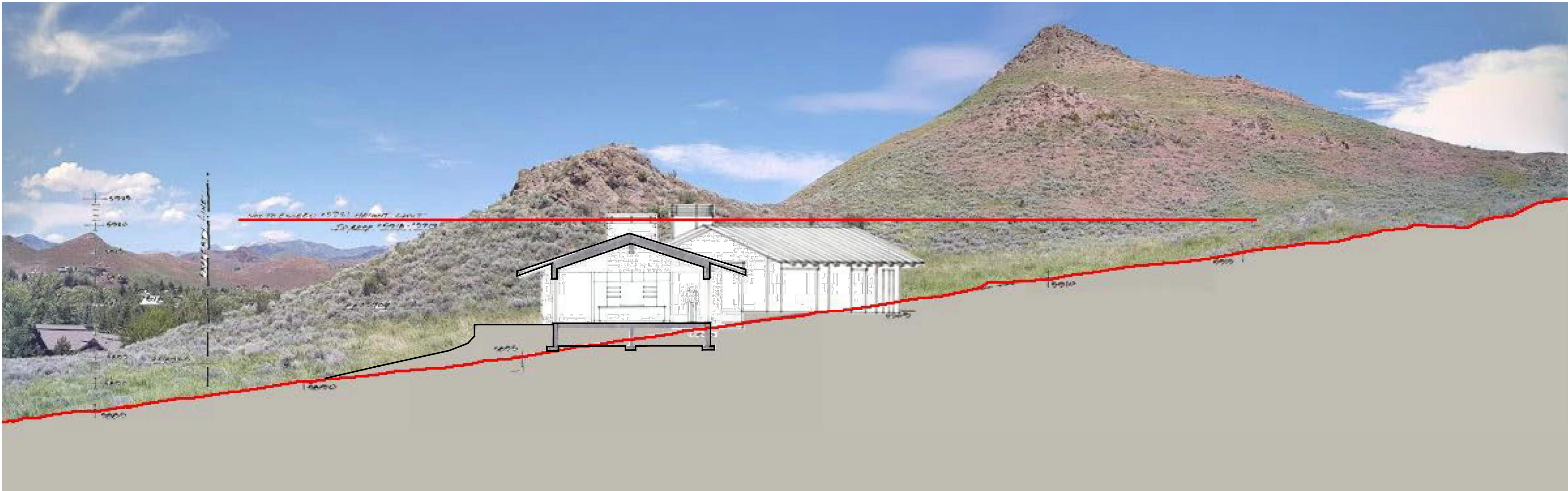
Exhibit A3:
Conceptual Perspective
from
Intersection
(4th St & East Ave)

S:\CAD DRAWING FILES\0385-BIDDLE_KETCHUM_ID\WORKING DRAWINGS\2019-05-15 Prelim MOD Presentation.dwg

6/5/2019 9:29 AM



CONCEPTUAL PERSPECTIVE FROM INTERSECTION (4th ST EAST + EAST AVE.)



CONCEPTUAL SECTION

PLOTTED:
6/5/2019 9:29 AM

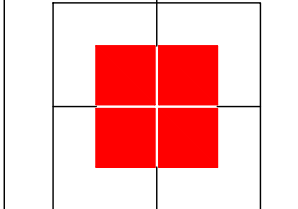
REVISIONS:

#	Description	Date
---	-------------	------

Biddle - Lava Street Residence

LOCATION: Lot 1A, BLOCK 1, Lava Street Subdivision
Address: 220 Lava Street, Ketchum, ID 83340
Parcel # RPK047300001A
JOB #: 0385.17

McLaughlin & Associates Architects
Chartered, AIA
mailing address:
Sun Valley, ID 83353
Telephone: 208.724.9392
www.mclaughlinarchitects.com
Ketchum, ID 83340
Shipping: 100 South Leadville Ave. 3rd Floor



Project Issue Date:
05-15-2019

PLAT

8

Exhibit A4:

Mountain Overlay District
(MOD) and Design Review
Ordinance/Regulations
Narrative

MOUNTAIN OVERLAY DISTRICT (MOD) AND DESIGN REVIEW ORDINANCES/REGULATIONS NARRATIVE

For:

The Biddle Residence

February 7, 2019

This document provides responses to the Design Review Ordinance Criteria that you will be evaluating this project by. The regulations are presented below in **"bold"** and were directly copied from the online Sterling Ordinance interface. The applicant's response is right below the regulation item in standard *italicized* text.

MOUNTAIN OVERLAY DESIGN REVIEW

17.104.070 REGULATIONS:

- 1. There shall be 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 section;**

RESPONSE:

Upon the earliest Site Planning, it has been the intention to locate the proposed building footprint on the lowest possible portion of the allowable building envelope which is suitable for the home design and construction. The location of the footprint, as shown on the Site Plan, is well below any on-site ridges or knolls and would have minimal visual impact to the skyline from any public vantage point.

In addition, existing mature trees on the properties fronting Highway 75 and Leadville Avenue provide additional screening of the building site.

The building height is also limited per the approved plat map, Note #12. The maximum building height for that portion of building on Lot 1A which is visible from the centerline intersection of East Avenue and Fourth Street shall not exceed the elevation of 5921 feet. A story pole is reset for review (refer to rendering).

- 2. Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the city or within the city shall be minimized. "Material", as the term is used herein, shall be construction in light of the magnitude of the negative impact on the objectives of this section;**

RESPONSE:

During the initial planning, not only was the careful placement of the building footprint considered to minimize visual impact, but also the coordination between the finish floor elevation and existing topo. As a result, the established finish floor heights correspond to the existing grade blending the structure to the hillside.

This attention to detail during the planning and design minimizes excavating, filling and vegetation disturbance during construction.

Other than the proposed building site and limit of disturbance, the project will retain its existing grade and vegetation. Additional vegetation will be added to soften the mass of the building.

- 3. Driveway standards as well as other applicable standards contained in Chapter 12.04 of this code shall be met;**

RESPONSE:

The slope of the driveway follows the existing grade to the lowest possible portion of the building envelope suitable for construction. The driveway design was reviewed and agreed upon by the Ketchum Fire Chief per email dated Friday, December 8, 2017.

- 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;**

RESPONSE:

The Fire Department has reviewed the proposed plan and came to agreement the following options per email dated Friday, December 8, 2017:

- 1. Access road to be 20' wide, all weather surface-heated at existing grade*
- 2. Turn around at home to be 20' x 70' for a smaller truck*
- 3. The residence will be fully fire sprinkler protected*
- 4. Roof suggested to be Class A assembly*
- 5. Exterior siding to be fire resistant*
- 6. Landscaping clear area surrounding house to be compliant with current regulations.*

- 5. Significant rock outcroppings shall not be disturbed;**

RESPONSE:

The areas of significant rock outcroppings are located on the Grading Plan and is outside of the allowable building envelope. The proposed limit of disturbance does not extend outside of this defined area.

- 6. International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met;**

RESPONSE:

The project must comply with the 2012 IBC and Ketchum Fire Department, refer to Regulation #4. All IBC, IFC and Ketchum Fire Department requirements shall be submitted and verified before issuance of the building permit.

- 7. Public water and sewer service shall comply with the requirements of the city;**

RESPONSE:

There has been preliminary conversation and review by the Ketchum Utility Department. All utility requirements shall be submitted and approved before issuance of the building permit.

8. Drainage shall be controlled and maintained to not adversely affect other properties;

RESPONSE:

Drainage will be contained through the construction of collection swales and drywells. Drainage is also proposed to be controlled through the existing grade, finish grade consistent to the adjacent hillside, adjacent to building and natural percolation. Refer to the Grading Plan and Landscape Plan.

9. Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials. Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with Ketchum Planning Department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides;

RESPONSE:

The proposed driveway follows the existing grade to the lowest possible portion of the allowable building envelope which is suitable for construction. This design eliminates any required cuts and/or fill in order to construct the driveway.

The proposed Landscape Plan indicates that the site and its native vegetation will largely remain undisturbed. The intent is for all material used and re-establishment of disturbed areas will be either returned to natural pre-construction state and/or materials chosen to be harmonious with the surrounding hillside. Newly planted areas will consist of lower materials at the building perimeter with larger materials located further from the structure.

A Landscape Plan will be submitted for full mountain overlay design review application.

10. Are there other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this section;

RESPONSE:

A preliminary site analysis identified design parameters that would influence the suitable building location.

- a. The lowest portion of the building envelope is only 60' wide and includes a 20' wide private access easement to the adjacent Tax Lot 7318.*
- b. The highest portion of the building envelope would lengthen the driveway access, increase potential excavation, and have more bearing to the visual impact to the City of Ketchum skyline.*
- c. The proposed building site accommodates a driveway access approved by the Fire Department.*

At this proposed and indicated location, the existing grade and finish floor heights correspond which will decrease the excavation of cuts and fills.

Also, the maximum building height the proposed building site is limited per the plat map, Note #12. This will minimize any visual impact to the City of Ketchum skyline.

