



## City of Ketchum

September 8, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Hold a Public Hearing and Approve the 591 E. 9<sup>th</sup> Street (Hedgehog Subdivision) Lot Line Shift**

#### Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve 591 E. 9th Street (Hedgehog Subdivision) Lot Line Shift application submitted by property owner Andrew Castellano. This action includes authorizing Mayor Bradshaw to sign the attached draft Findings of Fact, Conclusions of Law, and Decision

Recommended Motion: "I move to approve the 591 E. 9th Street (Hedgehog Subdivision) Lot Line Shift application."

The reasons for the recommendation are as follows:

- The subject property, 591 E. 9<sup>th</sup> Street, is comprised of three (3) substandard, remnant portions of original Ketchum townsite lots (fractions of Lots 5, 6, and 7, Block 50). The subject property was developed with a single-family residence in 1970. The single-family home currently spans two of the three remnant lots. (See attached Lot Line Shift plat precise location of existing home.)



- The property owner desires to redevelop the property in the future. In order to construct a new single-family home the three (3) remnant parcels must be combined to create a one (1) lot that conforms to zoning dimensional standards.
- Combining the three (3) remnant parcels will result in one (1) lot that is 8,571 square feet in size.
- The request meets all applicable standards for a Readjustment of Lot Lines contained in Ketchum Municipal Code's Subdivision (Title 16) regulations; detailed draft Findings of Fact, Conclusions of Law, and Decision are attached.
- All city departments have reviewed this proposal and no departments have concerns with this action.
- This action has been noticed for a Public Hearing. To date (9/2/2020) no public comment has been received. Any public comment received after completion of this staff report will be included in the record and forwarded to City Council for review.

Financial Impact

None

Attachments

- A. Application
- B. Lot Line Shift plat
- C. Draft Findings of Fact, Conclusions of Law, and Decision

# Attachment A.

Application



**City of Ketchum  
Planning & Building**

OFFICIAL USE ONLY
File Number:
Date Received:
By:
Fee Paid:
Approved Date:
Denied Date:
By:

**Lot Line Shift Application**

OWNER INFORMATION	
Owner Name: Andy Castellano	
Mailing Address: P.O. Box 1180 Ketchum, ID 83340	
Phone: 949-280-1111	
Email: andy@earthshinefoundation.org	
PROJECT INFORMATION	
Name of Proposed Plat: Hedgehog Subdivision	
Representative of Owner: Mark Phillips, Galena Engineering	
Phone: 208-788-1705	
Mailing Address: 317 N River Street, Hailey, ID 83333	
Email: mark@galena-engineering.com	
Legal Land Description: KETCHUM FR E PART LOTS 5,6,7 BLK 50	
Project Address: 591 E 9th St Ketchum, ID 83340	
Number of Lots: 3 going to 1	Number of Units:
Total Land Area in Square Feet: 8,571	Current Zoning District: T-4000 Tourist Zone
Overlay District: <input type="checkbox"/> Flood <input type="checkbox"/> Mountain <input type="checkbox"/> Avalanche	
Easements to be Dedicated on the Final Plat (Describe Briefly):	
ATTACHMENTS	
Attachments Necessary to Complete Application:	
1. A copy of a current lot book guarantee and recorded deed to the subject property;	
2. One (1) copy of preliminary plat; and,	
3. A CD or email of an electronic (.pdf) of the plat.	

