



**City of Ketchum
Planning & Building**

IN RE:)
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Sage Mountainside Townhomes) KETCHUM PLANNING AND ZONING COMMISSION
Mountain Overlay Design Review) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
File Number: P22-070) DECISION
)
Date: July 11, 2023)
)

PROJECT: Sage Mountainside Townhomes
APPLICATION TYPE: Mountain Overlay Design Review
FILE NUMBER: P22-070
ASSOCIATED APPLICATIONS: Townhouse Preliminary Plat & Conditional Use Permit Applications (File No. P22-070A & P22-070B)
PROPERTY OWNER: Sage Mountainside LLC
REPRESENTATIVE: Shilpa Sushil, Connect Homes (Architect)
LOCATION: 400 & 402 Sage Road (Living Springs Townhomes)
ZONING: General Residential – Low Density (GR-L) & Mountain Overlay (MO)

RECORD OF PROCEEDINGS

The Planning and Zoning Commission considered the Sage Mountainside Townhomes Mountain Overlay Design Review Application File No. P22-070 during their meeting on May 9, 2023. The meeting was continued to June 27, 2023. The application was considered concurrently with Townhouse Preliminary Plat and Conditional Use Permit Applications File No. P22-070A & P22-070B and the public hearings were combined in accordance with Idaho Code §67-6522.

Public Hearing Notice & Public Comment

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on April 19, 2023. The public hearing notice was published in the Idaho Mountain Express on April 19, 2023. A notice was posted on the project site and the city’s website on April 24, 2023. The story pole was installed on the project site on May 2, 2023.

FINDINGS OF FACT

The Planning and Zoning Commission having reviewed the entire project record, provided notice, and conducted the required public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

The applicant is proposing to demolish an existing attached townhouse and construct two new detached modular townhomes (the “project”) located at 400 & 402 Sage Road (the “subject property”) within the General Residential – Low Density Zoning District (the “GR-L Zone”) and Mountain Overlay District (the “MOD”). The proposed townhomes are 4,820 square feet each and contain four bedrooms and a two-car garage. A conditional use permit is required for the project as an avalanche protective wall spanning the length of the two townhomes is proposed. A townhouse preliminary plat to vacate the existing Living Springs Townhomes subdivision and reestablish new townhouse sublots.

The subject property is comprised of one lot subdivided into two townhouse sublots. The lot is part of the Warm Springs Village Subdivision, Fourth Addition that was created in 1961 under the jurisdiction of Blaine County. The attached townhouse was constructed in 1966 under Blaine County’s development standards prior to the subject property being annexed into the City of Ketchum. At the time of construction, there were no development standards specific to hillside development. After annexation into the City of Ketchum, approval for the townhouse subdivision was granted in 2001.

While the existing attached townhome is more than 50 years old, the building is not designated on the city’s adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required; however, a demolition permit cannot be issued for the existing residence until a 60-day waiting period has concluded (KMC §15.16.040.B3) and a complete building permit application for a replacement project on the property has been accepted by the city and required fees have been paid (KMC §17.20.010.B).

Pursuant to Ketchum Municipal Code (KMC) §17.104.050.A, design review is required for the “construction or placement of new buildings or structures, including additions to any such structures or buildings existing at the effective date hereof, upon real property within the Mountain Overlay Zoning District.” The project is subject to all Mountain Overlay design review criteria and standards specified in KMC §17.104.070 as well as all applicable design review standards specified in KMC §17.96.060.

The Planning and Building Department received the Mountain Overlay Design Review, Townhouse Preliminary Plat & Conditional Use Permit for the project on December 12, 2022. Following the receipt of the applications, staff routed the application materials to all city departments for review. The applications were reviewed concurrently, and the applications were deemed complete on April 13, 2023 after two rounds of review.

Before granting Design Review approval, the Commission must determine that the application meets two criteria: (1) the project doesn't jeopardize the health, safety, or welfare of the public, and (2) the project conforms to all Design Review standards and zoning regulations (KMC 17.96.050.A).