- 11. Access traversing twenty-five percent (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;**

RESPONSE:

There is one driveway access proposed which is located on the lower portion of site. The driveway does not traverse a slope greater than 25% (refer to Site Plan).

- 12. Utilities shall be underground;**

RESPONSE:

All utilities required to serve the project will be underground (refer to plan). A utility plan referencing all utility requirements shall be submitted and approved before issuance of a building permit.

- 13. Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction;**

RESPONSE:

The Grading Plan indicates the limits of construction disturbance. Limits of disturbance shall be protected by fencing throughout the duration of construction.

- 14. Excavations, fill and vegetation disturbance on hillsides not associated with the building construction shall be minimized; and**

RESPONSE:

The existing 'hiking path' shall be designed and relocated. Refer to the Path Plan.

- 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.**

RESPONSE:

All significant landmarks, i.e. the existing rock outcroppings ridges or knolls have been identified on the plans. These landmarks are outside the allowable building envelope and shall be protected.

Exhibit A5:

Xcell Engineering

Avalanche Evaluation



XCELL ENGINEERING, LLC

260 Laurel Lane
Chubbuck, ID 83202
Phone (208) 237-5900
Fax (208) 237-5925
E-mail: paul@xcelleng.com

November 9, 2017

File: P17336

Mr. Jim McLaughlin
9446 West Charlotte Drive
Pocatello ID 83204

RE: **Avalanche Evaluation**
Lot 1A, Block 1, Lava Street Sub
Ketchum, Idaho

Jim:

At your request we have evaluated the subject site for avalanche potential. Our evaluation was performed using existing geometry and design conditions consisting of 1) a 10-foot deep snow accumulation 2) variable snow weight, 3) variable snow cohesion and 4) variable friction angle of snow in a static state. Based on these parameters a finite element model was created and slope stability calculations performed. The results indicate that when accumulated snow is light and deep the factor of safety against occurrence of an avalanche is lowest and avalanche occurrence is within the expected realm of possibility. The modeled avalanches are small, light and of limited extent, usually occurring in the lower third of the acceleration zone identified as Mears-Red. The short length of acceleration, lack of mass and the relatively long area of deceleration limit the length of run out. The models are consistent with the lack of evidence indicating significant avalanche movement on the site. Since the snow lacks mass in its weakest condition the length of run out is not extensive and is anticipated to be on the order of 100 feet. As snow weight and inherent cohesion increase, factors of safety increase and are consistently well above 1 indicating the probability of avalanche is minimal. If the depth of snow is limited to 5-feet of accumulation and the existing vegetation on the site is taken into account the probability of avalanche is much less and occurrences are improbable. Based on the existing geometry it is our opinion that construction on the lot is possible provided the following conditions are incorporated into site layout.

It is our recommendation that:

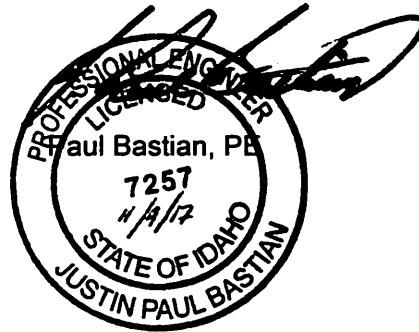
1. Construction on the lot is limited to area more than 240 feet from the uppermost point on the attached map indicated as "Mears-Red."
2. Landscaping around the house should include diversion walls 3-feet in height on the north, east and northwest sides of improvements that will deflect run out away from the house at an angle of approximately 20 degrees or due west or due south.
3. Xcell Engineering shall review all plans, including plans for improvement locations, diversionary structures, site grading and drainage and any water retention facilities.

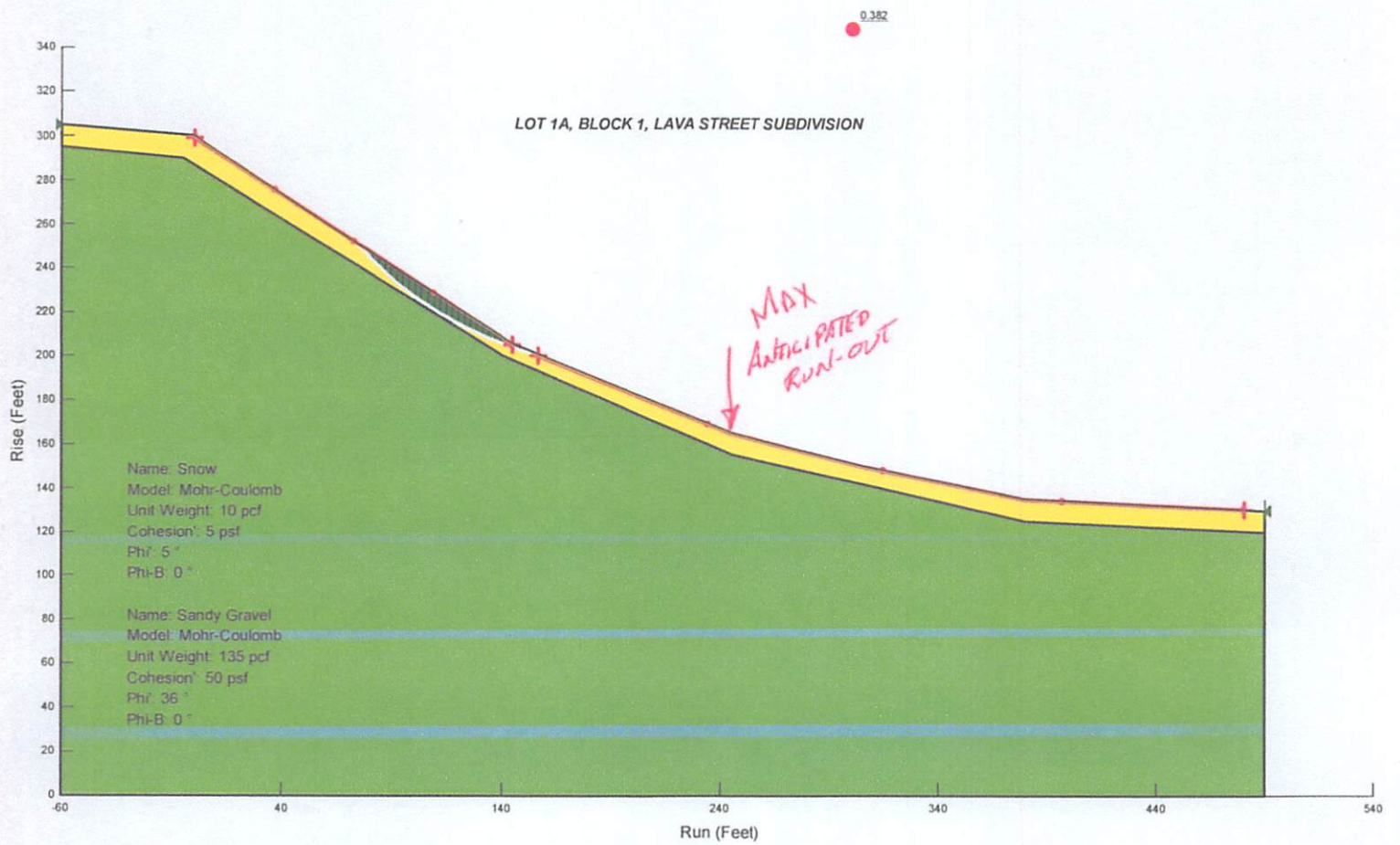
The following slope stability cross sections show the minimum factor of safety given snow conditions as indicated on each cross section. The factor of safety is shown near the red dot on the upper portion of the page which is the center of rotational failure at the instant of initiation. Immediately after initiation the

character of mass movement changes to a much more fluid behavior and acceleration will occur as long as the slope is at or above approximately 30 degrees. Since slope geometry flattens quickly just downhill of the modeled failure locations the mass is expected to begin deceleration almost immediately after initiation.

It should be understood that in the event that the hillside burns off and vegetation is removed from the slope above the house AND the design snow accumulation of 5 or more feet occurs prior to vegetation being re-established, AND the accumulation of snow has just the right consistency and strength, then avalanche conditions could occur and the recommended diversion structures would be necessary. Based on our evaluation of the lot, the site faces southwest into direct winter sun and prevailing wind. It is improbable that the three design conditions will occur simultaneously. i.e. 1) sufficient snow will accumulate on the site when 2) it lacks vegetation and 3) the snow will be in its weakest condition. Therefore as indicated earlier in this summary it is our opinion that with appropriate planning and construction the lot is suitable. If you have questions or comments, please call.

