



## City of Ketchum

### CITY COUNCIL MEETING AGENDA MEMO

Meeting Date:	October 6, 2025	Staff Member/Dept:	Morgan Landers, AICP – Director of Planning and Building
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Agenda Item:	Discussion of the Consolidated Land Development Code – Planning Commission Recommendations
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#### Recommended Motion:

No motion – no action is being taken
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#### Reasons for Recommendation:

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| <ul style="list-style-type: none"><li>As part of the Cohesive Ketchum project, parallel with the update to the comprehensive plan, city staff and Clarion Associates have been working since January 2024 to consolidate the city's land use regulations. Intended to improve usability, eliminate redundancies and contradictions, and clarify regulations, the draft consolidates and restructures Title 17, Zoning Regulations; Title 16, Subdivision Regulations; and portions of Title 12. The draft also updates the city's development review procedures.</li></ul> |
| <ul style="list-style-type: none"><li>The draft was informed by Code User Survey conducted in 2024 and the Code Advisory Group (CAG), a small committee of representatives from professions that interact with the city's land use regulations most frequently, including architects, landscape architects, civil engineers, and realtors.</li></ul>   |
| <ul style="list-style-type: none"><li>The consolidated regulations provide a more usable foundation for upcoming changes to the land use regulations directed by the comprehensive plan.</li></ul>   |
| <ul style="list-style-type: none"><li>The Planning and Zoning Commission (the "Commission") reviewed and discussed the proposed draft over four meetings including three public hearings. The Commission recommended approval of the draft to City Council on July 22, 2025, with some revisions as noted below and attached.</li></ul>  |

#### Policy Analysis and Background (non-consent items only):

<p><b>INTRODUCTION AND BACKGROUND</b></p> <p>Staff provided an overview of the draft regulations to City Council at the September 15<sup>th</sup> meeting to re-introduce this portion of the Cohesive Ketchum project and orient the council to the new document (Attachment 1). The purpose of this meeting is to review the recommendations of the Commission and receive preliminary direction from Council in preparation for the first public hearing and first reading of the ordinance on October 20, 2025.</p> <p>As noted above, the purpose of consolidating the land use regulations was to improve usability, eliminate redundancies and contradictions, and clarify regulations. The city receives consistent feedback from users of the regulations that the document is confusing to navigate, often results in missed requirements or issues in process, and does not provide clear and predictable parameters for property owners. A memo providing an overview of the changes, structure of the new format, and an annotated outline can be found in</p>
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Attachment 1. The full draft Land Development Code is linked as Attachment 2 below and can also be found by [CLICKING HERE](#).

Following meetings with the CAG, and multiple workshops with the Historic Preservation Commission and Planning and Zoning Commission, the draft Consolidated Land Development Code began public hearings with the P&Z Commission in April of this year.

The Historic Preservation Commission discussed elements of the draft regulations during the following work session:

- July 1, 2025: [LINK TO RECORDING](#)

The Planning and Zoning Commission conducted one informational session and two public hearings to review and discuss the draft regulations as follows:

- April 22<sup>nd</sup> information session: [LINK TO RECORDING](#)
- May 13th public hearing: no discussion, continued to June 10th
- June 10th public hearing: [LINK TO RECORDING](#)
- July 22<sup>nd</sup> public hearing: [LINK TO RECORDING](#)

### **COMMISSION RECOMMENDATIONS**

At their meeting on July 22nd, the Commission recommended approval of the draft Consolidated Land Development Code with additional revisions. Revisions included:

- General formatting and grammatical corrections
- Clarification of approval languages
- Adjustments to the Zone District Use Matrix and descriptions
- Clarifications of non-conformities
- Clarifications of decision-making authority for parking reductions
- Clarifications of administration and procedures
- Clarifications of design review procedures
- Adjustments to the new neighborhood meeting requirements and how it is noticed and summarized

Please see Attachment 3 for a detailed overview of changes recommended by the Commission and redlines of those changes.

### **POLICY DISCUSSIONS**

#### *Replacement Projects of Demolished Historic Buildings*

As noted in the staff memo for the September 15<sup>th</sup> Council meeting, the Historic Preservation Commission(HPC) and Planning Commission discussed a certain provision of the draft regulations extensively. This provision is related to conditions of approval applied to replacement projects for demolition of historic structures. Specifically, these are structures that are listed on the city's Historic Building/Site List. Currently, the HPC has purview over additions and alterations as well as demolition applications. The Planning Commission has purview over the replacement developments.

The draft regulations 16.07.060.E.2.b state the following "Any new construction following demolition shall be of similar size, scale, and general orientation of the original structure being demolished". This language was added into the draft regulations to preserve the aesthetic within the community established by smaller historic structures that have influenced the fabric of downtown for many decades. In the unique and rare

event that the HPC were to grant demolition of a historic building, this provision would ensure that the future development would maintain the same physical influence on the surroundings as the previous building.

Discussions with the HPC and Planning Commission occurred separately over many meetings. The HPC was concerned with the current rapid loss of historic structures and the loss of the smaller historic mountain town scale these structures provide to Ketchum's historic identity. The Planning Commission understood the goal of the provision but was concerned with the vagueness of the language and the loss of potential development flexibility of a property when the original value of a historic structure is no longer there. The Commission also discussed whether this was the right tool to achieve the goal, noting that the city is kicking off the design guidelines discussion this fall and that a provision of this magnitude warranted more discussion holistically through that process. The HPC agreed that the provision is very general and that the implementation of the provision is entirely within the purview of the Planning Commission and there could be language added to further clarify the extent of which standards could be expanded, such as floor area or height. There was also discussion as to whether the provision should be retained but revised to allow flexibility for certain public benefits such as community housing or parking through a discretionary approval process that Council would be the final decision-making authority of.

Ultimately, the Planning Commission supports the HPC recommendation to keep the provision as currently written without additional specificities as to how "similar" the replacement project is to the historic building or structure (i.e. floor area or height clarifications). The Planning Commission felt the language is an acceptable place to start and creates a bridge in the regulations between where we are today and where the city is going with design guidelines. The Planning Commission did make some recommended changes to the HPC criteria related to monuments and commemoration to clarify the requirements, which are included as a redline in Attachment 4.

#### *Decision Making Authority*

The draft regulations added a "Summary Table of Review Procedures" that does not currently exist in the regulations today. That table can be found in Section 16.07.010 and is included as Attachment 5 for ease of review. The table provides a list of all application types regulated by the land development code, the code section where information can be found, public notice requirements of that application, and the decision-making authority and appeal body for the application type.

Staff did not recommend any changes to the decision-making authority for application types except for subdivisions. Three applications have adjustments in decision making authority:

- Final Plats - Final Plats are currently reviewed by staff and Council is the decision maker. The draft recommends staff as the decision maker as final plats are a technical exercise to ensure that the final plat is in conformance with the Commission and Council approved preliminary plat. Substantial changes at the Final Plat stage would need to go back through the process and would not be approved administratively by staff in the draft regulations.
- Minor Subdivisions – these subdivision types are new and not in the current regulations. Minor subdivision applications are for subdivisions creating four or less lots, condominium and townhouse subdivisions. The draft proposes the Commission as the decision maker for these application types. These are often, but not always, subdivisions that have gone through the design review process. All are required to meet the underlying zone district requirements for lot sizes.

- Plat Amendments – these application types are currently referred to as Lot Line Shift applications or Readjustment of Lot Lines. Lot Line Shifts are currently reviewed by staff and Council is the decision maker. The draft recommends staff as the decision maker as these amendments are typically corrections of errors, owner-initiated adjustment of property boundaries, or other minor adjustments. Lot consolidations are not permitted through Plat Amendments in the draft.

The Planning Commission did not recommend any changes to the items proposed above.

#### **NEXT STEPS**

The first public hearing and first reading of the consolidated land development code is scheduled for October 20, 2025. Staff requests the council review the recommendations from the Planning and Zoning Commission and provide directions to staff on what items the council supports, what items the council would like to see revisions of, and what items need further discussion. Staff will prepare a new draft of the regulations for publication ahead of the October 20th hearing.

#### **Sustainability Impact:**

Phase 3 of the Cohesive Ketchum updates to the land development code will directly implement sustainability goals outlined in the updated comprehensive plan.

#### **Financial Impact:**

None OR Adequate funds exist in account:	None
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#### **Attachments:**

1. Overview Memorandum - 9/10/25
2. <a href="#">Draft Consolidated Land Development Code</a>
3. Planning and Zoning Commission Recommendations Memo
4. Historic Preservation Redline
5. Summary Table of Review Procedures



City of Ketchum

# **ATTACHMENT 1:**

## **CC Overview Memo – 9/10/25**



City of Ketchum

## **ATTACHMENT 1:**

### **Overview Memo – 9/10/25**

# MEMORANDUM

**TO:** Morgan Landers and Abby Rivin, City of Ketchum  
**FROM:** Matt Goebel, Goebel Partners  
**DATE:** **September 10, 2025**  
**RE:** **Ketchum Code Usability and Procedural Updates**

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As part of the Cohesive Ketchum project, parallel with the update to the comprehensive plan, city staff and Clarion Associates have been working since January 2024 to consolidate the city's land use regulations. Attached to this memorandum is a draft of the reorganized and reformatted "Ketchum Land Development Code". Intended to improve usability, eliminate redundancies, and clarify regulations, the draft consolidates and restructures Title 17, Zoning Regulations; Title 16, Subdivision Regulations; and portions of Title 12. The draft also updates the city's development review procedures.

The draft was informed by the Code Advisory Group (CAG), a small committee of representatives from professions that interact with the city's land use regulations most frequently, including architects, landscape architects, civil engineers, and realtors. Committee members brought technical expertise and detailed knowledge of the city's existing land use regulations. Planning and Zoning Commissioner Susan Passavoy participated as a member of the CAG as well. The CAG initially participated in a code user survey to identify the biggest issues in navigating the current regulations. Following that survey, staff and Clarion Associates met with the CAG three times over the course of the project to address feedback. The CAG will continue to support the city during Phase 3 of the code update following adoption of the comprehensive plan.

The following memorandum provides some general comments on how to navigate the draft and provides an overview of each chapter in the new reorganized code. At the end of the memo, there is a table that includes the new table of contents and what chapters and sections from our current code are included in each new chapter. The majority of the content was carried over from the current regulations with little change. However, based on feedback from the CAG, the draft does include substantive updates to the land use application procedures (located in Chapter 16.07 of the newly reorganized draft Ketchum Code), which are more specifically described in this memo.

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## General Comments

### General Format Updates

A variety of general format updates in this draft help clarify and improve the presentation of material. These include but are not limited to:

- Improved page layout with dynamic headers that show chapter, section, and subsection on each page.
- Consistent formatting and location of tables and graphics.
- Clear and prominent hierarchy of heading titles (using color and/or bold fonts).
- Consistent indentation and nested text.

- Consistent use of Oxford comma (the current code is inconsistent here; we have begun making this correction but will need to continue this edit in subsequent drafts).

### **Footnotes**

Footnotes serve several purposes in this draft. They are used to indicate new content, or the source of material that has been carried forward from various titles in the Ketchum Municipal Code (Title 12, Title 16 and Title 17) along with notation of changes or edits to that content. These footnotes are included as information and navigation purposes during the review and will not be carried forward in the final adoption version.

### **Cross-References**

Cross-references to content within this draft (generally shown as “§X.X.X,” or chapter, section, and subsection) are hyperlinked to other relevant sections within the document. If the link leads to material within the same subsection, we generally do not include the section name. If the link leads to material in another section, the reference is generally followed by the name of the section, so users know where they will end up if they click the link.