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

  
\_\_\_\_\_  
Signature of Owner/Representative

07/28/2020  
\_\_\_\_\_  
Date

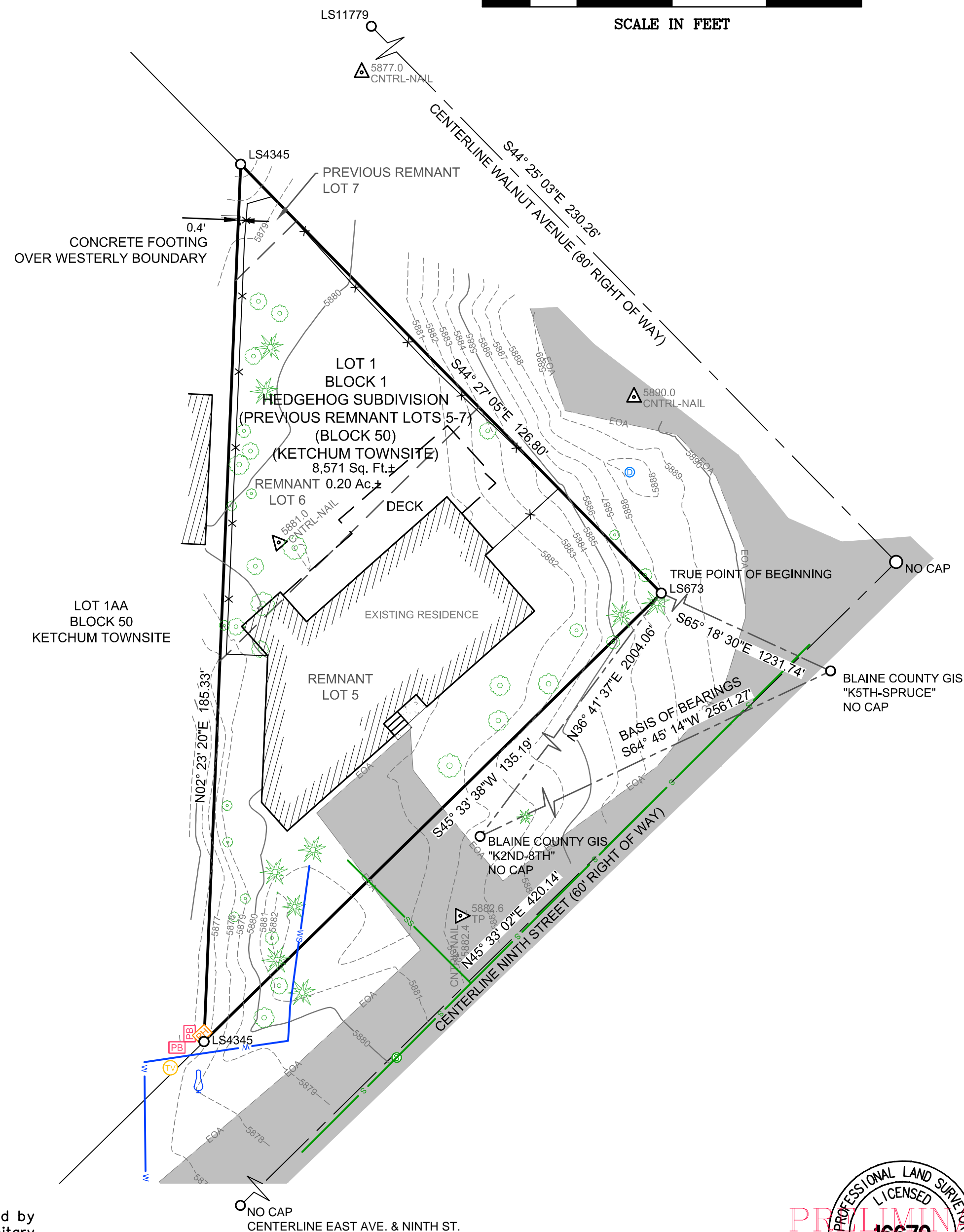
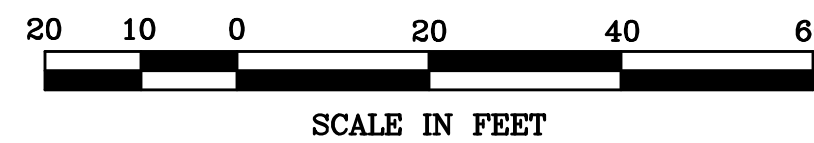
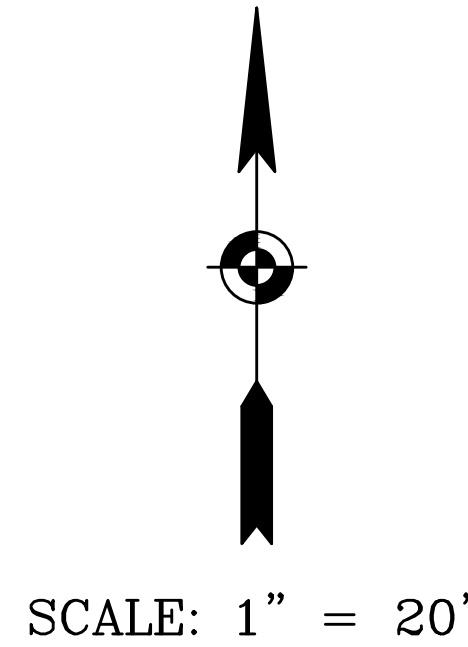
## Attachment B.

Lot Line Shift plat

# A PRELIMINARY PLAT SHOWING HEDGEHOG SUBDIVISION

WHEREIN REMNANT LOTS 5, 6, & 7, BLOCK 50, KETCHUM TOWNSITE ARE REPLATTED AS SHOWN  
LOCATED WITHIN SECTION 13, T.4 N., R.17E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

AUGUST 2020



## LEGEND

	Property Line
	Adjoinder's Lot Line
	Internal Lot Line to be Vacated Hereon
	Centerline Right of Way
	Edge of Asphalt
	FNC = Fence Line
	GIS Tie Line
	Water Service per City of Ketchum Utility Maps
	Water main per City of Ketchum Utility Maps
	Sewer Service per City of Ketchum Utility Maps
	Sewer main per City of Ketchum Utility Maps
	Deck Line
	Existing Structure
	Asphalt
	Concrete
	5' Contour Interval
	1' Contour Interval
	FND 1/2" = Found 1/2" Rebar
	FND 5/8" = Found 5/8" Rebar
	Survey Control
	Telephone Riser
	Power Box
	Cable Television Riser
	Frost Free Hydrant
	Drywell
	Sewer Manhole
	CT = Conifer Tree
	DT = Deciduous Tree

## SURVEY NARRATIVE & NOTES

1. The purpose of this survey is to replat Remnant Lots 5, 6, & 7, Block 50, Ketchum Townsite, into Hedgehog Subdivision as shown, and show the monuments found during the boundary retracement of said Remnant Lots. The Boundary information shown is based on Found Lot Corner Monuments, the official map of the Village of Ketchum, Instrument Number 302967, and Ketchum Townsite: Block 50: Lot 1AA, Instrument Number 599746, both records of Blaine County, Idaho. Additional documents used in the course of this survey include Ketchum, Block 50 Replat, Instrument Number 319826, and Lot 2A, Block 50, Ketchum Townsite, Instrument Number 623863, both records of Blaine County, Idaho. All found monuments have been accepted.

2. A Lot Book Guarantee for Remnant Lots 5-7, Block 50, Ketchum Townsite, has been issued by Pioneer Title Co., issuing agent for Old Republic National Title Insurance Company, File Number 727398, with a Commitment Date of June 15, 2020. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the owner or agent to review said title policy. Some of the encumbrances and easements listed in the title report are NOT plotted hereon. Review of specific documents is required, if further information is desired.

3. The current zoning is T-4000 Tourist zone. Please refer the the City of Ketchum Zoning Ordinance for more specific information about this zone.

4. The owner/subdivider is Andrew Joseph Castellano, Trustee of the Andrew Joseph Castellano Trust, dated 9/28/99, PO Box 1180, Ketchum, Idaho 83340. The surveyor/representation is Mark E. Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, Idaho 83333.

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date \_\_\_\_\_ South Central District Health Dept., EHS



MARK E. PHILLIPS, P.L.S. 16670

HEDGEHOG SUBDIVISION

GALENA ENGINEERING, INC.  
HAILEY, IDAHO

SHEET 1 OF 2  
Job No. 7884

## **Attachment C.**

Draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Hedgehog LLS (591 E. 9 <sup>th</sup> )	)	KETCHUM CITY COUNCIL
Lot Line Shift	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: September 8, 2020	)	DECISION
	)	
File Number: P20-072	)	

**Findings Regarding Application Filed**

**PROJECT:** Hedgehog Subdivision Lot Line Shift

**APPLICATION TYPE:** Lot Line Shift (readjustment of lot lines)

**FILE NUMBER:** P20-072

**ASSOCIATED PERMITS:** None

**OWNER/APPLICANT:** Andrew Joseph Castellano Trust

**REPRESENTATIVE:** Galena Engineering

**REQUEST:** Combine three (3) fractional, substandard remnant lots into one (1) lot

**LOCATION:** 591 E. 9<sup>th</sup> Street (FR E Parts Lots 5, 6, 7, Block 50, Ketchum Townsite)

**NOTICE:** A public hearing notice was mailed to all property owners within 300 ft of the development site and political subdivisions on August 19<sup>th</sup>, 2020. The public hearing notice was published in the Idaho Mountain Express on August 19<sup>th</sup>, 2020.

**ZONING:** Tourist 4000 (T-4000)

**OVERLAY:** None

**Background Findings**

The subject property, 591 E. 9th Street, is comprised of three (3) substandard, remnant portions of original Ketchum townsite lots (fractions of Lots 5, 6, and 7, Block 50). The subject property was developed with a single-family residence in 1970. The single-family home currently spans two of the three remnant lots.

The property owner desires to redevelop the property in the future. In order to construct a new single-family home the three (3) remnant parcels must be combined to create a one (1) lot that conforms to zoning dimensional standards.

Combining the three (3) remnant parcels will result in one (1) lot that is 8,571 square feet in size.



The request meets all applicable standards for a Readjustment of Lot Lines contained in Ketchum Municipal Code’s Subdivision (Title 16) regulations and all applicable zoning standards (Title 17).

**Findings Regarding City Department Comments**

All City Department standards reviewed the application. No city departments have concerns with the lot line shift to combine the three fractional lots into one lot.

**Findings Regarding Readjustment of Lot Lines (KMC§16.04.060)**

All land subdivisions, including Readjustment of Lot Lines, in the City of Ketchum are subject to the standards contained in Ketchum, Municipal Code, Title 16, Subdivision. Many standards are related to the design and construction of multiple new lots that will form new blocks and infrastructure, such as streets that will be dedicated to and maintained by the City; such standards are not relevant to this action. As conditioned, the request meets all applicable standards for Condominiums Preliminary Plats contained in Ketchum Municipal Code’s Subdivision (Title 16) and Zoning (Title 17) regulations.

**Table 1: Findings Regarding Plat Requirements**

Preliminary Plat Requirements				
Present on Preliminary Plat?			Standards	
Yes	No	N/A	City Code	City Standards and Findings
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030.C.1	<b>The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.</b>
			<b>Findings</b>	All required information is present.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.030.J	<b>Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:</b>
			<b>Findings</b>	All required information is present.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	<b>The scale, north point and date.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J .2	<b>The name of the proposed subdivision.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030. J.3	<b>The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.</b>
			<b>Findings</b>	Present

X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J.4</b>	<b>Legal description of the area platted.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .5</b>	<b>The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J.6</b>	<b>A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J.7</b>	<b>The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J .8</b>	<b>Boundary description and the area of the tract.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J.9</b>	<b>Existing zoning of the tract.</b>
			<b>Findings</b>	Present
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030.J.10</b>	<b>The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.</b>
			<b>Findings</b>	N/A. No street dedications are required or proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030.J .11</b>	<b>The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.</b>
			<b>Findings</b>	N/A. No street dedications are required or proposed.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030.J .12</b>	<b>The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.</b>
			<b>Findings</b>	Existing drywells and sewer manholes in the ROW are indicated.
<input type="checkbox"/>	X	<input type="checkbox"/>	<b>16.04.030.J .13</b>	<b>The direction of drainage, flow and approximate grade of all streets.</b>
			<b>Findings</b>	Missing. Show direction of drainage, flow and approx. grade of Emerald and Topaz.

<input type="checkbox"/>	X	<input type="checkbox"/>	<b>16.04.030. J .14</b>	<b>The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.</b>
			<b>Findings</b>	Missing. Show or address in narrative.
<input type="checkbox"/>	X	<input type="checkbox"/>	<b>16.04.030. J.15</b>	<b>Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.</b>
			<b>Findings</b>	Ketchum townsite plat serves as vicinity map.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J.16</b>	<b>The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or avalanche overlay district.</b>
			<b>Findings</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J.17</b>	<b>Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.</b>
			<b>Findings</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .18</b>	<b>Lot area of each lot.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .19</b>	<b>Existing mature trees and established shrub masses.</b>
			<b>Findings</b>	Present
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .20</b>	<b>To be provided to Administrator:</b>
				<b>20. Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.</b>
			<b>Findings</b>	Subdivision name is unique.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.030. J .21</b>	<b>All percolation tests and/or exploratory pit excavations required by state health authorities.</b>
			<b>Findings</b>	NA
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>Comments</b>	<b>A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.</b>
			<b>Findings</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .23</b>	<b>A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.</b>

			<b>Findings</b>	Provided and included in project file.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.030. J .24</b>	<b>A digital copy of the preliminary plat shall be filed with the administrator.</b>
			<b>Findings</b>	Provided and included in project file.

X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.A</b>	<p><b>Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat.</b></p> <p><b>Construction design plans shall be submitted and approved by the city engineer.</b></p> <p><b>All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.</b></p> <p><b>Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</b></p>
			<b>Findings</b>	All required information is present.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.B</b>	<p><b>Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.</b></p>
			<b>Findings</b>	N/A, no improvements are required by this action.

		X	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			<b>Findings</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			<b>Findings</b>	N/A
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	<p><b>Monumentation:</b> Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> <li>1. All angle points in the exterior boundary of the plat.</li> <li>2. All street intersections, points within and adjacent to the final plat.</li> <li>3. All street corner lines ending at boundary line of final plat.</li> <li>4. All angle points and points of curves on all streets.</li> <li>5. The point of beginning of the subdivision plat description.</li> </ol>
			<b>Findings</b>	As noted on the plat, all monuments are existing and have been located.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p><b>Lot Requirements:</b></p> <ol style="list-style-type: none"> <li>1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings.</li> <li>2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: <ol style="list-style-type: none"> <li>a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.</li> <li>b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</li> </ol> </li> <li>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</li> <li>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</li> <li>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</li> <li>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</li> </ol>
			<b>Findings</b>	Lot meets dimensional standards of the zone. Lot has frontage on a public street.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.G	<p><b>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</b></p> <ol style="list-style-type: none"> <li>1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</li> <li>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</li> <li>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</li> <li>4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</li> </ol>
			<b>Findings</b>	No new blocks are being created. N/A.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.1	<p><b>H. Street Improvement Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</li> </ol>
			<b>Findings</b>	No new streets are proposed. N/A.
<input type="checkbox"/>	X	<input type="checkbox"/>	16.04.040.H.2	<p><b>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</b></p>
			<b>Findings</b>	N/A a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.3	<p><b>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</b></p>
			<b>Findings</b>	N/A the subdivision does not contain an existing or propose a new arterial street, railroad, or limited access highway.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.4	<p><b>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</b></p>
			<b>Findings</b>	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.5	<p><b>5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</b></p>
			<b>Findings</b>	NA, the construction of a new street is not proposed.

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.6	6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;
			Findings	N/A no new dedicated is required or proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.7	7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.8	8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.9	9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.10	10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.11	11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;
			Findings	NA, the construction of a new street is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.12	12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;
			Findings	NA



<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.13	13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.14	14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.15	15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.16	16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;
			Findings	NA
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.17	17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;
			Findings	N/A no new right-of-way is proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.18	18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;
			Findings	N/A streetlights are not required in this zoning district.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.19	19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;
			Findings	N/A a private street is not proposed. Parcels front a public street (E. 9th Street) and an unimproved right-of-way (Walnut Ave dead-end)
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.20	20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;
			Findings	N/A

<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.21	21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.22	22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;
			Findings	N/A sidewalks, curb and gutter are not required in this zoning district.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.23	23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and
			Findings	N/A no gates are proposed in this subdivision application.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.H.24	24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone
			Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.I	I. Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.
			Findings	N/A parcels are not located in a commercial or industrial zone.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.J.1	J. Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.  1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.

			<b>Findings</b>	No new easements are required at this time. Parcels front a public street (E. 9 <sup>th</sup> Street) and an unimproved right-of-way (Walnut Ave dead-end)
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.2</b>	<b>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</b>
			<b>Findings</b>	N/A parcels do not border a waterway, drainageway, channel or stream.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.3</b>	<b>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</b>
			<b>Findings</b>	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.4</b>	<b>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</b>
			<b>Findings</b>	N/A parcels do not border a waterway.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.5</b>	<b>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</b>
			<b>Findings</b>	N/A no watercourses are present.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.J.6</b>	<b>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.</b>
			<b>Findings</b>	N/A this action simply combines three (3) existing remnant parcels into one lot.