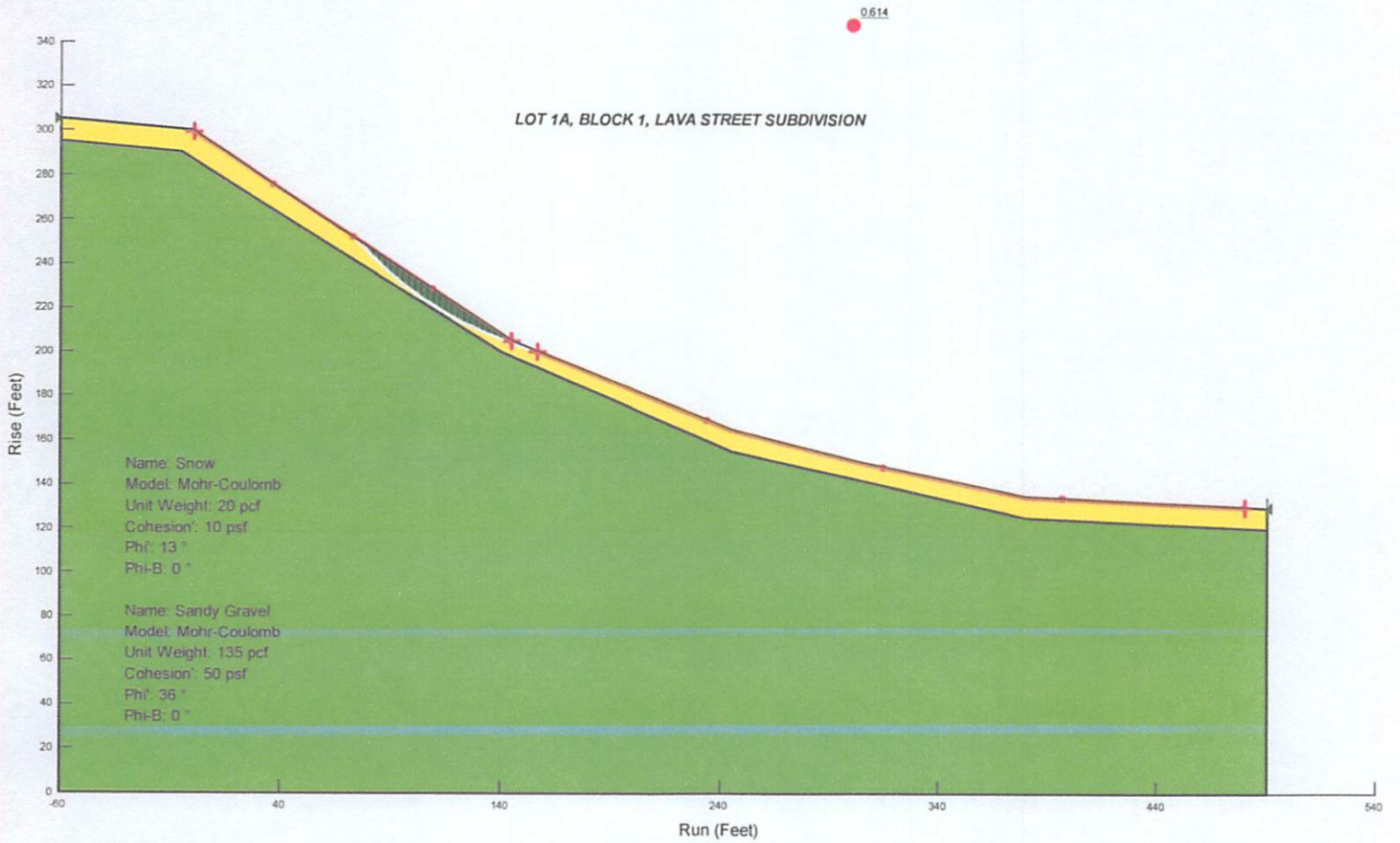
Regards,
Xcell Engineering, LLC



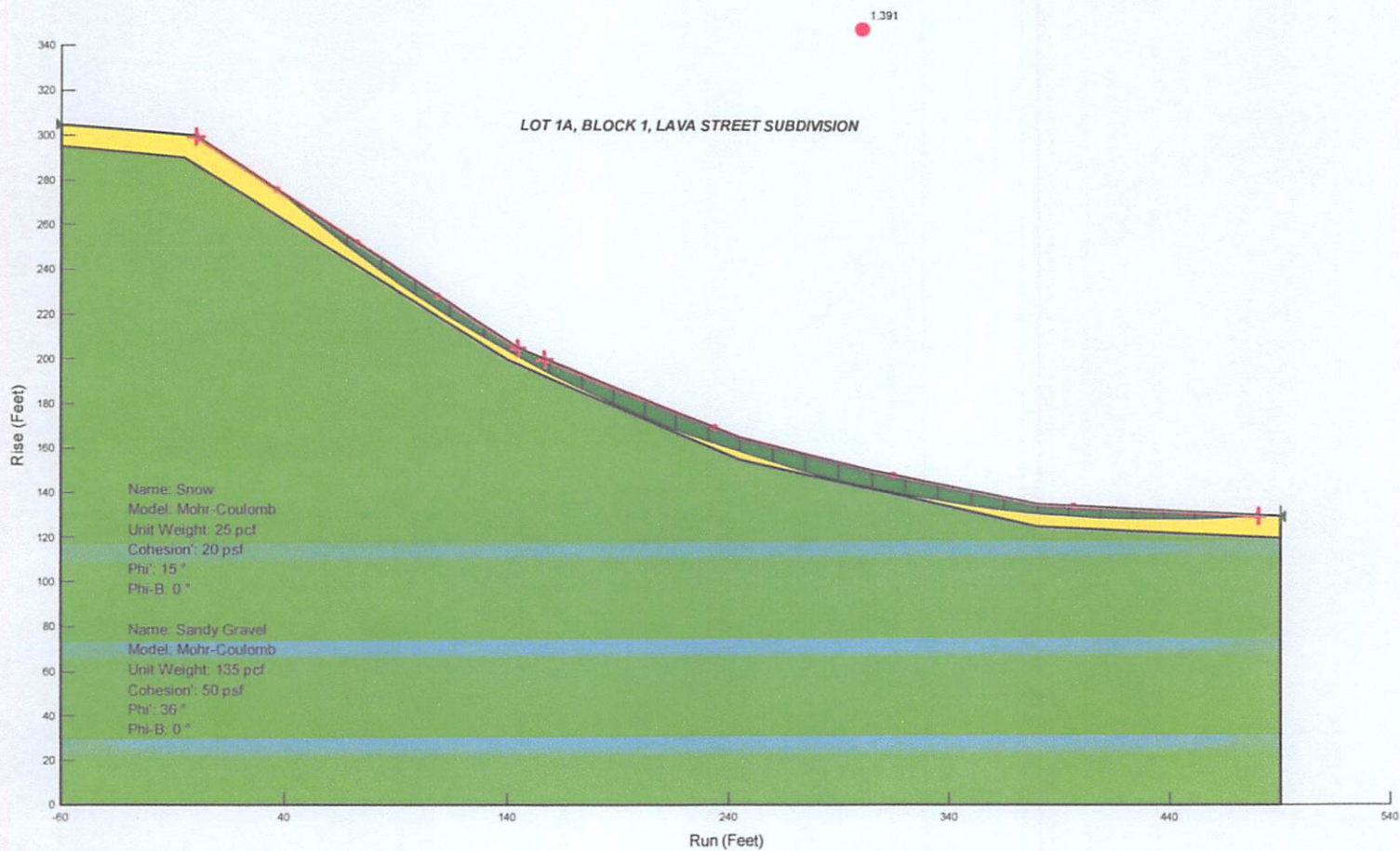


Method	Morgenstern-Price
Factor of Safety	0.382
Total Volume	391.14 ft ³
Total Weight	3,911.4 lbs
Total Resisting Moment	1.3131e+005 lbs-ft
Total Activating Moment	3.4327e+005 lbs-ft
Total Resisting Force	667.74 lbs
Total Activating Force	1,746.3 lbs