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## **Chapter-by-Chapter Overview**

The remainder of this memo summarizes each chapter in the attached draft of the Ketchum Code.

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### **Chapter 16.01 General Provisions**

This article includes general provisions that apply citywide in any zone district and include the following:

- The overall purpose, intent, and applicability of the Code;
- How prior approvals, violations, and pending applications are processed;
- Regulations addressing nonconformities, including the ability to continue, enlarge, or restore nonconforming uses, buildings, and lots (these standards have been cleaned up, but should be considered for more substantive revisions in Phase 3; and
- Enforcement of the Code, including violations and penalties.

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### **Chapter 16.02: Zoning Districts**

This chapter is now organized by district category (e.g., residential, mixed-use, or other) with a summary table of the zoning districts at the beginning of the chapter for ease of use. Each zoning district includes the purpose statement and an individual summary table describing the various lot and building standards for the district. In this draft, there is a placeholder for a future district graphic that will show the intended character of a zoning district and include key information related to the lot and building standards, such as building setbacks and building height. These graphics will be prepared in Phase 3 of the Code update following review and refinement of the districts.

Additionally, the overlay districts have been significantly restructured, including the separation of procedural content from the Planned Unit Development, Floodplain, and Avalanche Overlays and the consolidation of both Warm Springs Base Area Districts into one section due to the duplicative content in the current regulations. The Floodplain Overlay district received some streamlining and reorganization, however, more substantive revisions as a part of Phase 3 are necessary to make this district truly user-friendly by the public.



The chapter concludes with the measurements and exceptions sections that includes the supplementary setback regulations (e.g., allowed encroachments) and the maximum FAR regulations associated with the community housing incentive.

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### **Chapter 16.03: Use Regulations**

Though the current Code includes a Table of Permitted Uses, the updated version in this draft introduces new use categories and subcategories to better organize the individual uses. Providing this hierarchy of uses is a more logical way to organize uses and allows the City to make decisions on future proposed uses that are unlisted in the table. Minor revisions within the Use Table include:

- Adding community housing units as a use type for additional clarity;
- Allowing Work/Live units by-right in the LI districts; and
- Adding semi-public recreation facility and bar/lounge (and associated use-specific standards) uses.

The draft also introduces a “Use-Specific Standards” section in which all requirements related to particular uses (e.g., multi-family dwellings, food service, home occupation, accessory dwelling unit, etc.) have been moved from various locations throughout the current Code, including definitions, and organized by major use category in this section. Some additional text has been added or minor revisions made for clarification throughout (e.g., removing the term “harmonious” to increase objectivity of standards). All use-specific standards are cross-referenced with a hyperlink in the right-hand column of the Table of Permitted Uses for easy navigation.

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### **Chapter 16.04 Development Standards**

This chapter includes information relevant to the overall site and building design for a development. The sections are arranged following a “ground-up” approach, beginning with the basic infrastructure of a site, moving into the parking and landscaping regulations, then building-related elements such as Design Review requirements, and ending with exterior lighting (Dark Skies). Minor revisions necessary for clarifying regulations or consistency have been made throughout including, but not limited to the application of the current one-family dwelling landscaping requirements to all development, the consolidation of minimum parking and loading space requirements in a summary table, clarifying that Design Review is required for major landscaping alterations, and the integration of content from Title 12 of the Ketchum Municipal Code related to public rights-of-way.

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### **Chapter 16.05 Signs**

This chapter carries forward current Chapter 17.127 largely unchanged and includes the purpose, applicability, permit requirements, general standards (e.g., safety, computations, and lighting), number and size specifications, nonconforming regulations, and violation and enforcement for signage throughout the City. Minor revisions for clarification or consistency have been made throughout, including the addition of a Historic/Landmark sign type to the Sign Specifications Matrix.

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### **Chapter 16.06 Subdivision**

The primary update to the subdivision regulations is the separation of procedures and development standards. This chapter includes the purpose, jurisdiction, scope, exceptions and development/design standards for subdivisions as well as specific regulations related to condominiums, townhouses, mobile home subdivisions, and the requirements for impact statements and the area of city impact. Minor revisions for clarification or consistency have been

made throughout to reflect current City interpretations and practices. Some substantive requirements, including open space, storage, condo/townhomes were moved to other generally applicable locations in the new unified code structure.

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## **Chapter 16.07: Administration and Procedures**

Generally, this chapter describes the process for reviewing and approving development applications in Ketchum. Some procedures are grouped into larger categories, such as floodplain and subdivision procedures, while others are individually listed (e.g., Conditional Uses). Where applicable, procedural content has been separated from specific standards related to a particular procedure. For example, the Design Review procedures are in Chapter 16.07 whereas the improvement standards and CC District standards remain in Chapter 16.04.

### **16.07.010: Summary Table of Review Procedures**

This introductory summary table overviews the review procedures, the review and decision-making authorities, and public notice requirements. The summary table is organized into the larger categories of procedures mentioned above: Development Permits, Signs, Floodplain Permits and Procedures, Historic Preservation, and Subdivision Procedures. The column to the right of the procedure name includes a hyperlinked section reference that directs the reader to the specific procedure when clicked. Each specific procedure includes a flowchart depicting the steps for review and approval.

### **16.07.020: Common Review Procedures**

This new section consolidates general procedures that apply to all types of applications, unless specified otherwise. These basic steps are scattered in the current ordinance, and the level of detail for each is inconsistent and many key details are left unanswered.

The content in this section codifies existing practices and introduces best practices. Generally, this is intended to help Code users better understand the City's basic procedural steps and requirements, avoid unnecessary duplication of text, ensure consistent application of generally applicable procedural steps and requirements, and eliminate the need to amend multiple sections of the Code if a process is revised. The specific procedures that follow this section refer back to the common review procedures, noting any deviations from the general rules. Common review procedures include:

- **Preapplication Staff Meeting.** This section contains new content that expands upon the City's current practices including adding requirements for certain application types to schedule a preapplication staff meeting and establishing the procedural and submittal details for the meeting.
- **Preapplication Neighborhood Meeting.** This section introduces a preapplication neighborhood meeting process to identify key concerns or potential issues early in the development review process. This procedure allows public involvement earlier in the review process to allow residents an opportunity to speak with developers to voice concerns and learn about the project. It is required for Conditional Use Permits, Planned Unit Development Conditional Use Permits, Preapplication Design Review, and Design Review applications that require a public hearing.
- **Application Submittal and Process.** This section establishes the procedure for initial review and acceptance of applications including the determination of application completeness.

- **Review and Action: Administrative Approvals.** This section identifies the procedures for reviewing administrative applications (those applications that do not require a public hearing or review by the Planning and Zoning Commission, Historic Preservation Commission, or City Council), provide for interdepartmental coordination, commenting on applications, and preparing decisions.
- **Review and Action: Public Hearing Approvals.** This section identifies the procedures for reviewing applications that require public hearings, provide for interdepartmental coordination, commenting on applications, preparing recommendations and staff reports, and identifying the types of public hearings and the associated noticing requirements.
- **Notice of Final Decision.** This section establishes the requirement for staff to issue a written decision (via email) for all applications.
- **Recordation.** This section establishes the requirement to record documents such as Final Plats, Minor Subdivisions, Plat Amendments, Vacations, easements, and development agreements with the Blaine County Recorder.
- **Appeal.** This section describes the procedure by which an applicant can appeal a decision made on an application and establishes the review criteria for appeals. The appeal provisions are unchanged from the current Code, however, phase 3 will include further cleanup of the appeal provisions for clarity.

### **16.07030: Development Permits**

This Section includes the specific procedures for the following application types:

- Conditional Use Permit (CUP)
- Conditional Use Permit for Planned Unit Development (PUD CUP)
- Design Review
- Dig Permit
- Right-of-way Encroachment Permit
- Temporary Use of Right-of-Way Permit
- Variances
- Wireless Communication Facility Permit

In addition to the general restructuring of current procedural content into the new organization and minor revisions for consistency and clarity or to reflect current City practices, notable changes include adding purpose statements for each procedure, establishing expiration and approval provisions for each application type, and removing review timelines (these are better suited to be located outside of the Code so that they can be updated as needed based on staff capacity).

### **16.07.04: Signs**

This section includes the specific procedures for Master Sign Plans and Sign Permits. Notable changes include adjusting the decision-making body for Master Sign Plans from City Council to Planning and Zoning Commission and removing review timelines (these are better suited to be located outside of the Code so that they can be updated as needed based on staff capacity).

**16.07.050: Floodplain**

This section carries forward the current procedures from current Section 17.88.050 and 17.88.110 with no major substantive changes. The section is organized as follows:

- Purpose of all Floodplain Procedures
- Emergency Riparian Alteration
- Emergency Stream Bank Stabilization
- Floodplain Development Permit
- Riparian Alteration Permit
- Temporary Flood Control Barrier
- Floodplain Development Variance

**16.07.060: Historic Preservation**

This section carries forward the historic preservation procedures from the current Chapter 17.20 with minor revisions made to clarify current interpretations by the Historic Preservation Commission and new review criteria for alterations and demolitions of historic structures based on the Secretary of the Interior's Standards for Rehabilitation. Staff worked with the HPC over a series of meetings to develop the new criteria. Note that the current Code references that alteration/demolition applications go through the Design Review procedure, but to avoid confusion we have not maintained that language as it is duplicative with the Design Review chapter and the HPC does not review alteration/demolition applications against Design Review criteria. The section is organized as follows:

- Purpose
- Applicability
- Maintenance
- Procedure – Alterations
- Procedure – Demolitions
- Designation of a Historic Building/Site

**16.07.070: Ordinance Amendments**

This section includes the Code Amendment, Zoning Map Amendment (Rezoning), and new Comprehensive Plan Amendment procedures. Both sets of review criteria for Code Amendments and Rezonings have been updated to provide a clearer, more objective set of standards for the Planning and Zoning Commission to make a recommendation and City Council to decide.

**16.07.080: Subdivision Procedures**

This section consolidates all of the procedures related to the division of land and includes major subdivision (preliminary and final plat), minor subdivision, plat amendment, subdivision exception, and vacations and dedications. Similar to other sections, the subdivision procedures have been restructured to follow the same organization and flow of other development procedures. Notable changes include the following:

- Clarifying when a preliminary plat is required;

- Confirming plat expirations and extensions;
- Allowing Final Plats to be approved administratively (to support Planning and Zoning Commission's comments);
- Introducing a Minor Subdivision process that allows for small divisions of land (e.g., creating four or fewer lots) to be approved by the Planning and Zoning Commission (whereas the current code essentially applies the same involved procedure to all sizes of subdivision, big and small); and
- Introducing a Plat amendment process that expands upon and clarifies the current lot line shift procedure and shifts the decision-making body for such Plat Amendments from the City Council to the Administrator.

#### **16.07.090: Review and Decision-Making Bodies**

This new section consolidates the descriptions of the review and decision-making bodies including City Council, Planning and Zoning Commission, the Planning and Zoning Administrator, and the Floodplain Administrator.

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#### **Chapter 16.08: Rules of Interpretation and Definitions**

This section includes general rules of construction that are essential in understanding the context and general terminology used throughout the Code. It also includes a consolidated and alphabetized list of definitions for terms that are currently located in multiple chapters of the Code to simplify the ease of looking up a particular definition.

## Annotated Outline

The table below provides an overview of the structure and general content of the reorganized Ketchum Land Development Code. The far-right column indicates which sections of the current municipal code were incorporated into the new structure.