Criteria 1: Health, Safety, and Welfare of the Public

The 2014 Comprehensive Plan contains the community's vision for Ketchum and sets goals and policies to guide future development. The vision is shaped by 10 core values identified by Ketchum residents as important to consider for all future land uses decisions. The community's core values include protecting the community character of Ketchum and preserving its environmental quality and scenic beauty. Ketchum's undeveloped hillsides are visual assets that define the character of our community. Protecting and preserving Ketchum's natural resources is critical to maintaining our economy, quality of life, and community identity. The comprehensive plan states:

Community Character: You know when you have entered Ketchum; this is a place centered on the "town" and identifiable from the "country" by distinct edges. Residents and visitors desire this clear division that has been lost in so many American cities through strip commercial development and sprawling residential subdivisions. Protecting and enhancing the visual character of our community gateways, the undeveloped hillsides, and night skies is a priority (page 9).

Environmental Quality and Scenic Beauty: Ketchum's citizens place great value on the exceptional natural setting and resources of the Wood River Valley. The community is surrounded by rugged alpine peaks, forested and sage-covered open spaces, pristine wildlife habitat, and beautiful rivers and riparian areas. Key open spaces create visual buffers between the built and natural environment. Unobstructed views exist in every direction in large part due to Ketchum's wide streets and lack of hillside development. These environmental features and resources sustain our economy and are why many people choose to live in Ketchum. We will be excellent stewards of these resources in order to preserve them for the future (page 10).

The comprehensive plan sets policies to guide land-use decisions and identifies the following goals regarding hillside development:

- Establish and maintain open space buffers in important scenic areas to maintain the community's separate identity from surrounding communities and to protect views and open space.
- Protect and enhance views of the surrounding mountains and natural features.
- Continue to protect hillsides within the City and the Area of City Impact from further development. Enforce and encourage strengthening of the Mountain Overlay standards of the City and County, by using a variety of techniques; such as clustering at lower elevations, creating conservation easements, or purchasing private property on hillsides.

- Protect and incorporate natural features into newly developing areas. Conserve the natural patterns of streams, ridgelines, topography, riparian areas, and wildlife habitat areas.

The MOD ensures the preservation of Ketchum’s surrounding hillsides and ridgelines and minimizes impacts on natural topography, geology, soils, drainage, wildlife, and native vegetation. The Mountain Overlay design review standards reduce visual impact by directing building sites away from higher elevations and keeping hillsides open and unobstructed. Additionally, Mountain Overlay standards protect public health, safety, and welfare by ensuring the adequate provision of emergency services, fire protection, and utilities.

The comprehensive plan's future land use map identifies two different future land use designations for the property, the lower and upper portions of the property. The map designates the future land use for the downhill portion of the subject property as low-density residential. Desired primary uses within this future land use category include single-family and duplex residences as well as accessory units. The detached townhomes fall within the primary uses of the low-density residential land use category. Open space is identified as an appropriate secondary use that complements the low-density residential units. The uphill portion subject property is designated as open space, parks & recreation which does not encourage any development in that area of the property. The proposed townhouses are sited at the lowest elevation within the low-density designation portion of the parcel, preserving the natural topography of the hillside above.

Protecting the visual character of the hillsides is a vital aspect of the Mountain Overlay. The proposed detached townhomes are sited lower on the property than the existing townhomes and will not be seen from public vantage points. The proposal is also sited lower than many of the existing developments along Sage Rd.

The goals and policies of the comprehensive plan related to hillside development are met with the proposed project as detached townhomes are within the list of primary uses anticipated in the future land use category and due to the location of the structures, the visual character of the hillside is not impacted.