X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.K	<p><b>K. Sanitary Sewage Disposal Improvements:</b> Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<b>Findings</b>	Property is already connected to city sewer.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.L	<p><b>L. Water System Improvements:</b> A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			<b>Findings</b>	Property is already connected to city water.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.M	<p><b>M. Planting Strip Improvements:</b> Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			<b>Findings</b>	N/A – this action simply combines three existing remnant parcels into one.

<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.1</b>	<p><b>N. Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</b></p> <p><b>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.</b></p>
			<b>Findings</b>	N/A – this action simply combines three existing remnant parcels into one.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.2</b>	<p><b>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information:</b></p> <p><b>a. Proposed contours at a maximum of five foot (5') contour intervals.</b></p> <p><b>b. Cut and fill banks in pad elevations.</b></p> <p><b>c. Drainage patterns.</b></p> <p><b>d. Areas where trees and/or natural vegetation will be preserved.</b></p> <p><b>e. Location of all street and utility improvements including driveways to building envelopes.</b></p> <p><b>f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.</b></p>
			<b>Findings</b>	Not required, no grading is occurring with this Lot Line Shift action.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.3</b>	<p><b>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</b></p>
			<b>Findings</b>	N/A no grading is proposed at this time. This action combines three existing remnant parcels into one lot.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.4</b>	<p><b>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</b></p>
			<b>Findings</b>	NA no subdivision into additional parcels is proposed.
<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.N.5</b>	<p><b>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</b></p>
			<b>Findings</b>	N/A no disturbance is proposed at this time. This action combines three existing remnant parcels into one lot.

<input type="checkbox"/>	V	X	16.04.040.N.6	<p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods).</p>
			<b>Findings</b>	N/A – this action combines three existing remnant parcels into one.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.0	<p><b>O. Drainage Improvements:</b> The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.</p>
			<b>Findings</b>	N/A – this action combines three existing remnant parcels into one.
X	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	<p><b>P. Utilities:</b> In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.</p>
			<b>Findings</b>	Existing home is connected to required utilities. Water/sewer ties, power boxes, and telephone riser are indicated.
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.040.Q	<p><b>Q. Off Site Improvements:</b> Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.</p>
			<b>Findings</b>	N/A – this action combines three existing remnant parcels into one.

<input type="checkbox"/>	<input type="checkbox"/>	X	<b>16.04.040.R</b>	<b>R. Avalanche And Mountain Overlay: All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.</b>
			<b>Findings</b>	N/A property is not in Avalanche or Mountain Overlay.
X	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.04.040.S</b>	<b>S. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</b>
			<b>Findings</b>	Mature trees and topography are indicated.

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations, which Ordinances are codified in the Ketchum City Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the Applicant’s application for the use of the subject parcels.
2. The Council has authority to hear the applicant’s Lot Line Shift (Readjustment of Lot Lines) application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
4. The Lot Line Shift (Readjustment of Lot Lines) application is governed under Sections 16.04.060 of Ketchum Municipal Code Chapter 16.04.
5. The proposed Lot Line Shift meets the standards for Preliminary Plats under Title 16 of Ketchum Municipal Code subject to conditions of approval.

**DECISION**

**THEREFORE**, the Ketchum City Council **approves** this Lot Line Shift application this Tuesday, September 8th, 2020 subject to the following conditions:

**CONDITIONS OF APPROVAL**

1. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map.
2. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder’s office concurrent with the recording of the Plat containing the following minimum data:
  - a. Line work delineating all parcels and roadways on a CAD layer/level designated as “parcel”;
  - b. Line work delineating all roadway centerlines on a CAD layer/level designated as “road”; and,

- c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as "control"; and,
  - d. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a ".dwg", ".dgn" or ".shp" format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.
5. The applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department for the official file on the application.
  6. The Final Plat mylar shall contain all items required under Title 50, Chapter 13, Idaho Code as well as all items required pursuant to KMC §16.04.030J including certificates and signatures.
  7. All governing ordinances and department conditions pertinent to the Fire Department, Building Department, Utilities Department, Street Department and Ketchum City Engineer shall be met.

Findings of Fact **adopted** this 8<sup>th</sup> day of September, 2020

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Neil Bradshaw, Mayor

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Robin Crotty, City Clerk