Summary of Proposed Code		
SECTION NUMBER	SECTION TITLE	CURRENT CODE SECTIONS TO BE INCORPORATED
<b>CHAPTER 16.01</b>	<b>GENERAL PROVISIONS</b>	
16.01.010	Title and Effective Date	<ul style="list-style-type: none"> <li>Chapter 16.04.010: General Provisions</li> <li>Chapter 17.04: Introductory Provisions</li> <li>17.20.060D: Relief from Regulations (Historic Preservation)</li> <li>17.128.010: Supplementary Lot Area and Lot Width Regulations</li> <li>Chapter 17.136: Nonconforming Uses and Nonconforming Buildings</li> <li>Chapter 17.156: Enforcement (and various other enforcement-related provisions in other sections)<sup>1</sup></li> </ul>
16.01.020	Purpose	
16.01.030	Authority, Applicability, and Jurisdiction	
16.01.040	Transition from Prior Regulations	
16.01.050	Nonconformities	
16.01.060	Enforcement and Penalties	
16.01.070	Severability	
<b>CHAPTER 16.02</b>	<b>ZONING DISTRICTS</b>	
16.02.010	Established Zoning Districts	<ul style="list-style-type: none"> <li>17.12.010: Zoning Map Districts</li> </ul>
16.02.020	Residential Districts	<ul style="list-style-type: none"> <li>17.12.030: Dimensional Standards, Districts Matrix</li> <li>17.18.020-060 (Residential Districts)</li> <li>17.18.070-090 (Short-Term Occupancy Districts)</li> </ul>
16.02.030	Mixed-Use Districts	<ul style="list-style-type: none"> <li>17.12.030: Dimensional Standards, Districts Matrix</li> <li>17.12.040: Dimensional Standards, CC Districts Matrix</li> <li>17.12.050: Dimensional Standards, Light Industrial Districts Matrix</li> <li>17.18.100-160 (Tourist, Community Core, Light and Industrial Districts)</li> </ul>
16.02.040	Other Districts	<ul style="list-style-type: none"> <li>17.18.170-180 (Recreation Use, and Agricultural and Forestry Districts)</li> </ul>
16.02.050	Planned Unit Development (PUD)	<ul style="list-style-type: none"> <li>Chapter 16.08: Planned Developments <sup>2</sup></li> </ul>
16.02.060	Overlay Districts	<ul style="list-style-type: none"> <li>Chapter 17.88: Floodplain Management Overlay District (procedural content to be relocated to Chapter 16.07)</li> <li>Chapter 17.92: Avalanche Zone District (procedural content to be relocated to Chapter 16.07)</li> <li>Chapter 17.100: Warm Springs Base Area Overlay District (WSBA)</li> </ul>

<sup>1</sup> Section 16.04.150: Enforcement, Violations, and Penalties (Subdivision)

Section 16.08.190: Criminal Violation and Penalty and Civil Enforcement (PUD)

Section 17.20: Enforcement and Maintenance (Historic Preservation)

Section 17.154.050: Enforcement (Development Agreement Zoning)

<sup>2</sup> For the initial reorganization, PUD procedures will stay here, but they may be relocated into general procedures during that first part of the substantive rewrite.

Summary of Proposed Code		
SECTION NUMBER	SECTION TITLE	CURRENT CODE SECTIONS TO BE INCORPORATED
		<ul style="list-style-type: none"> <li>Chapter 17.101: Warm Springs Base Area Overlay District-1 (WSBA-1)</li> <li>Mountain Overlay Zoning District (MO) (procedural content to be relocated to Chapter 16.07)</li> </ul>
16.02.070	Measurements and Exceptions	<ul style="list-style-type: none"> <li>17.124.040: Floor Area Ratios and Community Housing</li> <li>17.128.20-30 (Supplementary yard and building height regulations)</li> </ul>
<b>CHAPTER 16.03</b>	<b>USE REGULATIONS</b>	
16.03.010	Purpose	
16.03.020	Table of Allowed Uses	<ul style="list-style-type: none"> <li>Section 17.12.020: District Use Matrix</li> </ul>
16.03.030	Use-Specific Standards	<ul style="list-style-type: none"> <li>17.124.050: Hotels</li> <li>17.124.090: Residential, Light Industrial Districts</li> <li>17.124.120: Daycare Businesses</li> <li>17.124.160: Commercial and Neighborhood Off-Site Snow Storage</li> <li>17.124.170: Minimum Standards for One-Family Dwelling</li> <li>16.04.090: Mobile Home Subdivisions</li> </ul>
16.03.040	Accessory and Temporary Uses	<ul style="list-style-type: none"> <li>17.124.020: Accessory Buildings and Uses</li> <li>17.124.030: Home Occupations</li> <li>17.124.070: Accessory Dwelling Units</li> <li>17.124.080: Urban Agriculture</li> <li>17.124.110: Residential Equestrian Facilities and Household Pets</li> <li>17.124.120: Daycare Businesses</li> <li>17.124.150: Commercial Studio Events</li> </ul>
<b>CHAPTER 16.04</b>	<b>DEVELOPMENT STANDARDS</b>	
16.04.010	Purpose	<ul style="list-style-type: none"> <li>17.124.010: Purpose</li> </ul>
16.04.020	Access, Connectivity, and Circulation	<ul style="list-style-type: none"> <li>Chapter 12.04: Design and Construction Repair</li> <li>17.124.140: Sidewalks, Curbs, and Gutters</li> </ul>
16.04.030	Excavations and Improvements of City Rights-of-Way and Easements	<ul style="list-style-type: none"> <li>Chapter 12.08</li> </ul>
16.04.040	Temporary Use of Public Rights-of-Way	<ul style="list-style-type: none"> <li>Chapter 12.12</li> </ul>
16.04.050	Off-Street Parking and Loading	<ul style="list-style-type: none"> <li>Chapter 17.20.060C: Relief from Regulations (Historic Preservation)</li> <li>Chapter 17.125: Off-Street Parking and Loading</li> </ul>
16.04.060	Landscaping, Buffering and Screening	<ul style="list-style-type: none"> <li>13.08.0130: Implementation of Municipal Water Conservation Measures</li> <li>17.124.100: Landscaped Yards, Light Industrial Districts</li> <li>17.124.130: Fences, Hedges, and Walls</li> </ul>
16.04.070	Minimum Residential Densities and Commercial Requirements	<ul style="list-style-type: none"> <li>17.04.030.D: Applications: No Net Loss of Units</li> </ul>

Summary of Proposed Code		
SECTION NUMBER	SECTION TITLE	CURRENT CODE SECTIONS TO BE INCORPORATED
		<ul style="list-style-type: none"> <li>17.124.180: Minimum residential densities and commercial requirements</li> </ul>
16.04.080	Design Review	<ul style="list-style-type: none"> <li>17.96.010: Applicability</li> <li>17.96.020: Purpose</li> <li>17.96.060: Improvements and Standards</li> <li>17.96.070: Community Core (CC) Projects</li> </ul>
16.04.090	Dark Skies	<ul style="list-style-type: none"> <li>17.124.060: Outdoor Illumination</li> <li>Chapter 17.132: Dark Skies</li> </ul>
<b>CHAPTER 16.05</b>	<b>SIGNS</b>	
16.05.010	Purpose	<ul style="list-style-type: none"> <li>Chapter 17.127: Signage (procedural content for sign permit and master sign plan to be relocated to Chapter 16.07)</li> </ul>
16.05.020	Applicability	
16.05.030	General	
16.05.040	Sign Specifications Matrix	
16.05.050	Existing Conforming, Nonconforming, Illegal and Allowable Signs	
16.05.060	Violations and Enforcement	
<b>CHAPTER 16.06</b>	<b>SUBDIVISION</b>	
16.06.010	Purpose	<ul style="list-style-type: none"> <li>Chapter 16.04: Subdivisions (procedural content to be relocated to Chapter 16.07)</li> <li>Subdivision content from Chapter 17.88: Floodplain Management Overlay District and Chapter 17.92: Avalanche Zone District</li> <li>Chapter 16.12: Area of City Impact</li> </ul>
16.06.020	Jurisdiction	
16.06.030	Scope	
16.06.040	Exceptions	
16.06.050	Development and Design	
16.06.060	Condominiums	
16.06.070	Townhouses	
16.06.080	Mobile Home Subdivisions	
16.06.090	Impact Statement	
16.06.100	Area of City Impact	
<b>CHAPTER 16.07</b>	<b>ADMINISTRATION &amp; PROCEDURES</b>	
16.07.010	Summar Table of Review Procedures	<ul style="list-style-type: none"> <li>17.20.010-.050: Historic Preservation</li> <li>17.96.030: Authority of the Administrator and the Commission</li> <li>17.96.040: Application</li> <li>17.96.050: Criteria, Conditions and Security</li> <li>17.96.80: Notice</li> <li>17.96.90: Terms of Approval</li> <li>17.96.100: Fees and Costs</li> <li>Chapter 17.116: Conditional Uses</li> <li>Chapter 17.140: Wireless Communication Facilities</li> <li>Chapter 17.144: Appeals</li> <li>Chapter 17.148: Variances</li> <li>Chapter 17.152: Amendment and Reclassification</li> <li>Chapter 17.254: Development Agreement Zoning</li> </ul>
16.07.020	Common Review Procedures	
16.07.030	Development Permits	
16.07.040	Signs	
16.07.050	Floodplain	
16.07.060	Historic Preservation	
16.07.070	Ordinance Amendments	



Summary of Proposed Code		
SECTION NUMBER	SECTION TITLE	CURRENT CODE SECTIONS TO BE INCORPORATED
16.07.080	Subdivision Procedures	
16.07.090	Review and Decision-Making Bodies	
CHAPTER 16.08	RULES OF INTERPRETATION & DEFINITIONS	
16.08.010	Rules of Interpretation	<ul style="list-style-type: none"> <li>• Section 17.08.010: Rules of Interpretation</li> </ul>
16.08.020	Terms Defined	<ul style="list-style-type: none"> <li>• Section 12.04.020.D</li> <li>• Section 12.08.020</li> <li>• Section 12.12.030</li> <li>• Section 16.04.020: Definitions (Subdivision)</li> <li>• Section 16.08.030</li> <li>• Chapter 17.08: Definitions</li> </ul>



City of Ketchum

# **ATTACHMENT 2:**

## **Draft Consolidate Land**

## **Development Code**



City of Ketchum

# **ATTACHMENT 3:**

## **P&Z Commission**

## **Recommendations Memo**

## Planning and Zoning Commission Recommendations

On July 22, 2025, the Planning and Zoning Commission recommended approval of the draft Consolidated Land Development Code with the following revisions:

1. **General formatting and grammar corrections** – staff will continue to review the document to ensure that all formatting errors are corrected and any grammatical errors are addressed prior to final adoption. Also do a review to ensure that “City” and “Administrator” are used correctly throughout the document.
2. **Approval Language** - Approval language in parts of the code imply that an approval must be granted and does not allude to the discretion in decision making. Staff will review the entire document to ensure that the language “approve, approve with conditions, or deny” are options represented in all approval references for the Administrator, Commission, and Council.
  - a. Example: “Commission shall review the parking demand analysis and accompanying remedies and upon finding that the analysis uses the appropriate methodology and includes an acceptable and reasonable remedy that can be implemented the analysis shall be approved or approved with conditions.”
  - b. Example of correction: “The Commission shall review the parking demand analysis application and shall approve, approve with conditions, or deny the parking demand analysis based on the following criteria:
    - i. The analysis uses an appropriate methodology
    - ii. The remedies recommended are acceptable and reasonable, and
    - iii. The remedies can be implemented.”
3. **Use Matrix (16.03.020.G)**
  - a. Food Service – Add “Food Service” as P/C in LI-3.
    - i. Revise 16.03.030.C.3.b to add LI-3 to the description of restrictions.
  - b. Community Housing – Add as a use by right in all district use categories.
  - c. One-family dwelling - Add as “permitted” in T, T-3000, and T-4000.  
Revisit during phase 3 code updates.
4. **Use Matrix (16.03.020.B and F)**
  - a. Commission felt these two provisions were duplicative and could cause confusion. Commission recommends deleting B and renumbering the list accordingly. In the Table of Permitted Uses, a blank cell notates when an itemized use is not permitted. With that information and the new provision for new and unlisted uses in F, there is no need to address prohibited uses in the introduction to the section. This was a carry-over from the previous code.
5. **Nonconformities (16.01.050)**
  - a. Commission felt that the language in subsection B.2 was confusing. Recommends revising in accordance with the attached redline.