FINDINGS REGARDING COMPLIANCE WITH ZONING REGULATIONS

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Finding	Required: 8,000 square feet minimum Existing: 159,529 square feet (3.66 acres)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Coverage
			Finding	Permitted: 35% Proposed: 6% (10,158 square feet / 159,529 square feet lot area)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks
			Finding	Minimum Required Setbacks: Front: 15' Side: > of 1' for every 3' in building height, or 5' (11'-7" required) Rear: > of 1' for every 3' in building height, or 15' Proposed: Front (Sage Road): 15' Side (east): 12' – 3" Side (west): 12' – 3" Rear (north): 1083' – 2 ½"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height
			Finding	Maximum Permitted: 35' Proposed: 34' – 9 ¼"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	Curb Cut
			Finding	Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. Proposed: 30% (40-foot-wide driveway/132 feet of frontage along Sage Road)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A.2 & 17.125.050	Parking Spaces
			Finding	Off-street parking standards of this chapter apply to any new development and to any new established uses. Required: Residential multiple-family dwelling in all districts except CC, T, T-3000, T-4000, and LI-1, LI-2, and LI-3: Units 2,001 square feet and above require 2 parking spaces. Proposed: The applicant is proposing two parking spaces within either enclosed garage.

FINDINGS REGARDING COMPLIANCE WITH MOUNTAIN OVERLAY DESIGN REVIEW STANDARDS

Mountain Overlay Design Review Standards (KMC §17.104.070.A)

Compliant	Standards and Findings
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Yes	No	N/A	Ketchum Municipal Code	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.1	There is no building on ridges or knolls which would have a material visual impact on a significant skyline visible from a public vantage point entering the City or within the City. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
			Findings	The project is not sited on a ridge or knoll that would have a material visual impact on a significant skyline visible from a public vantage point entering or within the city. The proposed detached townhomes are sited at the lowest elevation of the parcel preserving the natural topography of the hillside above. The proposal also features the buildings further down the hillside compared to the existing townhouse on the property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.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 is minimized. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
			Findings	As the proposal occurs at the lowest portion of the subject property, all building, excavating, filling and vegetation disturbance will not occur at a point on the hillside which has a material visual impact visible from a public vantage point.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.3	Driveway standards as well as other applicable standards contained in Street Standards Chapter 12.04 are met.
			Findings	The proposed driveway improvements have been reviewed by the City Engineer, Streets Department, and Fire Department. The driveway improvements comply with all applicable standards for private driveway specified in Ketchum Municipal Code §12.03.030.L. If approved, the applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho that provide specifications for the proposed driveway and right-of-way improvements for final review and approval by the City Engineer and Streets Department prior to issuance of a building permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.4	All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150') of the furthest exterior wall of any building.
			Findings	Sufficient access is provided for fire and other emergency vehicles to reach within 150 feet of the furthest exterior wall of the building. The Fire Department has reviewed the project plans and has found that all access requirements for emergency vehicles have been met.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.5	Significant rock outcroppings are not disturbed.
			Findings	There are no significant rock outcroppings within the property boundary of the subject property
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.6	International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met.
			Findings	The project must comply with the 2018 International Residential Code, the 2018 International Fire Code, all local amendments specified in Title 15 of Ketchum Municipal Code, and Ketchum Fire Department requirements. All building code and Fire Department requirements will be verified for compliance by the Building and Fire departments prior to building permit issuance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.7	Public water and sewer service comply with the requirements of the City.
			Findings	As shown on C1.0 of the project plans, the applicant has proposed connecting to the municipal water and sewer systems from existing lines within Sage Road. Requirements and specification for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.8	Drainage is controlled and maintained to not adversely affect other properties.
			Findings	Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Drainage improvements are specified on Sheet C1.0 of the project plans. The drainage improvements include the installation of a trench drain bordering the length of both driveways. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell improvements are sufficient to maintain all storm water drainage on-site. All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.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.
			Findings	Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.