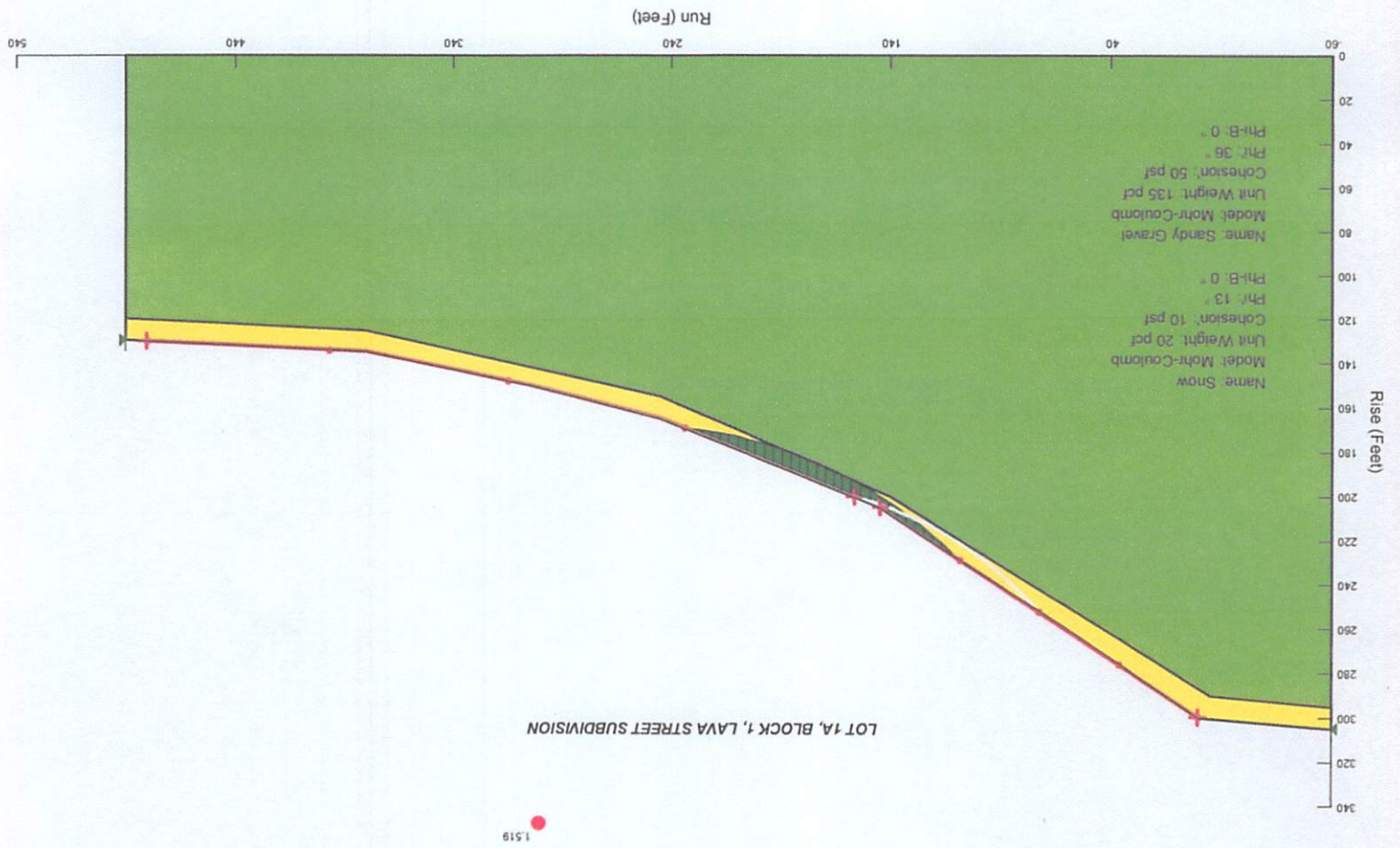
LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION

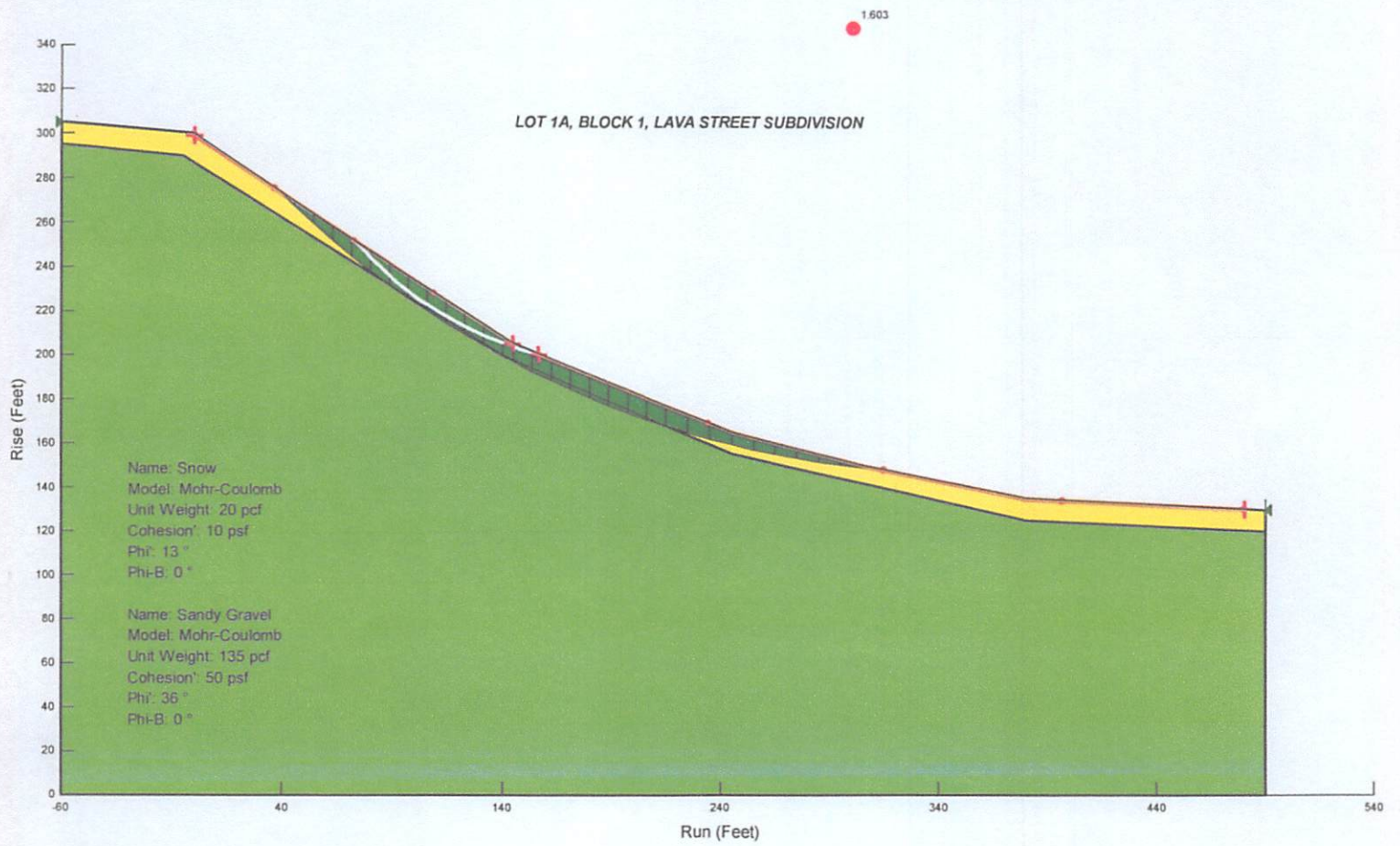


Method	Morgenstern-Price
Factor of Safety	0.614
Ttal Volume	391.14 ft ³
Ttal Weight	7,822.8 lbs
Ttal Resisting Moment	4.2137e+005 lbs-ft
Ttal Activating Moment	6.8654e+005 lbs-ft
Ttal Resisting Force	2,146.6 lbs
Ttal Activating Force	3,498.3 lbs



Method	Morgenstern-Price
Factor of Safety	1.391
Total Volume	2,423.2 ft ³
Total Weight	60,580 lbs
Total Resisting Moment	1.5423e+007 lbs-ft
Total Activating Moment	1.1085e+007 lbs-ft
Total Resisting Force	23,659 lbs
Total Activating Force	17,003 lbs





Modelled Area of Movement

Anticipated Extent of Runout

SUN VALLEY CO. (UNPLATTED)

TL 3971

TL 6337

Street Subdivision

Lot 1

420,000 sq. ft.
9.61 Acres

Miner's Mine

Emerald South Subdivision

Lot 5A

30' Pedestrian & Non-Motorized Access Easement to Mineral Lots 12, 13 and 14, 1993 & 1994

LOT 4A
CRYSTAL ACRES SUB.