**6. Parking Reductions (16.04.050)**

- a. There were inconsistencies in the code related to decision making authority for parking reductions. Commission recommends clarifying decision-making authority in accordance with the attached redline.

**7. Administration and Procedures (16.07.020)**

- a. Commission recommends renaming “Preapplication Staff Meeting” to just “Staff Meeting”.
- b. Commission recommends revising the descriptive language for the neighborhood meeting in accordance with the attached redline.

**8. Design Review (16.07.030.C.2)**

- a. The Commission noted that the applicability section in 16.07.030.C.2.b was confusing and seemed out of place. Additionally, coordinated site visits are not permitted per state statute and therefore the regulations should delete said requirement. Commission recommends revising the regulations in accordance with the attached redline.

**NON-CONFORMITIES REDLINE**

## 16.01.040. Transition from Prior Regulations<sup>14</sup>

### A. Development Approvals

Any development approved under regulations in effect prior to the effective date of this Code may be carried out under the terms and conditions of the approval and the development standards in effect at the time of approval, provided the approval has not expired and the development complies with any applicable standards of this Code.<sup>15</sup> If the prior approval expires, is revoked, or otherwise becomes invalid, any subsequent development of the site shall be subject to the procedures and standards of this Code.

### B. Pending Applications

1. A development application that has been deemed complete pursuant to §16.07.020.C.3<sup>16</sup> prior to the effective date of this Code may be decided under the regulations in effect when the application was deemed complete, or may be reviewed and decided under this Code at the request of the applicant. Applications shall not be processed under a combination of prior regulations and this Code.
2. If a Preapplication Design Review is required and has been completed pursuant to the procedure in §16.07.030.C.1, a vested property right shall be created. The voluntary request for a Preapplication Design Review does not create a vested property right.<sup>17</sup>

### C. Prior Violations

If a development or activity in violation of the prior development regulations fully complies with this Code, it shall no longer be deemed a violation. Unpaid fees and/or penalties from prior enforcement of violations are still valid and shall remain the responsibility of the violator under the prior regulations

## 16.01.050. Nonconformities<sup>18</sup>

### A. Nonconforming Uses

A nonconforming use may be continued provided it meets the following standards:<sup>19</sup>

#### 1. Change of Use

A nonconforming use may be changed only to a conforming use.

#### 2. Expansion of Use<sup>20</sup>

A nonconforming use shall not be enlarged or expanded. Enlargement and expansions include any increase to floor area of the nonconforming use within an existing or new

<sup>14</sup> New.

<sup>15</sup> Deleted "regarding ongoing operations and maintenance."

<sup>16</sup> Added reference to common procedure for determining if an application is complete.

<sup>17</sup> New, to clarify current City Council interpretation.

<sup>18</sup> Current 17.136. This section will be reviewed and revised with more substantive changes in Phase 3. Basic organizational changes and text adjustments for clarity have been made as noted throughout.

<sup>19</sup> Simplified continuation of use language.

<sup>20</sup> Replaces current

building.<sup>21</sup> Any building or other structure containing a nonconforming use declared unsafe by the Building Official may be strengthened or restored to a safe condition.

### 3. Abandonment of Use<sup>22</sup>

A lawful nonconforming use shall be deemed abandoned when the nonconforming use has been replaced by a conforming use or when the nonconforming use has ceased and has not been active for a continuous period of six months. Intent to resume active operations shall not be considered in determining abandonment.<sup>23</sup>

## B. Nonconforming Buildings

~~A use within a nonconforming building may continue provided it meets the following standards:~~<sup>24</sup>

### 1. Nonconforming Due to Lack of Parking and Loading<sup>25</sup>

No lawfully existing building shall be deemed to be a nonconforming building solely because of lack of off-street parking and loading spaces, provided that the area being used for off-street parking or loading shall not be further reduced in area or capacity as of the Effective Date.

### 2. Enlargement or Alteration

~~a.~~ A nonconforming building shall not be enlarged or extended so as to increase the degree of nonconformity.<sup>27</sup>

~~a.b.~~ ~~except One-family dwellings~~ in the Community Core District ~~where one-family dwellings~~ may increase their original square footage by a cumulative 20 percent as of the effective date of the ordinance subject to a Conditional Use Permit per §16.07.030.A.

~~b.~~ ~~Additions and/or enlargements to existing buildings are not considered to be nonconforming or to increase the degree of nonconformity, so long as the additions and/or enlargements comply with the following:~~

<sup>21</sup> New, replaced "extended" with "expanded" and added a more detailed definition of enlargement/expansion.

<sup>22</sup> Removed current 17.136.030A. and B.

<sup>23</sup> Replaces 17.136.030.C.

<sup>24</sup> ~~Simplified continuation of use language.~~

<sup>25</sup> Relocated from current 17.125.040.A.5.



- c. Any additional square footage may be subject to the current requirements of the underlying zoning district at the discretion of the Administrator.
- ~~d. No more than 50 percent of the existing building shall be structurally altered. Nonstructural building modifications including but not limited to painting, resurfacing, residing, or minor repairs shall not contribute to the 50 percent limitation.<sup>26</sup>~~
- d. Removal and reconstruction of any nonconforming portions of a building is not permitted unless it is declared unsafe by the Building Official in which case it may be structurally strengthened or restored to a safe condition.<sup>27</sup>
- e. If a portion of a nonconforming building is located within the public right-of-way, that portion of the building shall not be expanded or altered to increase the existing encroachment. The City Engineer and Streets Department shall determine whether the portion of the nonconforming building that extends into the public right-of-way may remain or if the encroachment must be removed. If the City Engineer and Street Department determine that the portion of nonconforming building that extends into the public right-of-way may remain, the property owner shall enter into a right-of-way encroachment agreement with the City.<sup>28</sup>
- ~~f. Removal and reconstruction of any nonconforming building or portion of a building is not permitted unless it is declared unsafe by the Building Official in which case it may be strengthened or restored to a safe condition.<sup>29</sup>~~

### 3. Restoration

- a. A nonconforming building that has been damaged or destroyed by fire or any other calamity, may be restored to its preexisting nonconforming condition if a Building Permit for the work of restoration is obtained within two years of the date of the fire or other calamity and the work of the restoration complies with the international building and fire codes in effect at the time of the issuance of the Building Permit.
- b. Nonmaterial changes to the preexisting nonconforming condition may be approved at the City's discretion. Nonmaterial changes include minor repairs and maintenance necessary to correct damage or deterioration to the structural soundness of, or the exterior or interior appearance of a nonconforming building without expanding the height or footprint of the building.<sup>30</sup> If additional square footage is added, that additional square footage may be subject to the current requirements of the underlying zoning district at the discretion of the Administrator.

<sup>26</sup> ~~Clarified the 50 percent limitation only includes structural alterations and added "residing" the list of examples.~~

<sup>27</sup> Clarified that reconstruction and removal of a nonconforming building is prohibited unless found to be unsafe.

<sup>28</sup> Second sentence is new based on current City practice.

<sup>29</sup> ~~Clarified that reconstruction and removal of a nonconforming building is prohibited unless found to be unsafe.~~

<sup>30</sup> New description of nonmaterial change.

## **PARKING REDUCTIONS REDLINE**

#### 4. Design

Bicycle parking spaces shall contain a stationary device or devices, secured to the ground, to which bicycles can be locked. Each bicycle parking space shall be accessible without moving another bicycle.

#### 5. Surfaces

Bicycle racks shall be located on paved or pervious, dust free surface. Surfaces cannot be gravel, landscape stone or wood chips.

### H. Parking Demand Analysis<sup>144</sup>

#### 1. Purpose

A parking demand analysis is a study indicating that the requirements of this section regarding the number of off-street vehicle parking spaces required are not applicable to the proposed project because the project contains a unique mix of uses, the operational method is atypical, the use is not listed, or location or contextual factors affect the amount of off-street parking spaces required.

#### 2. Eligibility

A parking demand analysis may be submitted by an applicant for any project in any zoning district or as required for shared parking and transportation demand management plans.

Parking reductions for Parking Demand Analysis not required for shared parking and transportation demand management plans require approval of a Conditional Use Permit.

#### 3. Potential Parking Reduction

Up to 50 percent of the total required on-site vehicle parking spaces may be granted. ~~waived if the Administrator finds the remedies proposed, that may include a shared parking plan and a transportation demand management plan, are sufficient to reduce the parking demand generated by the project.~~

#### 4. Submittal Requirements

A parking demand analysis shall be prepared in the following manner to demonstrate that the requirements of Table 16-13: *Minimum Off-Street Parking and Loading Requirements* are not applicable:

- a. The parking demand analysis shall be prepared by a registered professional engineer licensed in the State of Idaho.
- b. A project description shall be included. The project description shall include, but is not limited to:
  - (1) Project location context map;
  - (2) Gross and net square footage of existing and proposed uses that will be part of the new development under review; and

<sup>144</sup> Reorganized Content and updated headers for clarity.

- (3) Table containing off-street parking and loading requirements for each use as required by this section.
- c. A narrative analysis considering the following minimum factors shall be submitted:
  - (1) Discussion of the project's mix of uses, operational method, unique nature of uses, and location, contextual, or other factors affecting the amount of off-street parking and loading spaces required;
  - (2) Existing site plan;
  - (3) Proposed site plan;
  - (4) Discussion of site specific parking needs.
- d. A narrative describing proposed measures to be taken to reconcile the project's parking demand with off-street parking and loading required for the project.
- e. A shared parking plan and/or a transportation demand management plan may serve as the remedy in part or in full.
- f. The City may require additional information as part of the parking demand analysis.

## 5. Criteria for Approval

The ~~Administrator shall review~~Commission shall review the parking demand analysis and accompanying remedies and upon finding that the analysis uses the appropriate methodology and includes an acceptable and reasonable remedy that can be implemented the analysis shall be approved or approved with conditions. Remedies contained in the analysis are binding and may only be modified through a ~~written finding made by the Administrator~~an amendment to the Conditional Use Permit.

## I. Shared Parking Reduction

### 1. Purpose

Dedicated parking areas for individual uses, especially when provided in new developments, can result in less efficient land usage, lower floor area ratios, and more significant impacts and implications for multi-modal transportation and the quality of the pedestrian environment. Shared parking is a strategy that can reduce the amount of land devoted to parking while providing a sufficient number of spaces and encouraging development that is compact, walkable, bikeable, and conducive to transit. ~~A reduction of up to 25 percent of on-site vehicle parking requirements may be approved by the Administrator. A parking demand analysis shall be submitted as part of a shared parking plan.~~

### 2. Eligibility

A shared parking reduction may be requested through a Conditional Use Permit submitted by an applicant for any project in any zoning district.