			Findings	<p>The proposed detached townhomes are sited at the minimum front yard setback, reducing the length of the driveways. The portion of the subject property immediately adjacent to Sage Rd is utilized by an existing driveway, reducing the need for cut and fill of the proposed driveways.</p> <p>The landscape plan proposes a variety of trees, shrubs, and grasses that will conceal any cuts and fills the project has.</p> <p>The Fire Department has reviewed the project plans and has not recommended a 30-foot-clear-zone for the project. Fire Protection Ordinance No. 1217 (KMC §15.08.080) requires that: (1) tree crowns extending within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet, (2) tree crowns within 30 feet of any structure shall be pruned to remove limbs less than 6 feet above the ground surface adjacent to trees, and (3) non-fire resistive vegetation or growth shall be kept clear of buildings and structures in order to provide a clear area for fire suppression operations. The project complies with the fire protection and defensible space standards specified in KMC §15.08.080.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.10	There are not other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this Ordinance.
			Findings	The proposed townhomes are situated at the minimum required front yard setback of 15'. Still, the eastern townhouse does encroach into the 25% slope area. Staff has requested feedback from the Commission to determine whether the siting of the proposed townhouses conforms to this criteria and Planning & Zoning Interpretation 22-001.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.11	Access traversing 25% or greater slopes does not have significant impact on drainage, snow and earth slide potential and erosion as it relates to the subject property and to adjacent properties.
			Findings	No access traversing 25% or greater slopes is proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.12	Utilities shall be underground.
			Findings	The utility improvements are indicated on Sheet C1.0 of the project plans. The redevelopment project will utilize sewer, gas, and electrical service from Sage Rd. The Utilities Department reviewed the project plans and the service connections complies with city requirements. Pursuant to condition no. 2, the applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho that provide specifications for the proposed utility improvements for final review and approval by the Utilities Department prior to issuance of a building permit for the project.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.13	Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.
			Findings	Sheet D-5.0 shows that the new detached townhomes and all associated site improvements are contained within the existing limits of disturbance on the subject property. The applicant has submitted a preliminary construction management plan that indicates the limits of disturbance will be protected by fencing during construction. A construction management plan that addresses all construction activity standards specified in Ketchum Municipal Code §15.06.030 will be required to be submitted with the building permit application. City Departments will conduct a comprehensive review of the proposed construction management plan during plan review for the building permit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.14	Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.
			Findings	The project minimizes building, excavating, filling, and vegetation disturbance by containing all construction activity within a majority of the existing disturbed area on the subject property. The proposed cut and fill quantities are specified on Sheet C4.0. The total volume of the proposed cut is 2040.3 cubic yards. The proposed fill comes out to 29.4 cubic yards. The proposed home is sited at the lower elevation of the parcel preserving the natural topography of the hillside above. Additionally, the project proposes to further preserve the hillside by restoring and revegetating existing disturbed areas within rear- and side-yard setback areas.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.104.070.A.15	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			Findings	No significant landmarks have been identified on-site.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.104.070.A.16	Encroachments of below grade structures into required setbacks are subject to subsection 17.128.020.K of this title and shall not conflict with any applicable easements, existing underground structures, sensitive ecological areas, soil stability, drainage, other sections of this Code or other regulating codes such as adopted International Code Council Codes, or other site features concerning health, safety, and welfare.
			Findings	This standard is not applicable as the project does not propose below-grade structures that encroach into required setbacks.

FINDINGS REGARDING COMPLIANCE WITH DESIGN REVIEW STANDARDS

17.96.060.A.1 - Streets	Conformance
<i>The applicant shall be responsible for all costs associated with providing a connection from an existing City street to their development.</i>	N/A
<p>Finding: This standard is not applicable as no new roadways or driveways are proposed with this redevelopment project. The project proposes to improve the existing driveway that accesses the property along Spruce Avenue. The applicant has proposed improving the existing driveway by re-grading to comply with Fire Department requirements, installing a snowmelt system that terminates at the front property line, and resurfacing with new asphalt.</p>	

17.96.060.A.2 - Streets	Conformance
<i>All street designs shall be approved by the City Engineer.</i>	N/A
<p>Finding: No new streets or changes to the design of Sage Road are proposed with this project.</p>	

17.96.060.B.1 - Sidewalks	Conformance
<i>All projects under subsection 17.96.010.A of this chapter that qualify as a "substantial improvement" shall install sidewalks as required by the Public Works Department.</i>	N/A
<p>Finding: Ketchum Municipal Code 17.124.140 outlines the zone districts where sidewalks are required when substantial improvements are made, which include the Community Core, all tourist zone districts, and all light industrial districts. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for the project. This standard is not applicable.</p>	

17.96.060.B.2 - Sidewalks	Conformance
<i>Sidewalk width shall conform to the City's right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.</i>	N/A
<p>Finding: N/A. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for this project.</p>	