LOT 3

LOT 1

LOT 2

7

8

9

10

11

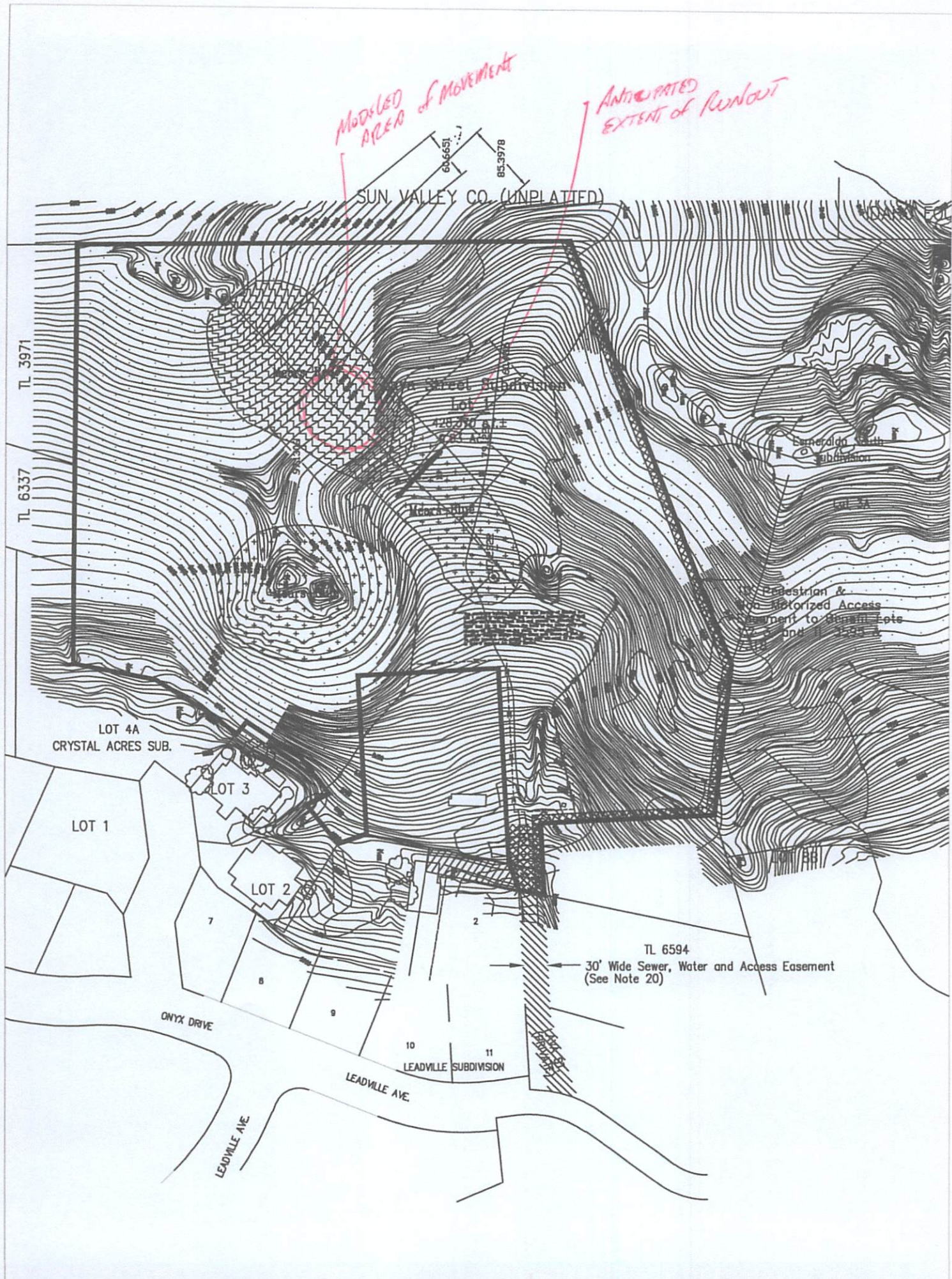
LEADVILLE SUBDIVISION

TL 6594
30' Wide Sewer, Water and Access Easement
(See Note 20)

ONYX DRIVE

LEADVILLE AVE

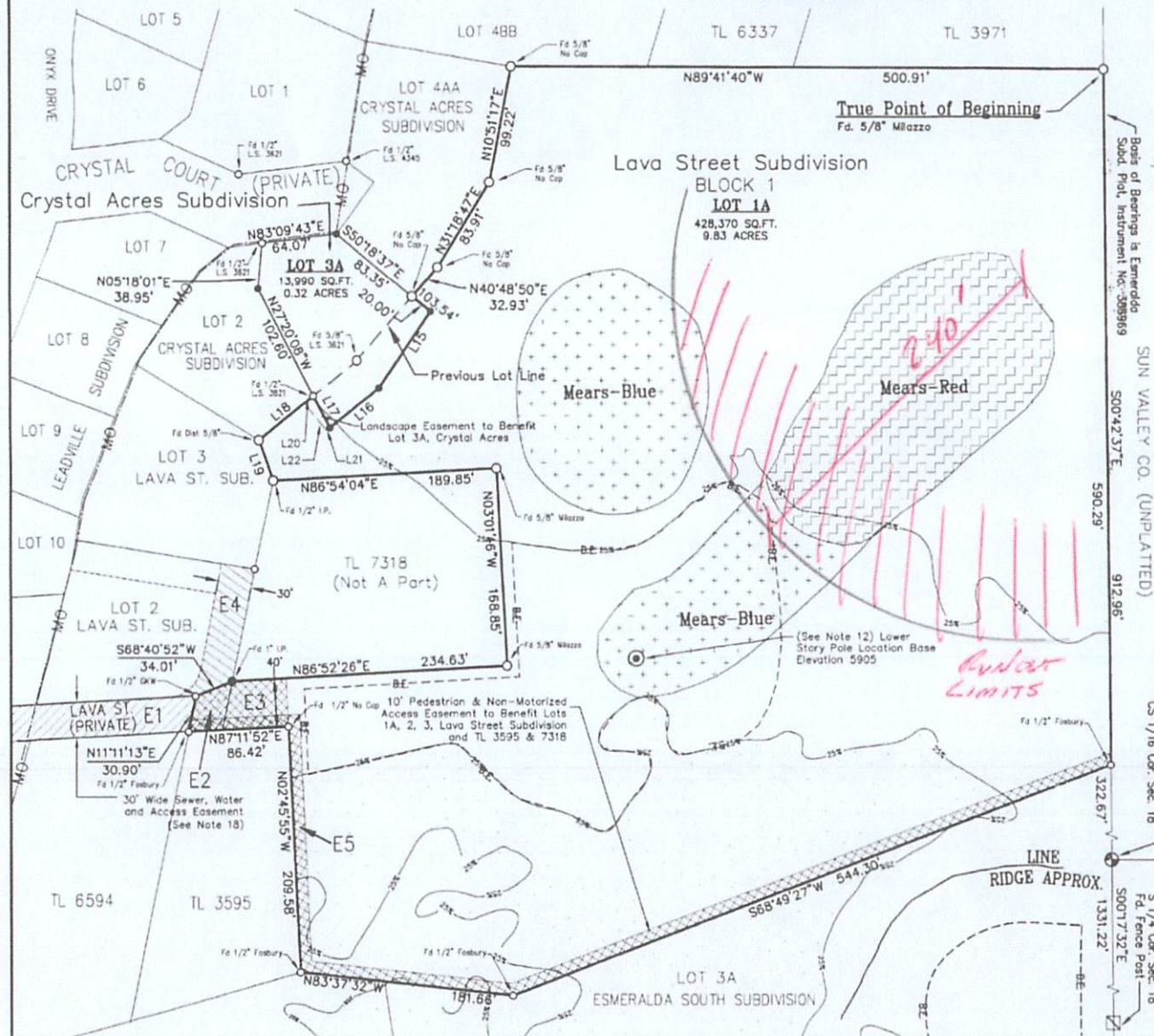
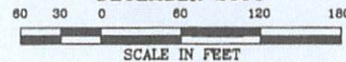
LEADVILLE AVE



A LOT LINE SHIFT PLAT SHOWING **LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION**

WHEREIN THE LOT LINE BETWEEN LOT 1, LAVA STREET SUBDIVISION & LOT 3, CRYSTAL ACRES SUBDIVISION IS SHIFTED AS SHOWN
 LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

DECEMBER 2004



LEGEND

- Found Brass Cap
- Found 5/8" Rebar
- Found 1/2" Rebar
- WC Found 1/2" Rebar (Witness Corner)
- Set 1/2" Rebar, L.S. 3621
- Set 5/8" Rebar, L.S. 3621
- Fd. Iron Pipe
- MO — Mountain Overlay District Boundary
- 25% — 25% Slope line
- BE — Building Envelope
- — — Plat Boundary Line
- Red hatched area: Red Avalanche Zone, Per Mears Study
- Blue hatched area: Blue Avalanche Zone, Per Mears Study
- White area: Slope Area Over 25%
- E1 Access Easement 1, See Note 1
- E2 Access Easement 2, See Note 2
- E3 Access Easement 3, See Note 3
- E4 Access Easement 4, See Note 4
- E5 Pedestrian Easement 5, See Note 5
- Story Pole Location, See Note 12

LINE	LENGTH	BEARING
L15	78.00'	S 33°48'28" W
L16	54.13'	S 51°0'55" W
L17	30.61'	S 27°20'08" E
L18	60.04'	S 51°0'55" W
L19	36.46'	S 19°13'34" E
L20	10.00'	N 51°0'55" E
L21	3.67'	S 51°0'55" W
L22	30.00'	N 38°49'05" W

SEE SHEET 2 FOR NOTES

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, are in force. No owner shall construct any building, dwelling or shelter which necessitates the supplying of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Robert M. Smith
 South Central District Health Dept., EHS

12-15-04
 Date



Richard D. Fosbury LS 3621

LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION

GALENA ENGINEERING, INC.
 KETCHUM, IDAHO
 SHEET 1 OF 3
 Job No. 6033

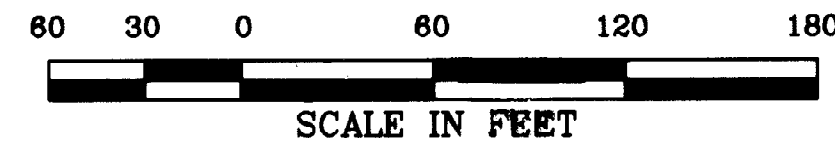
Exhibit C: Reference

Exhibit C1:
Lava Street Subdivision:
Block 1: Lot 1A
Plat

A LOT LINE SHIFT PLAT SHOWING LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION

WHEREIN THE LOT LINE BETWEEN LOT 1, LAVA STREET SUBDIVISION & LOT 3, CRYSTAL ACRES SUBDIVISION IS SHIFTED AS SHOWN
LOCATED WITHIN SECTION 18, T.4 N., R.18 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

DECEMBER 2004



SCALE: 1" = 60'

- LEGEND**
- Found Brass Cap
 - Found 5/8" Rebar
 - Found 1/2" Rebar
 - WC Found 1/2" Rebar (Witness Corner)
 - Set 1/2" Rebar, L.S. 3621
 - Set 5/8" Rebar, L.S. 3621
 - Fd. Iron Pipe
 - MO — Mountain Overlay District Boundary
 - 25% — 25% Slope line
 - BE --- Building Envelope
 - PL — Plat Boundary Line
 - [Hatched Box] Red Avalanche Zone, Per Mears Study
 - [Cross-hatched Box] Blue Avalanche Zone, Per Mears Study
 - [White Box] Slope Area Over 25%
 - [Diagonal Hatched Box E1] Access Easement 1, See Note 1
 - [Diagonal Hatched Box E2] Access Easement 2, See Note 2
 - [Diagonal Hatched Box E3] Access Easement 3, See Note 3
 - [Diagonal Hatched Box E4] Access Easement 4, See Note 4
 - [Diagonal Hatched Box E5] Pedestrian Easement 5, See Note 5
 - Story Pole Location, See Note 12

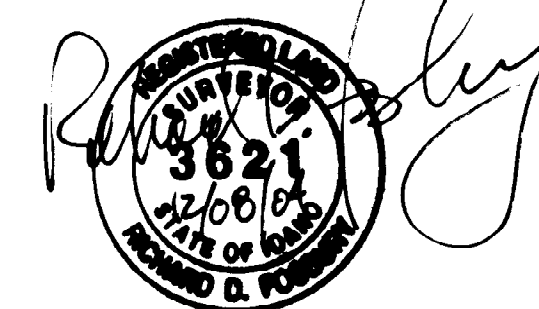
LINE TABLE		
LINE	LENGTH	BEARING
L15	78.00'	S 33°48'28" W
L16	54.13'	S 51°10'55" W
L17	30.61'	S 27°20'08" E
L18	60.04'	S 51°10'55" W
L19	36.46'	S 19°13'34" E
L20	10.00'	N 51°10'55" E
L21	3.67'	S 51°10'55" W
L22	30.00'	N 38°49'05" W

SEE SHEET 2 FOR NOTES

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, are in force. No owner shall construct any building, dwelling or shelter which necessitates the supplying of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Robert W. [Signature]
South Central District Health Dept., EHS

12-15-04
Date

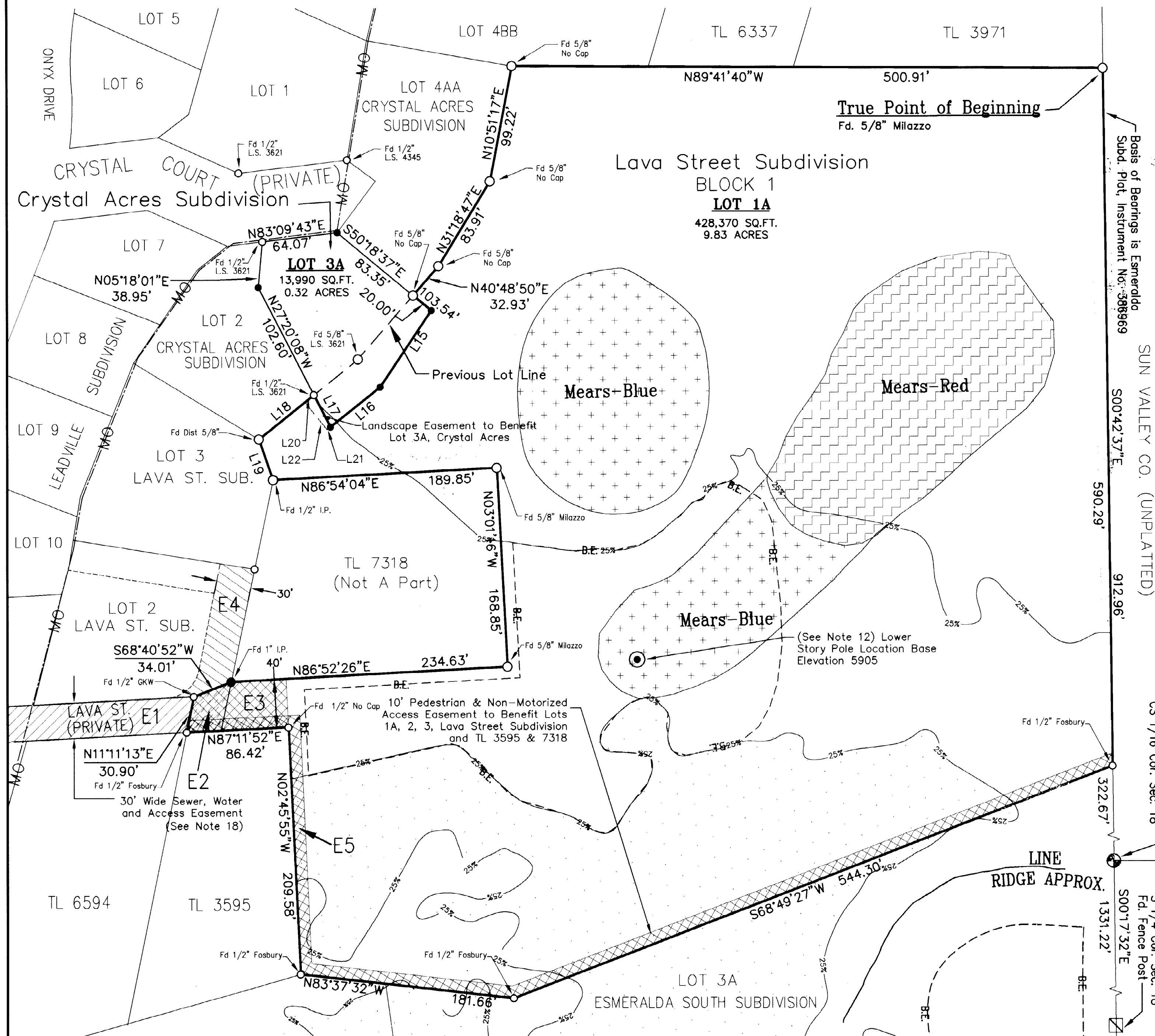


Richard D. Fosbury LS 3621

LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION

GALENA ENGINEERING, INC.
KETCHUM, IDAHO

SHEET 1 OF 3
Job No. 6033



NOTES AFFECTING LOT 1A, LAVA STREET SUBDIVISION

1. E1— Lots 1A, 2, & 3, TL 3595, & TL 7318 have an easement for ingress & egress over Lava St., as recognized by Instrument No. 99644, and as illustrated on this plat.
2. E2—Lots 2, 3, TL 7318 & TL 3595 have an easement for ingress, egress & utilities across Lava Street Subdivision, Lot 1, as illustrated on this plat.
3. E3— TL 3595 & TL 7318 have an ingress, egress & utility easement as recorded under Instrument No. 415669 and as illustrated on this plat.
4. E4— Lot 3 and TL 7318 have an easement for ingress, egress & utilities across Lava Street Subdivision, Lot 2, as illustrated on this plat.
5. E5— A 10 foot wide pedestrian & non-motorized access easement is reserved to benefit Lots 1A, 2, 3, Lava Street Subdivision and TL 3595 & TL 7318, as illustrated on this plat, for access through Lava Street Subdivision from Lava Street to Sun Valley Company Land (Unplatted).
6. A right-of-way and blanket easement for Idaho Power Co. for the erection, continued operation, and maintenance of electrical and telephone lines is recognized under Instrument No. 118354.
7. The entire subdivision is zoned Limited Residential and Mountain Overlay. All lot owners are required to obtain approval from the City of Ketchum for any development including driveways and structures. All lot owners shall obtain Mountain Overlay Design Review approval before issuance of a building permit. Platted building envelopes do not guarantee the location of a building or driveway.
8. Lot 1A contains areas that have been defined as red and blue avalanche zones. See plat note 11.
9. Reference is made to Record of Survey for Tax Lots 4502(7318), 4502A(7317) and 2632(7318), October, 1996 Instrument No. 386101.
10. All Ketchum Building, Water, Wastewater, and Fire Department requirements shall be met.
11. The avalanche danger areas that are designated on this plat are considered by the owner, City of Ketchum, and Galena Engineering, Inc. as reasonable for regulatory purposes. However, neither the owner, City of Ketchum, nor Galena Engineering, Inc. represents, guarantees, warrants, or implies the areas nearby the designated avalanche danger area are safe and free of avalanche danger. A copy of the study by Arthur I. Mears, P.E., Inc., November 24, 1982 is on file in the City of Ketchum Planning & Zoning office.
12. The maximum building height for that portion of building on Lot 1A which is visible from the centerline intersection of East Avenue and Fourth Street shall not exceed an elevation of 5921 feet (or 16 feet above the base of the lower story pole location as identified on the plat), or as determined by Mountain Overlay Design Review. Story pole shown on plat is to show location only, actual story pole will need to be reset in field if required for Design Review.
13. In the event that any portion of the Lot 1A building is visible from the centerline intersection of East Avenue and Fourth Street landscaping shall be installed to minimize visibility pursuant to Ketchum Mountain Overlay Design Review.
14. The maximum building square footage for Lot 1A shall be no larger than 12,000 square feet. The maximum building footprint shall be no larger than 8,000 square feet.
15. The maximum building height for any portion of Lot 1A not visible from the centerline intersection of East Avenue and Fourth Street shall not exceed 25 feet above existing grade, and/or elevation 5950 feet, at the highest point of the building envelope, or as determined by Ketchum Mountain Overlay Design Review.

16. The Lot 1A building height for any portion of the building below 5921 feet shall be subject to Ketchum Mountain Overlay Design Review.
17. Any portion of the Lot 1A driveway extending beyond the hammerhead turnaround and exceeding 10% in grade shall be heated per Ketchum Fire Chief.
18. A 30 foot wide access/utility easement is granted along the centerline of Lava Street for Ketchum Water & Sewer Department. Homeowners shall be responsible for any repairs to sewer and water utilities.
19. Building materials and colors may be required to be natural to meet the Standards of Ketchum Mountain Overlay Design Review.
20. Each lot shall control site drainage to not deposit excess runoff onto Lava Street, Leadville Avenue or other lots adjacent to and within the subdivision.
21. Lot 1A shall not be further subdivided.

NOTES AFFECTING LOT 3A, CRYSTAL ACRES SUBDIVISION

1. No further subdivision of Lot 3A is allowed.
2. Building setbacks shall comply with applicable ordinances.
3. Crystal Court (Parcel "A") is reserved for a private street, public utilities and snow storage and removal.

LOT 1A, BLOCK 1, LAVA STREET
SUBDIVISION

GALENA ENGINEERING, INC.
KETCHUM, IDAHO
SHEET 2 OF 3
Job No. 6033

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners in fee simple of the following described parcel of land:

The Parcel of land located within Section 18, T.4N., R.18E., B.M., City of Ketchum, Blaine County, more particularly described as follows:

Lot 1, Block 1, Lava Street Subdivision and Lot 3, Crystal Acres Subdivision

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. We do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat.

It is the intent of the owners to hereby include said land in this plat.

Scott Curtis, Co-Owner, Lot 1, Block 1, Lava Street Subdivision

Scott Curtis, Managing Member, Parker Gulch L.L.C.
Co-Owner, Lot 1, Block 1, Lava Street Subdivision

Cindy Curtis, Co-Owner, Lot 1, Block 1, Lava Street Subdivision
By: Scott Curtis, Attorney-in-fact for Cindy Curtis

Sandy Hall, Co-Owner, Lot 1, Block 1, Lava Street Subdivision
By: Scott Curtis, Attorney-in-fact for Sandy Hall

Barry B. Staum, Co-Owner, Lot 3, Crystal Acres Subdivision

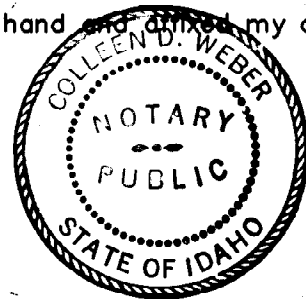
Linda L. Staum, Co-Owner, Lot 3, Crystal Acres Subdivision

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 22 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Scott Curtis, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing at Bellevue

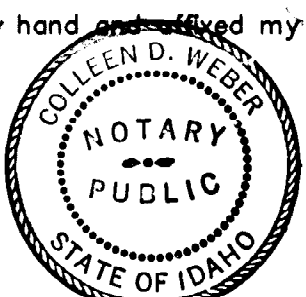
My Commission Expires 3/8/10

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 22 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Scott Curtis, known or identified to me to be a member of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing in Bellevue

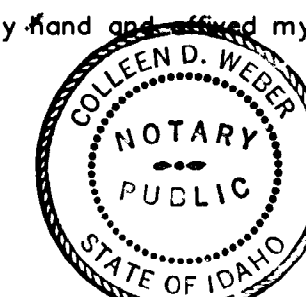
My Commission Expires 3/8/10

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 22 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Scott Curtis, known or identified to me to be the person whose name is subscribed to the foregoing instrument as the attorney in fact for Cindy Curtis and acknowledged to me that he subscribed the name of Cindy Curtis thereto as principal and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing in Bellevue

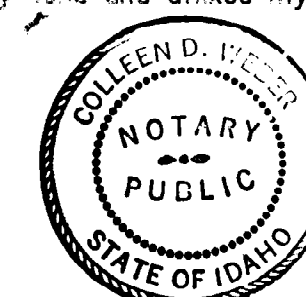
My Commission Expires 3/8/10

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 22 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Scott Curtis, known or identified to me to be the person whose name is subscribed to the foregoing instrument as the attorney in fact for Sandy Hall and acknowledged to me that he subscribed the name of Sandy Hall thereto as principal and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing in Bellevue

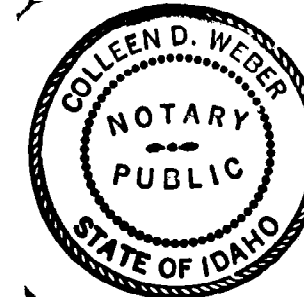
My Commission Expires 3/8/10

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 19 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Barry B. Staum, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing at Bellevue

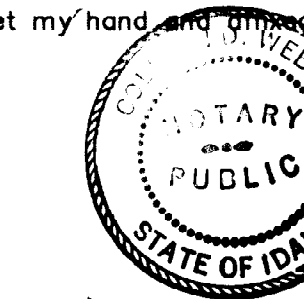
My Commission Expires 3/8/10

STATE OF Idaho } ss
COUNTY OF Blaine

ACKNOWLEDGMENT

On this 17 day of November, 2004, before me, a Notary Public in and for said State, personally appeared Linda L. Staum, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Colleen D. Weber
Notary Public in and for said State

Residing at Bellevue

My Commission Expires 3/8/10

SURVEYOR'S CERTIFICATE

I, Richard D. Fosbury, a duly Licensed Land Surveyor in the State of Idaho, do hereby certify that the foregoing plat is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



BLAINE COUNTY SURVEYOR'S APPROVAL

I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Jim W. Koonce 12/02/04
Blaine County Surveyor

KETCHUM CITY ENGINEER'S APPROVAL

The foregoing plat was approved by DAVID COLE, City Engineer for the City of Ketchum on this 2nd day of DECEMBER, 2004.

David Cole
City Engineer

KETCHUM CITY COUNCIL'S APPROVAL

The foregoing plat was approved by the City Council of Ketchum on this 7th day of December, 2004.

Jordan E. Gady
City Clerk



BLAINE COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat is hereby approved this 15 day of December, 2004.

Vicki L. Dick by Kellie England
Blaine County Treasurer

Instrument # 514111

HAILEY, BLAINE, IDAHO
2004-12-17 10:07:39 No. of Pages: 3
Recorded for: GALENA ENGINEERING
MARSHA RIEMANN Fee: 12.00
Ex-Office Recorder Deputy
Index to: PLATS

LOT 1A, BLOCK 1, LAVA STREET SUBDIVISION

GALENA ENGINEERING, INC.
KETCHUM, IDAHO

SHEET 3 OF 3

Job No. 6033

Exhibit C2:
Chapter 17.92
Avalanche Zone District
of
Ketchum Municipal Code

Chapter 17.92

AVALANCHE ZONE DISTRICT (A)

17.92.010: A AVALANCHE ZONE DISTRICT:

The A Avalanche Zone District is established to identify those areas where, after due investigation and study, the City Council finds that avalanche potential exists. Avalanches are caused by steepness of slope, exposure, snowpack composition, wind, temperature, rate of snowfall and other little understood interacting factors. Due to the potential avalanche hazard, special regulations should be imposed within such district.

A. Purposes: An Avalanche Zone District is established as a zoning overlay district for the following purposes:

1. To identify those areas within the City where, after due investigation and study, avalanche potential is found to exist.
2. To give notice to the public of those areas within the City where such avalanche potential has been found to exist.
3. To give notice to and provide the public with the opportunity to review pertinent avalanche studies and reports together with any future studies made. Copies of said studies are available for public inspection at the Office of the Ketchum City Clerk. It is recommended that said studies be examined prior to purchase, development, construction or use of land located within the Avalanche Zone.
4. To minimize health and safety hazards, disruption of commerce and extraordinary public expenditures.
5. To promote the general public health, safety and welfare.
6. To allow for construction of residences and other uses consistent with the City's zone district use matrix by persons informed of potential avalanche danger with regard to a specific parcel of real property, while providing regulations to protect lessees, renters and subtenants of property within such zone.

B. Avalanche Zone District Boundaries:

1. The Avalanche Zone District boundaries shall be an overlay district and designate those areas within the City found subject to potential avalanche danger.
2. The Avalanche Zone shall include all of those areas within the City so designated by the amendment to the Ketchum zoning map adopted in this chapter. Designation as high avalanche zone or moderate avalanche zone is described in the Wilson (1977) and Mears (1978) avalanche studies on file with the City of Ketchum or may be determined by a site-specific study.

C. Uses Permitted: The Avalanche Zoning District shall be an overlay district and shall apply the additional requirements of the Avalanche Zoning District to the uses otherwise permitted in the

district. All uses allowed in the district with which the Avalanche Zone District combines shall be subject to the additional restrictions of the Avalanche Zoning District. If any of the regulations specified in this section differ from corresponding regulations specified for a district with which the Avalanche Zone District is combined, the regulations contained in this section shall apply and govern.

D. Use Restrictions: The following restrictions are imposed upon construction, development and use of all real property located within the Avalanche Zone:

1. All utilities installed after the effective date hereof for development of a subdivision or providing utility services to a building or replacing existing utility services to a building or subdivision shall be installed underground in order to minimize possible avalanche damage to such utilities and injury to persons and property. For all new construction and for projects that constitute a substantial improvement, all utility service meters and shut-off valves shall be installed on the leeward-side of buildings in a protected location, to the satisfaction of the Fire Department.
2. Avalanche protective, deflective and preventative structures, devices or earthwork which threaten to deflect avalanches toward property of others or otherwise threaten to increase the danger to persons or property are prohibited. The construction of such structures, devices or earthwork shall be permitted only as a conditional use. Prior to granting of a conditional use permit, the applicant shall submit to the City plans signed by an engineer licensed in the State, certifying that the proposed construction will withstand the avalanche forces set forth in the avalanche studies on file with the City and that the proposed construction will not deflect avalanches toward the property of others. Other information and engineering studies may be requested in consideration of an application for a conditional use permit. As a further condition of any conditional use permit, appropriate landscaping may be required where such structures, devices or earthwork alter the natural slope or beauty of the land. This shall not apply to reforestation. Alteration or removal of any existing natural barriers is prohibited.
3. Prior to issuance of a building permit for any structure within the Avalanche Zone, except for remodels to existing, non-engineered single-family homes and for additions under one thousand two hundred (1,200) gross square feet to existing, non-engineered single family-homes, the applicant shall submit to the Ketchum building inspector plans, signed by an engineer licensed in the State of Idaho, certifying that the proposed construction as designed will withstand the avalanche forces as set forth in the avalanche studies on file with the City, or the avalanche forces set forth in a study of the property in question prepared at the owner's expense and submitted to the City by a recognized expert in the field of avalanche occurrence, force and behavior. Warning: The avalanche forces set forth in such studies are to be considered minimum standards only, and the City does not represent, guarantee or warrant the ultimate safety of any construction, use or occupancy of structures constructed to those standards. Avalanches may occur with forces greater than those set forth in such studies, and areas of the City not designated as Avalanche Zone may be subject to potential avalanche danger.
4. Any residence that has not been engineered to withstand avalanche forces consistent with this chapter shall not be leased, rented, or sublet from November 15 through April 15 of each year and any residence that has not been engineered to withstand avalanche forces that is being leased or rented or sublet after April 19, 1974 shall be deemed a zoning violation and shall be governed by [chapter 17.156](#) of this title.
5. The subdivision of real property (including land subdivisions, planned unit developments, townhouse sublots and developments, and condominium developments) within the Avalanche Zone District is permitted, provided:

- a. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone; and
 - b. The subdivision complies with the underlying zoning district; and
 - c. The project complies with all applicable design review requirements and zone standards, including chapters 17.96, "Design Review", and 17.104, "Mountain Overlay Zoning District (MO)", of this title; and,
 - d. The subdivision complies with [title 16](#), "Subdivision Regulations", of this Code.
- E. General Notice Requirements: In order to provide reasonable notice to the public of the avalanche potential within all areas designated Avalanche Zone, the following notice regulations and requirements are adopted for all real property and structures located within such zone:
1. All subdivision plats shall identify and designate each lot and block, or portions thereof, located within the Avalanche Zone, together with applicable subzone designation, by a stamp or writing in a manner providing reasonable notice to interested parties.
 2. All plans submitted with a building permit application for property within said Avalanche Zone shall be stamped "avalanche zone", together with the applicable subzone designation.
 3. Prior to the issuance of any building permit for construction or improvements within the Avalanche Zone, the applicant shall submit to the building inspector a written acknowledgment on a form provided by the City, signed by the applicant under seal of a notary public, of the applicant's actual knowledge that the proposed building or improvement will be located within the Avalanche Zone. The applicant will also acknowledge that he or she has actual knowledge of the studies conducted to date regarding the Avalanche Zone that are on file with the Planning Department.
 4. The City shall file with the Office of the Blaine County Recorder such document(s) as necessary to provide record notice of each existing lot and/or parcel of real property within the Avalanche Zone; and such document(s) as necessary to provide record notice that each owner who rents or leases any structure located in whole or part within the Avalanche Zone shall provide the tenant, lessee or subtenant with written notice that said property is located within the Avalanche Zone prior to any occupancy.
 5. The City shall post signs in the public right-of-way to reasonably identify the boundaries of the Avalanche Zone.
 6. All persons who rent, lease or sublet any structure or premises within the Avalanche Zone shall provide the tenant, lessee or subtenant with written notice that said property is located within such Avalanche Zone prior to occupancy.
 7. Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or shows a parcel of real property and/or structure for sale, lease or rent within said Avalanche Zone shall, upon first inquiry, provide the prospective purchaser, lessee or tenant, prior to viewing said real property, with written notice that said real property and/or structure is located within said Avalanche Zone. Furthermore, such written notice shall state that the studies referred to in subsection H of this section are available for public inspection at the Office of the Ketchum City Clerk and that said studies should be reviewed prior to any party entering any agreement, contract or lease.

8. All brochures and other printed materials advertising and/or soliciting reservations for sale, rental or lease of living units within the Avalanche Zone shall contain a provision designating that said unit or units are located within the Avalanche Zone.

F. Suspension Of City Services: During periods of avalanche danger, City services may be suspended or otherwise not be provided to property within the Avalanche Zone; nor shall the City accept responsibility for or guarantee that such services, rescue efforts or emergency services will be provided during periods of avalanche danger.

G. Warning And Disclaimer Of Safety And Liability:

1. Avalanches occur naturally, suddenly and unpredictably based upon steepness of slope and runout area, exposure, snowpack composition, wind, temperature, rate of snowfall and other little understood interacting factors. The Avalanche Zone designated in this title is considered reasonable for regulatory purposes and is based upon and limited by the engineering and scientific methods of study. This title does not represent or imply that areas outside the Avalanche Zone District are free from avalanches or avalanche danger.
2. The fact that the City has not prohibited development, construction or use of real property within the Avalanche Zone District does not constitute a representation, guarantee or warranty of any kind as to the safety of any construction, use or occupancy. The granting of any permit or approval for any structure or use, or the declaration or failure to declare the existence of an avalanche hazard shall not constitute a representation, guarantee or warranty of any kind or nature by the City, or any official or employee, of the practicality or safety of any construction, use or occupancy, and shall create no liability upon or cause of action against such public body, or its officials or employees, for any injury, loss or damage that may result.
3. Avalanches occur naturally, suddenly and unpredictably, and persons who develop or occupy real property within said Avalanche Zone do so at their own risk.

H. Notice Of Avalanche Studies:

1. The City has received avalanche studies of areas within the City and copies of said studies are available for public inspection at the Office of the Ketchum City Clerk, City Hall. Persons interested in building, using or occupying real property within the Avalanche Zone are encouraged and should examine the studies. However, the City does not represent or warrant the completeness or accuracy of those studies.

I. Amendment To Zoning Map: The official zoning map of the City is amended to include the Avalanche Zone. The boundaries of said Avalanche Zone are adopted as set forth on said amended official zoning map made a part of this title. The boundaries of said Avalanche Zone are comprised of the avalanche hazard areas identified in the following studies that are on file with the City of Ketchum:

1. "Avalanche Hazard Study, the City of Ketchum, Idaho" (Wilson, 1977).
2. "Snow Avalanche Hazard Analysis and Zoning Recommendations, Warm Springs Area, Ketchum, Idaho" (Mears, 1978).
3. Memo, Skyline Subdivision (Mears, 1982).

4. "Avalanche Hazard and Mapping Analysis, Warm Springs Ranch" (Mears, 2001).
5. "Snow Avalanche Hazard and Mapping, River Run Lots, Sun Valley, Idaho" (Mears, 2009). (Ord. 1181, 2018: Ord. 1135, 2015)