### 3. Potential Parking Reduction

a. A reduction of up to 25 percent of on-site vehicle parking requirements may be granted.

~~a.b.~~ The total required parking spaces may be reduced through the provision of shared parking spaces. Shared parking spaces may be provided in areas designed to serve jointly two or more buildings or users.

~~b.c.~~ All shared parking shall be located no less than 300 feet from the uses utilizing the shared parking, as determined by measuring along existing sidewalk or sidewalk that shall be constructed as a condition of approving the shared parking reduction from the primary entrance of the use(s) to the location of shared parking spaces.

#### 4. Submittal Requirements

A shared parking plan shall be submitted for review ~~and is subject to approval by the Administrator~~. The plan shall, at minimum, identify or contain:

- a. A parking demand analysis pursuant to §16.04.050.H;
- b. The hours of peak parking demand for each use;
- c. All locations of parking spaces on private property used through shared parking and identified on a location context map;
- d. All public parking that can be accessed within a 1,000-foot walk as measured along sidewalk connecting to the site of the subject uses.
- e. The plan shall include an agreement between property owners for sharing common parking on private property. However, in no case will the City manage shared parking agreements.
- f. The Administrator may require additional information as necessary to evaluate the shared parking reduction request.

#### 5. Criteria for Approval

A reduction to parking requirements for individual uses may be made after considering the following standards and criteria:

- a. The hour(s) of peak parking demand for each use, with peak demand being different or staggered;
- b. The operating hours of each use, with operating hours being staggered; and
- c. There is existing on-street parking available for public use within a 1,000-foot walk as measured along the sidewalk connecting to the site of the subject use.

### J. Transportation Demand Management (TDM) Plan

#### 1. Purpose<sup>145</sup>

The purpose of a transportation demand management (TDM) plan is to mitigate traffic and other general transportation impacts generated from new development by reducing single-occupancy vehicle trips, increase accessibility to transit, improve mobility of pedestrians and bicyclists, address traffic congestion at peak periods, and minimize parking demand.

<sup>145</sup> New.

## 2. Eligibility

For projects with a FAR greater than 0.5 a TDM plan may be provided to demonstrate that alternative strategies will be used to offset the demand for parking. Parking reductions resulting from a TDM plan shall be reviewed and approved by the Administrator.

## 3. Potential Parking Reduction

A reduction of up to 25 percent of on-site vehicle parking requirements may be granted. approved by the Administrator. Transportation demand management plans shall consider at least three of the following strategies:

- a. — A shared parking plan subject to the standards found in §16.04.050.I.
- b. — Covered bicycle parking provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. When not located within a building or a locker the cover shall be permanent, designed to protect the bicycle from rainfall, and at least seven feet above the floor or ground.
- c. — Secure bicycle parking in a locked room or area enclosed by a locked gate or fence, in an area that is monitored by a security camera, or in an area that is visible from employee work areas.
- d. — On-site locker room and shower facilities.
- e. — Provision of a public transit stop or demonstration of proximate access to an existing transit stop.
- f. — Demonstration of proximate access, within 1,000 feet, to the Wood River Trail.
- g. — Construction of a "spur" connecting the subject property to the Wood River Trail.
- h. — Reserved preferential parking spaces for high occupancy vehicles.
- i. — Reserved preferential parking spaces for hybrid, electric, or alternative fuel vehicles.
- j. — Installation of on-site electric vehicle charging stations.
- k. — Publicly accessible permanent display area for information on TDM strategies and options for alternative transportation modes.
- l. — Shuttle service.
- m. — Contribution to public transit or alternative modes of transportation fund(s).
- n. — Employer programs such as:
  - (1) — Car/van pool coordination and incentive programs;
  - (2) — Shuttle program;
  - (3) — Guaranteed emergency ride home program; and
  - (4) — Public transit passes.
- o. — Alternative strategies approved by the Administrator.

**4. Submittal Requirements<sup>146</sup>**

A TDM plan shall be submitted, ~~for review and is subject to approval by the Administrator.~~

The plan shall, at minimum, identify or contain:

- a. A parking demand analysis pursuant to §16.04.050.H;
- b. A listing of measures to minimize transportation demand and impacts on the City's transportation network. These measures may include, but are not limited to providing public transit accessibility, pedestrian or bicycle amenities, shuttle service, preferential parking designation for carpool and/or vanpool or remote work opportunities;
- c. The anticipated peak hour trips without the measures and the anticipated peak hour trip reduction resulting from these measures;
- d. The number of employees and/or residents that the project will add;
- e. Number of employees and/or residents anticipated to utilize transportation alternatives for commuting;
- f. Barriers to employees and/or residents for utilization of transportation alternatives for commuting;
- g. Suggested recommendations to address barriers for utilization of transportation alternatives for commuting;
- h. Public transit amenities, including bus shelters, benches, wayfinding signage and street furniture; and
- ~~i. Location of on-site preferential parking designation for carpool and/or vanpool, if provided.~~
- ~~j. Narrative outlining any request for fee in-lieu payments for parking and justification for such request.~~
- ~~k. The City may require additional information as part of the parking demand analysis.~~

**5. In Lieu Fee<sup>147</sup>**

- a. The City may adopt or have adopted parking and/or transportation demand plans that include planning for and construction of parking and/or transportation mitigation projects. When such a plan or plans are in existence, a proposer may voluntarily opt to request and the City may consider requests to meet or mitigate parking requirements, in whole or in part, via an optional payment in lieu as an alternative where such City project, as determined by the City, is likely to meet or mitigate the transportation demand created by the development.
- b. Such parking in lieu fees will be determined by the City Council and set by resolution based upon planning, acquisition, and construction estimates and costs related to the parking and/or transportation mitigation plans and projects.

<sup>146</sup> New.

<sup>147</sup> Relocated from current 17.125.100.

- c. Payment of in lieu fees shall be made to the City at the time of issuance of a building permit.
- d. All in lieu funds received under this section shall be placed into a special and separate Transportation Improvement and Acquisition Fund to be used primarily for transit improvements and parking management programs, such as paid parking, that address the demand for physical parking on-site; and secondarily for the purchase, construction, and improvement of public parking facilities.

## 6. Criteria for Approval<sup>148</sup>

The Administrator may approve a TDM plan if the plan ~~Transportation demand management plans shall considers at least three of the following strategies and the Administrator finds that the TDM plan is reasonable approach that can be implemented based on uses and site specific conditions:~~

- a. ~~A shared parking plan subject to the standards found in §16.04.050.I.~~
- b. ~~Covered bicycle parking provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. When not located within a building or a locker the cover shall be permanent, designed to protect the bicycle from rainfall, and at least seven feet above the floor or ground.~~
- c. ~~Secure bicycle parking in a locked room or area enclosed by a locked gate or fence, in an area that is monitored by a security camera, or in an area that is visible from employee work areas.~~
- d. ~~On-site locker room and shower facilities.~~
- e. ~~Provision of a public transit stop or demonstration of proximate access to an existing transit stop.~~
- f. ~~Demonstration of proximate access, within 1,000 feet, to the Wood River Trail.~~
- g. ~~Construction of a "spur" connecting the subject property to the Wood River Trail.~~
- h. ~~Reserved preferential parking spaces for high occupancy vehicles.~~
- i. ~~Reserved preferential parking spaces for hybrid, electric, or alternative fuel vehicles.~~
- j. ~~Installation of on-site electric vehicle charging stations.~~
- k. ~~Publicly accessible permanent display area for information on TDM strategies and options for alternative transportation modes.~~
- l. ~~Shuttle service.~~
- m. ~~Contribution to public transit or alternative modes of transportation fund(s).~~
- n. ~~Employer programs such as:~~
  - ~~(1) Car/van pool coordination and incentive programs;~~
  - ~~(2) Shuttle program;~~
  - ~~(3) Guaranteed emergency ride home program; and~~
  - ~~(4) Public transit passes.~~



~~[o. Alternative strategies approved by the Administrator.](#)  
meets the standards set forth in §16.04.050.J.3 above.~~

## 16.04.060. Landscaping, Buffering, and Screening

### A. Standards for All Development<sup>149</sup>

The following standards shall apply to all development, unless otherwise noted in this Code..<sup>150</sup>

#### 1. Drainage

- a. All stormwater shall be retained on site.
- b. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
- c. The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
- d. Drainage facilities shall be constructed per City standards.

#### 2. Utilities

- a. All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
- b. Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.

#### 3. Snow Storage

- a. Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.
- b. Snow storage areas shall be provided on site.
- c. A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.
- d. In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.
- e. All surface parking lots shall be designed with either snowmelt<sup>151</sup> to facilitate the removal of snow or a storage area for plowed snow. The storage area shall be 150 square feet for every 55 feet of linear lot width of the surface parking lot..<sup>152</sup>

#### 4. Landscaping

- a. Landscaping is required for all projects.
- b. 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.

<sup>149</sup> Relocated from current 17.124.170 and applied broadly.

<sup>150</sup> New.

<sup>151</sup> Replaced "an underground heating system."

<sup>152</sup> Relocated from current 17.125.030.M.

## NEIGHBORHOOD MEETING REDLINE

- g. Applicants shall submit the associated development application within 12 months of the preapplication staff meeting.

## B. Preapplication Neighborhood Meeting

### Commentary

Many communities introduce a neighborhood meeting process (either preapplication or somewhere between application submittal and public hearing) to identify key concerns or potential issues early in the development review process. It also adds an additional layer of transparency between residents and developers.

This draft procedure allows public involvement earlier in the review process to allow residents an opportunity to speak with developers to voice concerns and learn about the project. This process is typically reserved for major projects or application types that also require public hearing; for the purpose of this draft, we have only included it as a requirement for a Conditional Use Permit and Planned Development Conditional Use Permit.

### 1. Purpose

The purpose of an applicant-facilitated neighborhood meeting is to provide an opportunity to inform the residents and landowners of the surrounding neighborhood(s) of the details of a proposed development and application, how the applicant intends to meet the standards contained in this Code, and to receive public comment and encourage dialogue early in the review process. No decision regarding the application will be made at the neighborhood meeting.

### 2. Applicability

A neighborhood meeting is required for Conditional Use Permits, Planned Unit Development Conditional Use Permits, Preapplication Design Review applications where the Preapplication Design Review is required, and Design Review applications that require a public hearing. A neighborhood meeting is recommended for Alterations to Historic Structures. For developments requiring both a Preapplication Design Review and Design Review, only one neighborhood meeting prior to the Preapplication Design Review public hearing is required. Neighborhood meetings shall be conducted prior to the first public hearing. A neighborhood meeting is recommended for voluntary Preapplication Design Review applications and Alterations to Historic Structures. The Administrator may waive the applicant-facilitated neighborhood meeting requirement for applications where the projected size, complexity, or anticipated impacts do not warrant the need for a neighborhood meeting.

### 3. Procedure

#### a. Notice of Neighborhood Meeting

An applicant holding a neighborhood meeting shall provide mailed notice of the meeting in the same manner that would be required for public hearings on the application pursuant to the common development review procedures. Additional notice is encouraged through alternative methods such as email, social media, and published newsletters.