17.96.060.B.3 - Sidewalks	Conformance
<p><i>Sidewalks may be waived if one of the following criteria is met:</i></p> <p><i>a) The project comprises an addition of less than 250 square feet of conditioned space.</i></p>	N/A

<p>b) <i>The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.</i></p>	
<p>Finding: N/A. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for this project.</p>	

17.96.060.B.4 - Sidewalks	Conformance
<p><i>The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</i></p>	<p>N/A</p>
<p>Finding: N/A. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for this project.</p>	

17.96.060.B.5 – Sidewalks	Conformance
<p><i>New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.</i></p>	<p>N/A</p>
<p>Finding: N/A. Ketchum Municipal Code 17.124.140 outlines the zone districts where sidewalks are required when substantial improvements are made, which include the CC, all tourist zone districts, and all light industrial districts. The subject property is located in the GR-L Zone and sidewalks are not required to be installed for this project.</p>	

17.96.060.B.6 - Sidewalks	Conformance
<p><i>The City may approve and accept voluntary cash contributions in lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110 percent of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in lieu contribution shall be paid before the City issues a certificate of occupancy.</i></p>	<p>N/A</p>
<p>Finding: N/A. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for this project.</p>	

17.96.060.C.1 - Drainage	Conformance
<i>All stormwater shall be retained on site.</i>	YES
<p>Finding: Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Drainage improvements are specified on Sheet C1.0 of the project plans. The drainage improvements include the installation of a trench drain bordering the length of both driveways. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell improvements are sufficient to maintain all storm water drainage on-site.</p> <p>All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</p>	

17.96.060.C.2 - Drainage	Conformance
<i>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</i>	YES
<p>Finding: Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Drainage improvements are specified on Sheet C1.0 of the project plans. The drainage improvements include the installation of a trench drain bordering the length of both driveways. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell improvements are sufficient to maintain all storm water drainage on-site.</p> <p>All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</p>	

17.96.060.C.3 - Drainage	Conformance
<i>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</i>	YES
<p>Finding: The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell/catch basin improvements are sufficient to maintain all storm water drainage on-site. The City Engineer may require additional drainage improvements if necessary. If approved, the applicant shall submit final civil drawings for all drainage improvements with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</p>	

17.96.060.C.4 - Drainage	Conformance
<i>Drainage facilities shall be constructed per City standards.</i>	YES

Finding: The drainage improvements include the installation of a trench drain bordering the length of both driveways. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the proposed trench drain and drywell improvements meet city standards.

All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.

17.96.060.D.1 - Utilities	Conformance
<i>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</i>	YES

Finding: All project costs associated with the development, including the installation of utilities, are the responsibility of the applicant. The applicant has not made requests for funding to the City for utility improvements. No funds have been provided by the City for the project.

17.96.060.D.2 - Utilities	Conformance
<i>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</i>	YES

Finding: As shown on C1.0 of the project plans, the applicant has proposed connecting to the municipal water and sewer systems from existing lines within Sage Road. Requirements and specification for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.

17.96.060.D.3 - Utilities	Conformance
<i>When extension of utilities is necessary all developers will be required to pay for and install two-inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with City of Ketchum standards and at the discretion of the City Engineer.</i>	N/A

Finding: The location of the subject property is already served by fiber optic cable and therefore no conduit is required in this location.

17.96.060.E.1 – Compatibility of Design	Conformance
<i>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</i>	YES

Finding: Pursuant to Ketchum Municipal Code §17.96.060.E1, “The project’s materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.” Sage Road features residences built at varying timeframes resulting in a diverse range of materials and architectural styles. This has resulted in a mix of architectural styles used with newer residences leaning towards a mountain modern style (flat roofs, high percent of glazing, and less warm materials) and older residences featuring more traditional mountain architecture materials (logs and native stone with a more rustic feel). Still, the neighborhood features more traditional mountain architecture than mountain modern design. The proposed residences blends the two architectural styles by utilizing wood siding, cement board siding, board form concrete, and aluminum frames around windows and doors.