**b. Attendance at Neighborhood Meeting**

The applicant shall be responsible for scheduling the meeting, coordinating the meeting, and for retaining an independent facilitator if needed. The meeting shall be held at a reasonable date and time prior to submittal of the subject development application. The meeting shall be held within the city limits, preferably within the vicinity of the development proposal. Attendance at the meeting by City staff is not required and will be determined by the Administrator.

**c. Summary of Neighborhood Meeting**

The applicant shall ~~prepare and~~ submit a written affidavit summary of the neighborhood meeting, on a form provided by the city, with the application submittal. The written summary shall be included in the staff report provided to the decision-making body ~~at the time of the first public meeting to consider the application.~~ The following information shall be included in the meeting summary, at a minimum: date, time, and location of the meeting and; a copy of the meeting sign-in sheet, ~~and a summary description of how the applicant has addressed or proposes to address the issues, concerns, and objections identified during the meeting.~~

**C. Application Submittal and Processing<sup>206</sup>****1. Authority to Submit Application<sup>207</sup>**

- a.** Unless expressly stated otherwise in this Code, a development application shall be submitted by:
  - (1) The owner, contract purchaser, or any other person having a recognized property interest in the land on which development is proposed; or
  - (2) A person authorized to submit the application on behalf of the owner, contract purchaser, or other person having a recognized property interest in the land, as evidenced by a letter or document signed by the owner, contract purchaser, or other person.
- b.** If there are multiple owners, contract purchasers, or other persons authorized to submit the application, all such persons shall sign the application or a letter or document consenting to the application.
- c.** When a preapplication staff meeting is required, application submission will not be accepted until the preapplication staff meeting is complete.

**2. Application Content**

- a.** The application shall be submitted to the Administrator on a prescribed form established by the City and available on the City's website. The applicant bears the burden of demonstrating compliance with application requirements.
- b.** Application forms, fee schedules, and other materials related to and necessary for the administration of this Code are located on the City's website.

<sup>206</sup> New – consolidates/replaces various provisions related to general application submittal and fees in the current Code.

<sup>207</sup> New.

**DESIGN REVIEW REDLINE**

## C. Design Review

### 1. Preapplication Design Review<sup>253</sup>

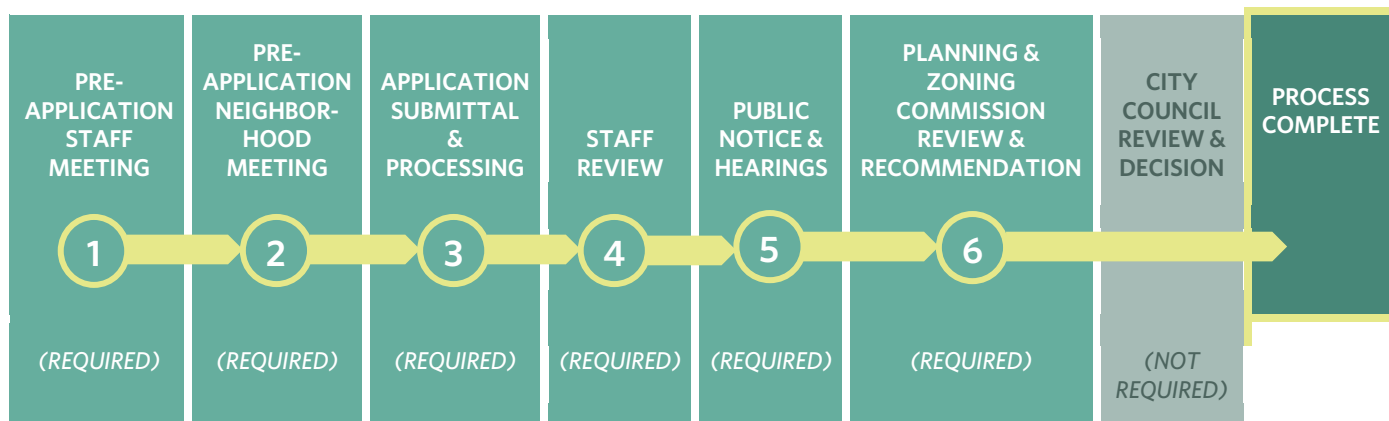
#### a. Purpose

The purpose of Preapplication Design Review is to allow the Planning and Zoning Commission to exchange ideas and give preliminary direction to the applicant on a project's design concept, based on the application of this Code's standards.

#### b. Applicability

- (1) Preapplication Design Review is required for:
  - (A) Any new non-residential or multi-family residential development with four or more stories; and
  - (B) Any new development on a lot or lots totaling 11,000 square feet or more.
- (2) Applicants of projects not meeting the above thresholds may request a Preapplication Design Review at their discretion.
- (3) The Administrator may waive the requirement for Preapplication Design Review if the project is found to have no significant impact.

#### c. Procedure



#### (1) Preapplication Staff Meeting

A preapplication staff meeting shall be held pursuant to §16.07.020.A.

#### (2) Preapplication Neighborhood Meeting

A preapplication neighborhood meeting is required pursuant to §16.07.020.B.

#### (3) Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to the common review procedures in §16.07.020.C. In addition:

<sup>253</sup> Current 17.96.010.D.

**(A) Application Requirements<sup>254</sup>**

Applicants shall submit the following:

- i. A project narrative describing the approach and concept of the project and how the project meets the applicable Design Review criteria.
- ii. A conceptual site plan showing proposed on and off-site improvements. Site plan shall include conceptual landscaping and public amenities. Detailed plant list not required.
- iii. Elevations and floor plans for all facades and all levels shall be provided. Elevations shall depict materiality, however, colored renderings not required.
- iv. Materials and colors sample board shall be provided for all facades. Photos of materials, representative imagery, and other digital representation of concept is acceptable. Specifications of materials and colors are not required.
- v. A minimum of two perspectives, one from a street view and one from bird's eye view, showing the massing of the proposed project within the context of the surrounding neighborhood. Adjacent properties and structures must be included. Full color renderings or photo-realistic perspectives are not required.

**(B) Mountain Overlay District**

For projects within the Mountain Overlay district:<sup>255</sup>

- i. In addition the application requirements listed above, the applicant shall provide topography of sufficient detail to represent slope of land, significant rock outcrops, cuts and fills required and similar features; elevations of proposed building pads and public streets providing access, private access drives; preliminary utility extension plans, drainage plans and driveway plans; and description of proposed drilling or blasting, if any.
- ii. On-site information may be required ~~prior to any on-site visit to the subject property~~ by the Planning and Zoning Commission. On-site information shall be placed a minimum of seven days ~~prior to the on-site visits~~ and shall include stakes marking boundaries of buildings, centerlines of access drives or other elements of the proposal and poles illustrating proposed heights of structures.<sup>256</sup>
- iii. ~~On-site review by the members of the Planning and Zoning Commission is required prior to taking action on a Preapplication Design Review application. Extreme weather conditions or inordinate depth of snow may cause the Commission to delay on-site review not more than 180 days.~~<sup>257</sup>

<sup>254</sup> Current 17.96.010.D.3.

<sup>255</sup> Current 17.104.060 – did not duplicate basic preapplication design procedural details.

<sup>256</sup> Deleted “and also may include recent photographs evidencing impact(s) of the proposed development from various vantage points” as that information is covered by renderings required in the application materials.

<sup>257</sup> This section being discussed with City Attorney.

**(4) Review and Action: Public Hearing Approvals**

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

**(A) Decision**

A formal decision will not be rendered by the Planning and Zoning Commission. The Commission shall review and provide feedback based upon the review criteria in §16.07.030.C.1.d.

**(B) Vested Property Right**

If a Preapplication Design Review is required and has been completed pursuant to this section, a vested property right shall be created. The voluntary request for a Preapplication Design Review does not create a vested property right.<sup>258</sup>

**(C) Design Review Application Required**

Projects that have conducted a Preapplication Design Review meeting with the Planning and Zoning Commission, as required or voluntary, must file a complete Design Review Permit application and pay all required fees within 180 calendar days of the last review meeting on the preapplication with the Commission; otherwise, the preapplication review will become null and void.

**d. Review Criteria**

In reviewing and providing feedback on a Preapplication Design Review application, the Planning and Zoning Commission shall consider the review criteria for Design Review in §16.07.030.C.2.d, any issues identified in the staff report, and any other items the Commission deems relevant to the proposed project.

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<sup>258</sup> New, to clarify current City Council interpretation.



## 2. Design Review<sup>259</sup>

### a. Purpose

The purpose of Design Review is to:

- (1) Maintain and enhance appearance, character, beauty, and function of the city;
- (2) Ensure that new development is complementary to the design of existing neighborhoods; and
- (3) Protect and enhance the City's economic base.

### b. Applicability

(1) Design Review is required pursuant to §16.04.080.B.

~~(A) The Administrator shall review all Design Review requests and determine whether a project is exempt pursuant to §16.04.080.B.3, approved by the Administrator, or by the Planning and Zoning Commission.~~

~~(B) The Administrator is authorized to approve items identified in §16.04.080.B.2, Administrative Design Review, provided they do not conflict with the provisions and requirements of this section.~~

~~(C) The Planning and Zoning Commission shall review all other application proposals as described in §16.04.080.B.1, Design Review.~~

~~(D) The City Council shall approve all permanent encroachments within the City-owned right-of-way associated with a development project and any application that includes a building greater than 48 feet in height or that contains a fourth or fifth floor in the CC districts.~~<sup>260</sup>

### c. Procedure

#### (1) Preapplication Staff Meeting

A preapplication staff meeting shall be held pursuant to §16.07.020.A for Design Review applications that require a public hearing.

#### (2) Preapplication Neighborhood Meeting

A preapplication neighborhood meeting is required pursuant to §16.07.020.B for Design Review applications that require a public hearing.

#### (3) Application Submittal and Processing

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to the common review procedures in §16.07.020.C. In addition:

<sup>259</sup> Current Chapter 17.96.030-050, 090. And 100. Reorganized for consistency with new common review procedures.

<sup>260</sup> ~~New, relocated from lot and building standards in the CC district.~~

**(A) Preapplication Design Review**

If required by §16.07.030.C.1.b, *Applicability*, a Preapplication Design Review shall be completed prior to submitting an application for Design Review.

**(B) Application Requirements<sup>261</sup>**

All Design Review plans and drawings for nonresidential projects, multi-family dwelling units of four units or more, and public and semipublic projects shall be prepared by an Idaho licensed architect or an Idaho licensed engineer.

Applicants shall submit the following:

- i. An application form including project name, location, applicant, owner, project representatives, and contact information.
- ii. One PDF electronic set of the complete application containing all requirements as listed below, plans appropriately scaled, shall be submitted. Electronic record of the materials and color sample board may be satisfied with photos. One hard copy set of scalable plans showing at a minimum the following:
- iii. Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. A vicinity map must show location of adjacent buildings and structures.
- iv. Drainage plan (grading, catch basins, piping, and dry wells).
- v. Utilities plan (location and size of water and sewer mains and services, gas, electric, TV and phone).
- vi. Site plan, to scale, showing proposed parking (including parking stall dimensions), loading, general circulation, and snow storage. List square footage of subject property including lot dimensions.
- vii. Landscape plan (existing landscaping on the site shown and adjacent right-of-way as retained, relocated or removed; proposed landscaping including species type, size and quantity).
- viii. Floor plan. List gross and net square footage for each floor. List occupancy classification and type of construction.
- ix. Detailed elevations of all sides of the proposed building and other exterior elements (colors, materials).
- x. Exterior lighting plan, pursuant to §16.04.090, *Dark Skies* showing location, height, type, and lumen output; spec sheets for fixtures; illuminance levels/photometrics for area lighting.
- xi. One 11-inch by 17-inch materials and colors sample board showing all exterior materials used on the facade of the structure.
- xii. For projects requiring Preapplication Design Review, a model or computer simulation renderings, as described in §16.07.030.C.1.c(3)(A)v shall be required.

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<sup>261</sup> Current 17.96.040.B. and C.

- xiii. For new multi-tenant buildings, a master signage plan shall be submitted.
- xiv. Application fee.
- xv. The Administrator may waive some submittal requirements if it is determined the information is not relevant to the Design Review.
- xvi. Other information as required by the Administrator or the Planning and Zoning Commission.

### **(C) Mountain Overlay District**

For projects within the Mountain Overlay District:<sup>262</sup>

- i. In addition to the application requirements listed above, the applicant shall submit topography of sufficient detail to represent slope of land, significant rock outcrops, cuts and fills required and similar features; elevations of proposed building pads and public streets providing access, private access drives; preliminary utility extension plans, drainage plans and driveway plans; and description of proposed drilling or blasting, if any.
- ii. On-site information may be required ~~prior to any on-site visit to the subject property~~ by the Planning and Zoning Commission. On-site information shall be placed a minimum of seven days ~~prior to the on-site visits~~ and shall include stakes marking boundaries of buildings, centerlines of access drives or other elements of the proposal and poles illustrating proposed heights of structures.<sup>263</sup>
- iii. ~~On-site review by the members of the Planning and Zoning Commission is required prior to taking action on a Design Review application. Extreme weather conditions or inordinate depth of snow may cause the Commission to delay on-site review not more than 180 days.~~<sup>264</sup>

<sup>262</sup> Current 17.104.060 – did not duplicate basic preapplication design procedural details.

<sup>263</sup> Deleted “and also may include recent photographs evidencing impact(s) of the proposed development from various vantage points” as that information is covered by renderings required in the application materials.

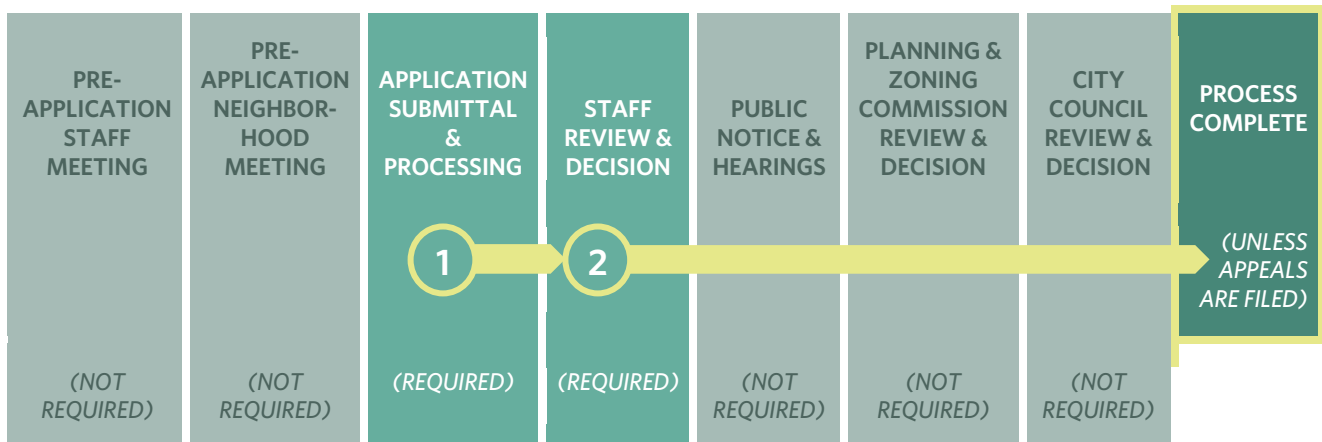
<sup>264</sup> This section being discussed with City Attorney.

#### **(D) Process Determination**

Following submittal of all required materials, ~~the~~ the Administrator shall review all Design Review requests and determine whether a project is exempt pursuant to ~~§16.04.080.B.3~~, approved by the Administrator, or by the Planning and Zoning Commission pursuant to **§16.04.080.B.**

- ~~— The Administrator is authorized to approve items identified in §16.04.080.B.2, Administrative Design Review, provided they do not conflict with the provisions and requirements of this section.~~
- ~~— The Planning and Zoning Commission shall review all other application proposals as described in §16.04.080.B.1, Design Review.~~
- ~~— The City Council shall approve all permanent encroachments within the City-owned right-of-way associated with a development project and any application that includes a building greater than 48 feet in height or that contains a fourth or fifth floor in the CC districts.~~ <sup>265</sup>

#### **(4) Review and Action: Administrative Approvals**



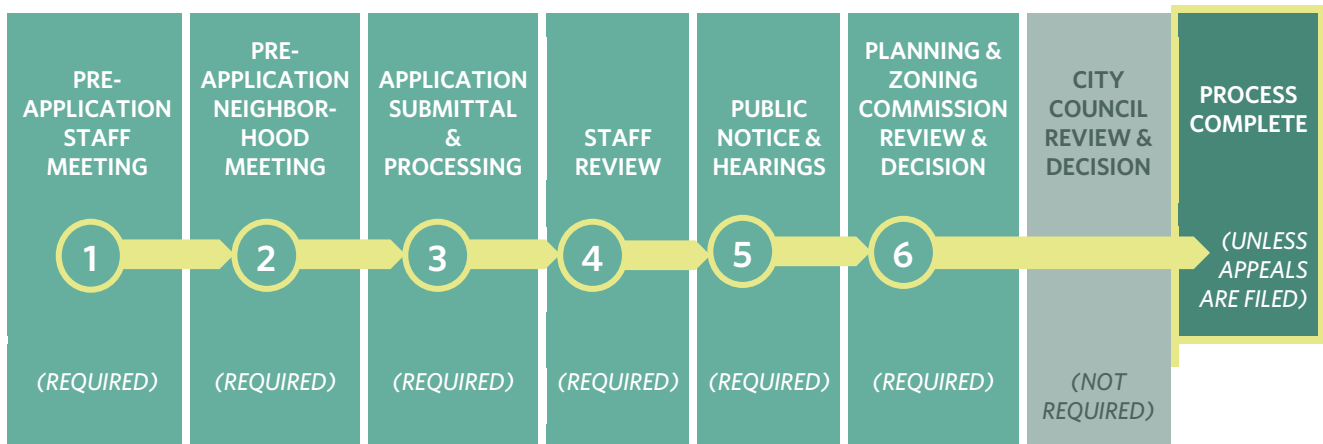
The Administrator is authorized to approve items identified in §16.04.080.B.2, Administrative Design Review. The application shall be reviewed pursuant to the common review procedures for applications subject to administrative decision in §16.07.020.D. In addition:

#### **(A) Security**

At the discretion of the Administrator, the applicant may, in lieu of actual construction of any required or approved improvement, provide to the City a security agreement pursuant to §16.07.020.E.8, *Performance Bonds and Security Agreements*.

<sup>265</sup> New, relocated from lot and building standards in the CC district.

### (5) Review and Action: Public Hearing Approvals



The Planning and Zoning Commission shall review all applications as described in §16.04.080.B.1, *Design Review*. The City Council shall approve all permanent encroachments within the City-owned right-of-way associated with a development project and any application that includes a building greater than 48 feet in height or that contains a fourth or fifth floor in the CC districts.<sup>266</sup> The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

~~The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:~~

#### (A) Security

At the discretion of the Administrator, the applicant may, in lieu of actual construction of any required or approved improvement, provide to the City a security agreement pursuant to §16.07.020.E.8, *Performance Bonds and Security Agreements*.

### (6) Expiration of Approval

- (A) The term of Design Review approval shall be 12 months from the date that findings of fact, conclusions of law, and decision are adopted by the Commission; or, upon Appeal, the date the approval is granted by the City Council.
- (B) A complete application with all fees paid shall be made for a Building Permit with the Planning and Building Department during the 12-month term.
- (C) Unless an extension is granted as set forth below, failure to file a complete Building Permit application for a project pursuant to these provisions shall cause the approval to be null and void.

<sup>266</sup> New, relocated from lot and building standards in the CC district.



City of Ketchum

# **ATTACHMENT 4:**

## **Historic Preservation Redline**

received approval for the alteration. If the alteration is not approved, the property owner shall restore the structure to its original condition.

**g. Remedying of Dangerous Building Conditions**

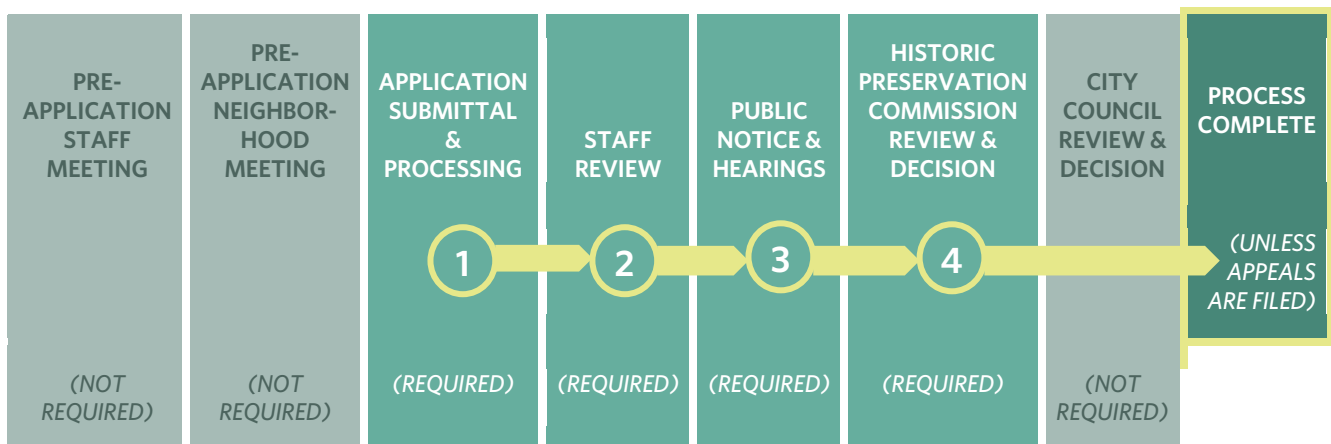
- (1) If the Building Official finds a historic structure constitutes dangerous building conditions that would imperil the health or safety of the public, it shall first be determined by the Building Official if the structure is capable of being made safe by repairs at the expense of the owner.
- (2) If the Building Official finds the structure is not capable of being made safe by repairs, then the Building Official may order the structure to be demolished.
- (3) Nothing contained herein shall be construed as making it unlawful for any person to comply with the Building Official's authority as stated in this section.

**5. Review Criteria**<sup>320</sup>

In reviewing a request for alteration of a historic structure, the HPC shall determine if the application complies with the following:

- a. The proposed work preserves, enhances or restores and does not damage or destroy the exterior architectural features of the historic structure;
- b. The historic property remains recognizable as a physical record of its time and place. The alteration will not create a false sense of historical development by adding conjectural features or elements from other historic properties or time periods;
- c. Changes to the property that have acquired historic significance in their own right are retained and preserved to the extent possible; and
- d. In the case of partial demolition, the applicant must establish that the partial demolition is required for the renovation, restoration, or rehabilitation of the structure.

**E. Procedure – Demolitions**



**1. Application Submittal and Processing**

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C. In addition, the application shall include a proposal for a monument, plaque

<sup>320</sup> New. Paragraphs (4)-(6) are Secretary of the Interior's Standards for Rehabilitation.

a monument, plaque, photo exhibit, three-dimensional model, or similar site element with a narrative inscription describing the historical significance of the building, or a public arts project commemorating the same.

## **2. Review and Action: Public Hearing Approvals**

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E. In addition:

### **a. Public Notice and Public Hearings**

The application shall be scheduled for at least one public hearing before the HPC and shall be noticed within 60 days of the application being deemed complete.

### **b. Conditions of Approval**<sup>321</sup>

- (1) Any proposed monument or commemoration ~~should be incorporated into the project at or near the original location of the historically significant building and shall~~ will be installed at the applicant's expense and shall be installed prior to completion of the replacement project.
- (2) Any new construction following demolition shall generally be of similar size, scale, and ~~general~~ orientation of the original structure being demolished..<sup>322</sup>

### **c. Effect of Approval**

- (1) Approval of each individual demolition application is unique to that property and does not constitute a precedent for other properties.
- (2) Except as provided in §16.07.060.D.4.g, no permit shall be issued authorizing any demolition to a structure listed on the historic building/site list until the HPC approves the request for alteration application. If the approval or denial of the application is administratively appealed, no further development permits shall be approved for the property until the City Council has made a final decision on the administrative appeal.

### **d. Expiration of Approval**

- (1) The term of the application shall be 12 months from the date that findings of fact, conclusions of law, and decision are adopted by the HPC.
- (2) Application must be made and all applicable fees paid for a Building Permit with the Planning and Building Department during the 12-month term. Once a Building Permit has been issued, the demolition approval shall be valid for the duration of the Building Permit.
- (3) Unless an extension is granted as set forth below, failure to file a complete Building Permit application for a project pursuant to these provisions shall cause the approval to be null and void.

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<sup>321</sup> New.

<sup>322</sup> In Phzse 3, consider also or instead locating this provision in the Design Review criteria, or residential design standards.



**e. Extension of Approval**

- (1) For approvals pertaining to public use buildings, the Administrator may, upon written request by the applicant, grant a maximum of two 12-month extensions to an unexpired demolition approval.
- (2) For approvals pertaining to all other buildings, the City may, upon written request by the applicant, grant a maximum of two 12-month extensions to an unexpired demolition approval. The first 12-month extension shall be reviewed by the Administrator. The second 12-month extension shall be reviewed by the HPC. Whether or not an extension is warranted shall be based on the following considerations:
  - (A) Whether there have been significant amendments to ordinances that will apply to the subject alteration approval;
  - (B) Whether significant land use changes have occurred in the project vicinity that would adversely impact the project or be adversely impacted by the project;
  - (C) Whether hazardous situations have developed or have been discovered in the project area; or
  - (D) Whether community facilities and services required for the project are now inadequate.
- (3) If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension will not be granted and the City shall issue this decision in writing; otherwise the City shall approve such an extension. No extensions shall be granted for an expired demolition approval.

**3. Review Criteria<sup>323</sup>**

In reviewing a request for demolition of a historic structure, the HPC shall determine if the application complies with the following:

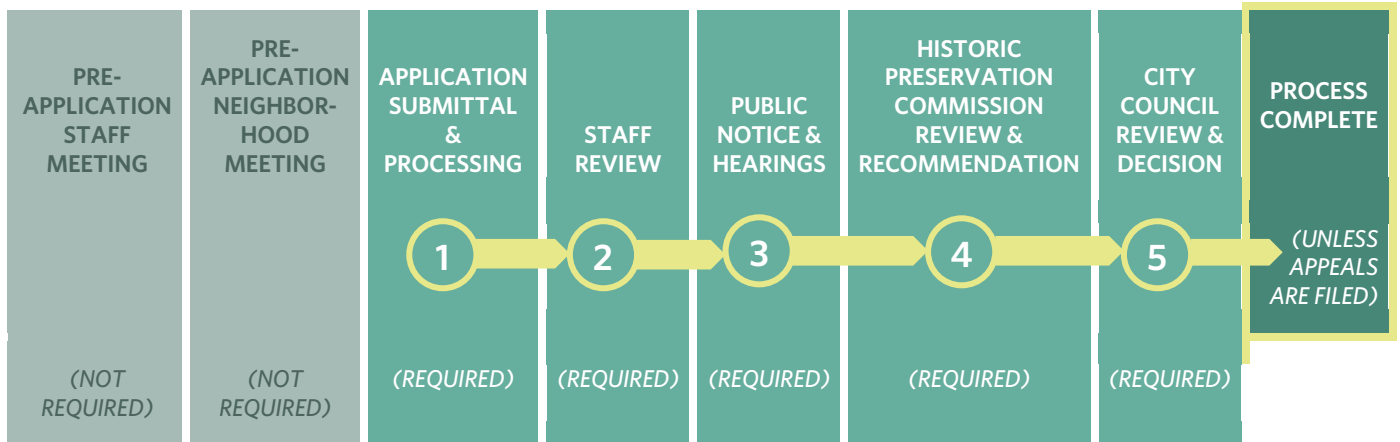
- a. The structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to properly maintain the structure.
- b. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property.
- c. The ~~application proposal proposes a future monument or commemoration at or near the original location of the historically significant building that appropriately and publicly honors the historical significance of the building or structure.~~ mitigates the following:
  - (1) Any impacts that occur to the visual character of the neighborhood.
  - (2) Any impact on the historic importance or architectural integrity of the structure located on the property and adjacent properties.

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<sup>323</sup> New.

**F. Designation of a Historic Building/Site<sup>324</sup>****1. Historic Building/Site List Established**

- a. The historic building/site list shall be established and maintained by the HPC.
- b. The HPC shall have the authority to add or remove structures from the historic building/site list using the criteria below to determine if a structure should be added or removed from the historic building/site list.

**2. Procedure****a. Application Submittal and Processing**

The application shall be submitted and accepted, and may be revised or withdrawn, pursuant to §16.07.020.C.

**b. Review and Action: Public Hearing Approvals**

The application shall be reviewed pursuant to the common review procedures for applications requiring a public hearing in §16.07.020.E.

**c. Review Criteria**

In reviewing a request for designation of a historic building/site, the HPC shall determine if the application complies with the following:

**(1) General Criteria**

- (A) Historic buildings must be at least 50 years old. A historic building may be exempt from the age standard if it is found to be exceptionally important in other significant criteria.
- (B) All buildings and sites must retain their physical integrity as determined by the following criteria. However, a site need not meet all of the following criteria:
  - i. Shows character, interest, or value as part of the development, heritage or cultural characteristics of Ketchum, the region, state, or nation;

<sup>324</sup> Added subheadings throughout for clarity.



City of Ketchum

# **ATTACHMENT 4:**

## **Summary Table of Review Procedures**

# Chapter 16.07 Administration and Procedures

## Commentary

This chapter describes how development applications are reviewed and approved in Ketchum. Following an introductory summary table, the remaining sections include:

- Common review procedures, which apply to most development application types. Common procedures help avoid repetition throughout the Code and limit inconsistencies;
- Application-specific development procedures, which link back to common review procedures and note any modifications or additions. Each specific procedure includes a flowchart depicting the steps for review and approval; and
- The official bodies that have review and decision-making authority under this Code.

## 16.07.010. Summary Table of Review Procedures

**Table 16-19: Summary Table of Review Procedures**

R = Review and Recommendation    D = Decision    A = Appeal    ✓ = Required  
HPC = Historic Preservation Commission

		Public Notice			Review & Decision-Making Bodies			
	Section	Mailed	Published	Posted	Staff	HPC	P&Z Commission	City Council
Development Permits								
Conditional Use Permit	16.07.030.A	✓	✓	✓	R		D	A
Conditional Use Permit, Planned Unit Development	16.07.030.B	✓	✓	✓	R		R	D
Design Review								
Preapplication	16.07.030.C.1	✓	✓	✓	R		R	
Administrative	16.07.030.C.2	✓	✓	✓	D		A	
Public Hearing	16.07.030.C.2	✓	✓	✓	R		D	A
Dig Permit	16.07.030.D				D			A
Right-of-Way Encroachment Permit	16.07.030.E				R			D
Temporary Use of Right-of-Way Permit	16.07.030.F				D			A
Variance	16.07.030.G	✓	✓	✓	R		D	A
Wireless Communication Facility Permit								
Administrative	16.07.030.H.3				D			

**Table 16-19: Summary Table of Review Procedures**

R = Review and Recommendation   D = Decision   A = Appeal   ✓ = Required  
 HPC = Historic Preservation Commission

	Section	Public Notice			Review & Decision-Making Bodies			
		Mailed	Published	Posted	Staff	HPC	P&Z Commission	City Council
Public Hearing	16.07.030.H.3	✓	✓	✓	R		D	A <sup>202</sup>
<b>Signs</b>								
Master Signage Plan, Administrative	16.07.040.A				D		A	
Sign Permit								
General	16.07.040.B				D		A	
Historic/Landmark	16.07.040.B				R	D		
<b>Floodplain Permits and Procedures</b>								
Emergency Riparian Alteration	16.07.050.B				D		A	
Emergency Stream Bank Stabilization	16.07.050.C				D		A	
Floodplain Development Permit								
Administrative	16.07.050.D	✓			D		A	
P&Z	16.07.050.D	✓	✓	✓	R		D	A
Minor Riparian Alteration Permit	16.07.050.E	✓			D		A	
Temporary Flood Barrier	16.07.050.F				D		A	
Floodplain Development Variance	16.07.050.G	✓	✓	✓	R		D	A
<b>Historic Preservation</b>								
Alteration to Historic Structure	16.07.060.D	✓	✓	✓	R	D		
Demolition of Historic Structure	16.07.060.E	✓	✓	✓	R	D		A
Designation of Historic Building/Site	16.07.060.F	✓	✓	✓	R	R		D
<b>Ordinance Amendments</b>								
Annexation <sup>203</sup>	16.06.100	✓	✓	✓	R		R	D
Code Amendment	16.07.070.A	✓	✓	✓	R	R [1]	R	D

<sup>202</sup> Table has been updated to clarify that appeal of any decision by P&Z goes to City Council.

<sup>203</sup> For this draft, the Annexation cross-reference is to the Area of City Impact procedure. In Phase 3, consideration should be given to incorporating a distinct Annexation procedure in the code.

**Table 16-19: Summary Table of Review Procedures**

R = Review and Recommendation D = Decision A = Appeal ✓ = Required

HPC = Historic Preservation Commission

	Section	Public Notice			Review & Decision-Making Bodies			
		Mailed	Published	Posted	Staff	HPC	P&Z Commission	City Council
Comprehensive Plan Amendment	16.07.070.B	✓	✓	✓	R	R [1]	R	D
Zoning Map Amendment (Rezoning)	16.07.070.C	✓	✓	✓	R		R	D
<b>Subdivision Procedures</b>								
Major Subdivision								
Preliminary Plat	16.07.080.A.1	✓	✓	✓	R		R	D
Final Plat	16.07.080.A.2	✓			D		A	
Minor Subdivision	16.07.080.B	✓	✓	✓	R		D	A
Plat Amendment	16.07.080.C	✓			D		A	
Subdivision Exception	16.07.080.D	✓	✓	✓	R		R	D
Vacation or Dedication	16.07.080.E	✓	✓	✓	R		R	D

**Notes:**

[1] If the proposed amendment is related to historic preservation.