17.96.060.E.2 – Compatibility of Design	Conformance
<i>Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.</i>	N/A

Finding: The subject property does not contain any significant landmarks

17.96.060.E.3 – Compatibility of Design	Conformance
<i>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</i>	N/A

Finding: The subject property is developed with an existing townhouse that was constructed in 1966 and is proposed to be demolished. While the existing home is more than 50 years old, the building is not designated on the city’s adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required; however, a demolition permit cannot be issued for the existing residence until a 60-day waiting period has concluded (KMC §15.16.040.B3) and a complete building permit application for a replacement project on the property has been accepted by the city and required fees have been paid (KMC §17.20.010.B).

17.96.060.F.1 – Architectural	Conformance
<i>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</i>	N/A

Finding: N/A. Ketchum Municipal Code 17.124.140 outlines the zone districts where sidewalks are required when substantial improvements are made, which include the Community Core, all tourist zone districts, and all light industrial districts. The subject property is located within the

GR-L Zone and sidewalks are not required to be installed for the project. This standard is not applicable.

17.96.060.F.2 – Architectural	Conformance
<i>The building character shall be clearly defined by use of architectural features.</i>	YES
Finding: The project includes the use of Juliette balconies, steel awnings, shed roof and a stepback of the second and third floors. These features along with the material palette used provide visual interest. The project design is mountain modern combining more rustic and natural materials with large windows, clean lines, hard edges, and a shed roof form.	

17.96.060.F.3 – Architectural	Conformance
<i>There shall be continuity of materials, colors and signing within the project.</i>	YES
Finding: The project uses cement board, wood siding, and glass throughout the project. The use of wood siding and black concrete sidings provides warmth and a welcomed contrast between the materials used.	

17.96.060.F.4 – Architectural	Conformance
<i>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</i>	YES
Finding: Landscape features and avalanche wall are designed and screened in a way to complement the two residences and blend well with the surrounding hillside.	

17.96.060.F.5 – Architectural	Conformance
<i>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</i>	YES
Finding: As described above, the project utilizes architectural features such Juliette balconies, steel awnings, shed roof and stepback along the second and third floors. These features along with Unit B being setback an additional four feet help to reduce the appearance of bulk and flatness. The shed roof and black banding between the second and third floors provide horizontal elements which help to break up the vertical aspect of the buildings.	

17.96.060.F.6 – Architectural	Conformance
<i>Building(s) shall orient toward their primary street frontage.</i>	YES
Finding: Both townhomes are proposed to be oriented towards their primary street frontage along Sage Rd	

17.96.060.F.7 – Architectural	Conformance
<i>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</i>	YES
Finding: No satellite receivers are proposed for the project. As shown on Sheet D1.0, the garage contains storage space to accommodate garbage bins. The garbage storage area will be contained with the enclosed garage and fully screened from public view.	

17.96.060.F.8 – Architectural	Conformance
<i>Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.</i>	YES
Finding: The entry patios for both townhomes are partially covered by the roof providing weather protection for residents.	

17.96.060.G.1 – Circulation Design	Conformance
<i>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</i>	N/A
Finding: N/A. This redevelopment project is located within the Sage Road area, an existing low-density residential neighborhood. The site is not contiguous to existing pedestrian, equestrian, or bicycle easements or pathways.	

17.96.060.G.2 – Circulation Design	Conformance
<i>Awnings extending over public sidewalks shall extend five feet or more across the public sidewalk but shall not extend within two feet of parking or travel lanes within the right-of-way.</i>	N/A
Finding: N/A. Ketchum Municipal Code 17.124.140 outlines the zone districts where sidewalks are required when substantial improvements are made, which include the CC, all tourist zone districts, and all light industrial districts. The subject property is located in the GR-L Zone and sidewalks are not required to be installed for this project.	

17.96.060.G.3 – Circulation Design	Conformance
<i>Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.</i>	N/A
Finding: N/A. The proposal is a residential development along a low traffic area on Sage Road. The driveways to both townhomes meet city standards.	

17.96.060.G.4 – Circulation Design	Conformance
<i>Curb cuts and driveway entrances shall be no closer than 20 feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right-of-way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.</i>	YES
Finding: The proposed driveways are further than 20 feet away from the nearest intersection of Sage Road and Skiway Dr.	

17.96.060.G.5 – Circulation Design	Conformance
<i>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</i>	YES
Finding: Access for emergency vehicles, snowplows and garbage trucks provided along Sage Road.	

17.96.060.H.1 – Snow Storage	Conformance
<i>Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.</i>	YES
Finding: Sheets C1.0 & C2.0 show the proposed snow storage area to include 677 square feet, greater than the required 30% (990 * .30 = 297 square feet).	

17.96.060.H.2 – Snow Storage	Conformance
<i>Snow storage areas shall be provided on site.</i>	YES
Finding: Sheet C1.0 shows the snow storage areas to be provided are on site.	

17.96.060.H.3 – Snow Storage	Conformance
<i>A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.</i>	YES
Finding: Sheet C1.0 shows that no snow storage area has dimensions less than five feet.	

17.96.060.H.4 – Snow Storage	Conformance
<i>In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.</i>	N/A

Finding: Applicant is not proposing snowmelt.

17.96.060.I.1 – Landscaping	Conformance
<i>Landscaping is required for all projects.</i>	YES

Finding: Landscaping has been provided for the project as indicated on Sheet L1 of the project plans.

17.96.060.I.2 – Landscaping	Conformance
<i>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</i>	YES

Finding:
The rear-yard will be restored and revegetated with native grasses. Plantings include native evergreens and shrubs around the proposed residence. The proposed vegetation is readily adaptable to the site's microclimate, soil conditions, orientation, and aspect and will be restored on disturbed hillside areas on the subject property.

17.96.060.I.3 – Landscaping	Conformance
<i>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</i>	YES

Finding: The landscape plan proposes drought-tolerant and native materials, including firs, pines, native shrubs, and drought tolerant grasses.

17.96.060.I.4 – Landscaping	Conformance
<i>Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.</i>	YES

Finding: The proposal intends to provide landscaping on the side yards allowing for privacy between adjacent properties.

17.96.060.J.1 – Public Amenities	Conformance
<i>Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating,</i>	N/A

<i>kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.</i>	
Finding: N/A. The subject property is located within the GR-L Zone and sidewalks are not required to be installed for this project.	

17.96.060.K.1 – Underground Encroachments	Conformance
<i>Encroachments of below grade structures into required setbacks are subject to subsection 17.128.020.K of this title and shall not conflict with any applicable easements, existing underground structures, sensitive ecological areas, soil stability, drainage, other sections of this Code or other regulating codes such as adopted International Code Council Codes, or other site features concerning health, safety, and welfare.</i>	N/A
Finding: N/A. No below grade encroachments are proposed.	

17.96.060.K.2 – Underground Encroachments	Conformance
<i>No below grade structure shall be permitted to encroach into the riparian setback.</i>	N/A
Finding: N/A. No below grade encroachments are proposed.	

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 Mountain Overlay Design Review application for the development and use of the project site.
2. The Commission has authority to hear the applicant’s Mountain Overlay Design Review Application pursuant to Chapters 17.104 and 17.96 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 §17.96.080.
4. The Mountain Overlay Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.104, 17.124, 17.08, 17.12, 17.18, and 17.128.

5. The Sage Mountainside Townhomes Mountain Overlay Design Review Application File No. P22-070 meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Mountain Overlay Design Review Application File No. P22-070 this Tuesday, July 11, 2023 subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This Design Review approval is based on the project plans presented at the June 26, 2023, Planning and Zoning Commission meeting. The project plans for all on-site improvements submitted for the building permit 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 review by the Commission and/or removal.
2. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho which include specifications for right-of-way, circulation design, utilities, and drainage improvements for review and approval by the City Engineer, Streets, and Utilities departments prior to issuance of a building permit for the project.
3. The term of Design Review approval shall be twelve (12) months from the date that the Findings of Fact, Conclusions of Law, and Decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations.
4. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

Findings of Fact **adopted** this 11th day of July 2023.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission