



City of Ketchum
Planning & Building

April 18, 2022

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to review and adopt Ordinance 1234 establishing minimum residential densities in specific zoning districts, regulating the consolidation of lots in areas of Ketchum, prohibiting reduction of dwelling units in conjunction with new development projects, clarifying parking requirements for uses in the community core and tourist zones, and modifying the design review criteria for new development

Recommendation and Summary

Staff recommends the City Council review, take public comment, and adopt by emergency procedures, Ordinance 1234 related to residential density and downtown vibrancy within the city. As proposed, the ordinance would be in effect for a period of 182 days (approximately 6 months) while the permanent ordinance is prepared.

Reason for Recommendation:

- Ketchum lacks available office, retail, and restaurant space, limiting the ability for businesses to start or expand within Ketchum.
- Ketchum has a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the city, its citizens, and its businesses.
- Development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development
- The Planning and Zoning Commission (the "Commission") reviewed the draft ordinance at a special meeting on March 29, 2022, and recommended the ordinance be forwarded to City Council for review.

Introduction and Background

The City Council, Planning and Zoning Commission, and Urban Renewal Agency acknowledged the housing crisis during a joint work session on February 8, 2022 and identified short-term actions that could be taken by each entity based on their role, authority, and capacity. In that meeting, the Commission also expressed concern about the type of development projects

occurring in the downtown and the long-term impact on the vibrancy and housing inventory. Following the joint work session, the Commission proceeded with the implementation of short-term code changes to address the concerns raised in the joint work session. The Commission held four meetings to review information prepared by staff, receive public comment, and provide direction to staff on the following:

- February 15, 2022 – information on short-term and long-term code changes
- March 8, 2022 – goals, background data and research, draft ordinance, draft policy statement
- March 29, 2022 – clarifications of draft ordinance and draft policy statement
- April 12, 2021 review and adoption of the Commission policy statement for development in the Community Core, Tourist, and GR-H zone districts

At the special meeting on March 29, 2022, the Commission voted to recommend approval to the City Council of the ordinance, with some changes. Changes recommended by the Commission are reflected in the clean and redline version of the proposed ordinance included as Attachments A and B respectively. It should be noted that per Idaho state regulations, emergency ordinances do not require public hearings or consultation with the Commission. However, since the Commission is primarily responsible for reviewing and evaluating development projects, Commission input and support is critical for preparation and adoption of the ordinance.

Analysis

Proposed is an interim ordinance, to be adopted through emergency ordinance procedures, that encourages development projects that meet the goals and objectives of the Ketchum Comprehensive Plan. An extensive overview of the methodology and data informing the ordinance recommendations was provided to the Planning and Zoning Commission at their March 8, 2022, meeting. The full staff report, and all attachments can be found in Attachment D.

The intent of the Ordinance is to:

- Promote projects that contribute towards the long-term vibrancy and economic stability of the downtown
- Increase the production of housing throughout Ketchum that in turn increases the supply and availability of housing for all income levels
- Provides the Planning and Zoning Commission the tools to engage, discuss and influence proposed uses in a building to ensure the project is of benefit to the community and meets the goals of the Comprehensive Plan

The ordinance is being proposed because:

- Ketchum lacks available office, retail, and restaurant space, limiting the ability for businesses to start or expand within Ketchum.
- Ketchum has a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the city, its citizens, and its businesses.
- Ketchum lost 475 long term rental and ownership housing units from 2000 to 2019.
- Construction of residential units within Ketchum has decreased significantly since 1989. From 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years.
- In addition to the 475 housing units lost, the Housing Action Plan Summary and Findings identify the need to build, convert, or stabilize between 65 and 100 housing units annually to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy
- Ketchum experienced a significant population increase from 2019 to 2020 of approximately 25%, when annual population growth is traditionally 1%. It is unclear if this increase is unique or a continuing trend.
- Development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development
- If the upcoming development season proceeds without more immediate revisions to development standards, then the negative impacts and harms listed above will be further exacerbated in a nonreversible way

The ordinance does not:

- Place a moratorium on development or reduce the development potential of properties
- Change, reduce or increase, the permitted maximum building heights, or floor area ratios (FAR)

The ordinance does:

1. Make a course correction to the current development trend in order to promote production of more housing units in Ketchum and protect and preserve existing housing.
2. Provide temporary regulations while permanent regulations are developed
3. Recommend five changes to the Ketchum zoning regulations as follows:
 - a. Minimum residential densities required for projects with density bonuses in certain zone districts depending on project type
 - i. Community Core - Requires a minimum of 7 units per Ketchum townsite lot for 100% residential projects. For mixed-use projects the ordinance requires 4 units per townsite lot for projects with 30% or less commercial

- space, 3 units per townsite lot for projects with 31-60% commercial space, two units per townsite lot for projects with 61-80% commercial space, and no minimum for projects with 80% or more of commercial unless residential is provided. In this case, two units are required.
- ii. Tourist - Requires a minimum of 7 units per 10,000 square feet of lot area for 100% residential projects. For mixed-use projects the ordinance requires 4 units per 10,000 square feet for projects with 30% or less commercial space, 3 units per 10,000 square feet for projects with 31-60% commercial space, two units per 10,000 square feet for projects with 61-80% of commercial space, and no minimum for projects with 80% or more of commercial unless residential is provided. In this case, two units are required.
 - iii. T-3000 – Requires 4 units per 10,000 square feet of lot area.
 - iv. T-4000 and GR-H – requires 8 units per 10,000 square feet of lot area.
 - v. No minimum densities are proposed for General Residential-Low Density (GR-L), Limited Residential (LR, LR-1, and LR-2), Short-Term Occupancy (STO-1, STO-4, and STO-H), Light Industrial (LI, LI-1, and LI-2), Recreation Use (RU), or Agricultural and Forestry (AF) zone districts.
 - vi. Minimum densities may be adjusted subject to Conditional Use Permit.
- b. Consolidation of lots
 - i. Consolidation of lots permitted with additional standards in all zone districts except General Residential-Low Density (GR-L), Limited Residential (LR, LR-1, and LR-2), Short-Term Occupancy (STO-1, STO-4, and STO-H), where a waiver would be required.
 - ii. Consolidation of lots requires a preliminary plat and final plat application.
 - iii. Additional review standards requiring conformance with land use approvals, zoning regulations, and comprehensive plan.
 - c. Net loss of units
 - i. No project can result in the net loss of residential units through consolidation of units, or demolition and redevelopment of property
 - ii. Number of residential units may be reduced subject to Conditional Use Permit.
 - d. Parking exemptions
 - i. Any individual retail unit less than 5,500 square feet is exempt from parking requirements in the Community Core and Tourist zone districts
 - ii. No parking is required for the first 5,500 square feet of office space within the Community Core and Tourist zone districts
 - e. Design Review Criteria for projects with density bonuses
 - i. The Planning and Zoning Commission adopted a policy document to outline the expectations for successful projects (Attachment C)
 - ii. Design and uses of projects with density bonuses shall be evaluated on conformance with the comprehensive plan and adopted policy documents.

4. The ordinance would apply to all projects not deemed complete by the effective date of the ordinance.

Planning and Zoning Commission Comments

At the March 29, 2022, meeting of the Commission, final comments on the draft ordinance and policy statement were provided to staff. The Commission voted to forward the draft ordinance with proposed changes to the City Council for review. Below is a list of proposed changes recommended by the Commission:

- Remove conditional use permit requirement for projects with density bonuses and replace with additional criteria to be applied during the Design Review process
- Clarify that the minimum residential density requirements only apply only to projects with density bonuses
- Adjust the minimum residential density requirements to provide more flexibility in design and minimize impact on projects with unique or challenging sites
- Clarify how square footage is calculated for minimum residential densities
- Clarify what is considered “Commercial” use
- Include parking exemptions for a portion of office uses within a project

All recommended changes have been incorporated into the redline and clean version of the proposed ordinance.

Next Steps

If the ordinance is adopted by Council, staff will begin the process for preparing the permanent ordinance including additional research, community outreach, and drafting.

Attachments

- A. Draft Ordinance 1234 – clean
- B. Draft Ordinance 1234 – redline
- C. Planning and Zoning Commission Policy Statement
- D. Staff Report and Attachments – March 8, 2022 P&Z Commission Meeting

ATTACHMENT A:

Draft Ordinance 1234 - clean

ORDINANCE 1234

AN EMERGENCY ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, FINDING AN IMMINENT PERIL TO PUBLIC HEALTH, SAFETY, OR WELFARE EXISTS AND THE NEED TO IMMEDIATELY IMPLEMENT REVISED DEVELOPMENT STANDARDS THAT REQUIRE MINIMUM RESIDENTIAL DENSITIES IN CERTAIN ZONE DISTRICTS FOR CERTAIN PROJECTS; REGULATE THE CONSOLIDATION OF LOTS IN CERTAIN ZONE DISTRICTS; PROHIBIT THE REDUCTION OF DWELLING UNITS IN CONJUNCTION WITH DEVELOPMENT PROJECTS; ADD DESIGN REVIEW CRITERIA FOR CERTAIN DEVELOPMENT PROJECTS IN CERTAIN ZONE DISTRICTS; AND CLARIFY PARKING REQUIREMENTS FOR RETAIL AND OFFICE USES IN THE CC AND T ZONE DISTRICTS; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND A SUNSET DATE.

WHEREAS, Idaho Code Section 67-6523 authorizes local jurisdictions to enact emergency ordinances when the local governing board finds imminent peril to the public health, safety, or welfare; and

WHEREAS, the State of Idaho and the Idaho Housing and Finance Association has stated that access to workforce housing has become a statewide challenge impacting urban, rural, and resort communities, resulting in a proposal for a state-led gap financing program for development of workforce housing; and

WHEREAS, the 2014 Ketchum Comprehensive Plan identifies ten core values vital to the City's ability to achieve its vision including 1) A Strong and Diverse Economy, 2) Vibrant Downtown, and 4) A Variety of Housing Options; and

WHEREAS, the City of Ketchum (the "City") is experiencing a significant population increase and a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the City, its citizens, and its businesses; and

WHEREAS, businesses in Ketchum have been forced to reduce operating hours in the past two years due to lack of workforce; and

WHEREAS, the City's average annual population growth rate is approximately 1%, however, the population of the City increased 25% from 2019 to 2020; and

WHEREAS, the City collects housing specific data and is developing a Housing Action Plan to address the immediate need for more housing in the City; and

WHEREAS, the City lost 475 long-term rental and ownership housing units from 2000 to 2019; and

WHEREAS, in addition to the 475 housing units lost, the Housing Action Plan Summary and Findings identify the need to build, convert, or stabilize between 65 and 100 housing units

annually in the City to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy; and

WHEREAS, from 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years; and

WHEREAS, the City is experiencing an increase in the redevelopment of property as more than half of the City's housing stock was built before 1980 and there are a limited number of vacant properties within city limits; and

WHEREAS, development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development; and

WHEREAS, the City Council, Planning and Zoning Commission, and Ketchum Urban Renewal Agency determined at a joint meeting on February 8, 2022, that immediate action to address housing issues within the City were necessary; and

WHEREAS, staff presented options for addressing housing issues to the Planning and Zoning Commission at a special meeting on February 15, 2022; and

WHEREAS, the Planning and Zoning Commission reaffirmed the urgent need for solutions to address housing issues; and

WHEREAS, the traditional development season is imminent and there is an immediate necessity to provide development applicants with some certainty on standards sooner than later; and

WHEREAS, the Planning and Zoning Commission met three times, on February 15, 2022, March 8, 2022, and March 29, 2022, to discuss the ordinance and obtain public input related to the proposed ordinance and recommended on March 29, 2022, the ordinance be adopted by City Council; and

WHEREAS, the provisions of this ordinance are temporary in nature and shall expire one hundred and eighty-two (182) days after the adoption of this emergency ordinance; and

WHEREAS, during the pendency of this emergency ordinance, the City will pursue a public process to explore the development and creation of an interim ordinance and/or permanent ordinance to further formalize the changes proposed in this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM, IDAHO:

Section 1. Finding of Imminent Peril to the Public Health, Safety and Welfare. The City Council hereby finds that an imminent peril to the public health, safety and welfare exists caused by the permanent loss of land in Ketchum available to house the local workforce and provide a mixture of commercial uses necessary to support the Ketchum economy based on the following:

- a. Businesses in the Community Core are closing or reducing business hours due to a lack of workers.
- b. Commercial, entertainment, retail and restaurant use in the Community Core are essential to the economic vitality and public health, safety and welfare of the residents and visitors to the City.
- c. Each time a project is developed with low density residential, similar to single family dwellings, or with limited commercial use, the City permanently loses the potential to develop such property for higher density residential or projects containing commercial, entertainment, restaurant or retail uses.
- d. The permanent loss of properties that could otherwise be development for higher density residential or commercial uses, threatens the economic vitality of the City, threatens to permanently impair, or reduce revenue to support city operations and essential services without limitation, fire, police, emergency medical, and snow removal.
- e. If the upcoming development season proceeds without more immediate revisions to development standards, then the negative impacts and harms listed above will be further exacerbated in a nonreversible way.
- f. The City finds it requires sufficient time to study and review the public health, safety, and welfare concerns as identified above and adopt interim standards while the review is underway.

Section 2. The following interim regulations and standards apply to applications filed pursuant to Title 16 - Subdivision Regulations and Title 17 - Zoning Regulations. Wherever any provision in Title 16 or Title 17 or any other ordinance, rule or regulation of any kind contain standards covering the same subject matter, the standards of this Ordinance shall apply.

Section 3. All zoning districts referenced in this ordinance are pursuant to Ketchum Municipal Code (the “KMC”) Chapter 17.18 – *Zoning Districts* and abbreviated as referenced. All terms in this ordinance are defined in Section 17.08.020 – *Terms Defined* and 16.04.020-*Definitions* of the KMC with the addition of the following:

- A. Consolidation – the action or process of combining more than one lot or unit into a single lot or unit.
- B. Residential Density – the number of dwelling units per square feet of lot area.

Section 4. There shall now be minimum residential densities for new development projects or expansions of existing buildings that exceed a total floor area ratio (FAR) of 1.0 within Subdistrict 1 and Subdistrict 2 of the CC zone district and 0.5 FAR in the T, T-3000, T-4000, and GR-H zone districts as follows:

Zone District	Minimum Residential Density Required (units/SF)			
CC Subdistricts 1 and 2	100% Residential Development 7 / 5,500			
	Mixed Use Development			
	≤ 30% Commercial	31-60% Commercial	61-80% Commercial	≥ 80% Commercial

	4 / 5,500	3 / 5,500	2 / 5,500	No Minimum except when residential units are provided, there shall be a minimum of 2 units
T	100% Residential Development 7 / 10,000			
	≤ 30% Commercial 4 / 10,000	31-60% Commercial 3 / 10,000	61-80% Commercial 2 / 10,000	≥ 80% Commercial No Minimum except when residential units are provided, there shall be a minimum of 2 units
T-3000	4 / 10,000			
T-4000	8 / 10,000			
GR-H	8 / 10,000			
GR-L	No minimum			
LR, LR-1, and LR-2	No minimum			
STO-1, STO-4, and STO-H	No minimum			
LI, LI-2, and LI-3	No minimum			
RU and AF	No minimum			

- A. For purposes of calculating minimum residential densities, commercial square footage shall include all uses identified in KMC Section 17.12.020 – District Use Matrix as “Commercial” and “Public and Institutional”, or similar uses as determined by the Director.
- B. Percent commercial shall be calculated by dividing the total commercial square footage by the Gross Floor Area for the project.
- C. Total commercial square footage shall be calculated using the total horizontal area of commercial uses on all floors in a building or portion of a building measured from the interior walls, excluding:
 - a. Common areas
 - b. Mechanical and maintenance equipment rooms
 - c. Parking areas and/or garages
 - d. Public areas
- D. Minimum densities identified in Section 4 may be adjusted subject to the review and approval of a Conditional Use Permit by the Planning and Zoning Commission.

Section 5. There shall now be standards for the consolidation of lots. Additionally, there shall be a specific application type, process, and additional standards for the review and approval of the consolidation of lots as follows:

A. Consolidation of lots within the City shall be permitted in certain zone districts as follows:

Zone District	Consolidation of Lots
CC - Subdistricts 1 and 2	Permitted subject to additional standards
T	Permitted subject to additional standards
T-3000	Permitted subject to additional standards
T-4000	Permitted subject to additional standards
GR-H	Permitted subject to additional standards
GR-L	Permitted subject to waiver
LR, LR-1, and LR-2	Permitted subject to waiver
STO-1, STO-4, and STO-H	Permitted subject to waiver
LI, LI-2, and LI-3	Permitted subject to additional standards
RU and AF	Permitted subject to additional standards

- B. The definition of “Readjustment of Lot Lines” in KMC Section 16.04.020 - *Definitions*, also known as Lot Line Shifts, shall no longer include the “removal of lot lines”.
- C. Consolidation of lots may only be considered pursuant to the requirements and standards of KMC Section 16.04.030 – *Procedure for Subdivision Approval*.
- D. All preliminary plat applications for consolidation of lots shall be submitted concurrent with a building permit application or land use development application as applicable.
- E. The final plat for consolidation of lots shall not be signed by the City Clerk and recorded until the development has received one or both of the following as applicable:
1. A certificate of occupancy issued by the City of Ketchum; and
 2. Completion of all design review elements as approved by the Planning and Zoning Administrator.
- F. In addition to KMC Section 16.04.040, all preliminary plat applications for consolidation of lots shall comply with the following criteria:
1. The preliminary plat application is in conformance with all applicable building permit and land use development approvals.
 2. The preliminary plat application is in conformance with all applicable Zoning Regulations contained within Title 17 – Zoning Regulations.
 3. The preliminary plat application is found to be in conformance with the comprehensive plan in effect at the time the application was deemed complete.

Section 6. No demolition permit shall be issued pursuant to Chapter 15.16 of the KMC that results in the net loss in the total number of residential units currently existing on a property as of the effective date of this ordinance. The following standards apply to all properties within the City:

- A. Development of property, in any zone district, may not result in the net loss of dwelling units.
- B. Total number of dwelling units shall be calculated including all listed or defined dwelling unit uses and terms in the KMC such as, but not limited to, “dwelling, one family”, “dwelling, multi-family”, “dwelling unit, accessory”, and “work/live unit”.
- C. No demolition permit shall be issued for any structure until a building permit application for a replacement project on the property and required fees have been accepted by the City and deemed complete.
- D. Reduction in number of residential units may be permitted subject to the review and approval of a Conditional Use Permit by the Planning and Zoning Commission prior to submittal of a demolition permit application.

Section 7. There shall be no parking required for individual retail spaces of 5,500 square feet or less within the Community Core (CC) and Tourist (T) zoning districts.

Section 8. There shall be no parking required for the first 5,500 square feet of office space of a project within the Community Core and Tourist zone districts.

Section 9. Projects within the CC Subdistrict 1 and 2, T, T-3000, T-4000, and GR-H zone districts, no exempt from Design Review pursuant to KMC Section 17.96.010, shall meet the following additional criteria:

- A. The design and uses conform with the goals, policies, and objectives of the comprehensive plan; and
- B. The design and uses conform with the goals and objectives of applicable adopted Planning and Zoning Commission policy statements.

Section 10. This ordinance shall be in full force and effect from and after its passage and approval and shall remain in effect for a period not to exceed one hundred and eight two (182) days from its effective date, pursuant to Idaho Code Section 67-6523.

Section 11. The notice and hearing requirements generally applicable to ordinances are not practical in light of the emergency nature of this ordinance, and therefore this ordinance will be heard under an abbreviated notice process pursuant to Idaho Code Section 67-6523.

Section 12. Pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the City Council, the rule requiring two (2) separate readings by title and one (1) reading in full be waived, and the same is hereby dispensed with, and accordingly, this emergency ordinance shall be in full force and effect immediately upon its passage and approval.

Section 13. SAVINGS AND SEVERABILITY CLAUSE: It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 14. REPEALER CLAUSE: All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

Section 15. PUBLICATION: This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A" shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 16. EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED BY THE CITY COUNCIL and APPROVED by the MAYOR OF KETCHUM IDAHO, on this ____ day of ____ 2022.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick, City Clerk

EXHIBIT A: PUBLICATION SUMMARY

ORDINANCE 1234

AN EMERGENCY ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, FINDING AN IMMINENT PERIL TO PUBLIC HEALTH, SAFETY, OR WELFARE EXISTS AND THE NEED TO IMMEDIATELY IMPLEMENT REVISED DEVELOPMENT STANDARDS THAT REQUIRE MINIMUM RESIDENTIAL DENSITIES IN CERTAIN ZONE DISTRICTS FOR CERTAIN PROJECTS; REGULATE THE CONSOLIDATION OF LOTS IN CERTAIN ZONE DISTRICTS; PROHIBIT THE REDUCTION OF DWELLING UNITS IN CONJUNCTION WITH DEVELOPMENT PROJECTS; ADD DESIGN REVIEW CRITERIA FOR CERTAIN DEVELOPMENT PROJECTS IN CERTAIN ZONE DISTRICTS; AND CLARIFY PARKING REQUIREMENTS FOR RETAIL AND OFFICE USES IN THE CC AND T ZONE DISTRICTS; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND A SUNSET DATE.

A summary of the principal provisions of Ordinance No. 1234 of the City of Ketchum, Blaine County, Idaho, adopted on April 12, 2022, is as follows:

- SECTION 1.** Findings of imminent peril to public health, safety, and welfare.
- SECTION 2.** Applicability of the ordinance.
- SECTION 3.** Reference to terms defined and added.
- SECTION 4.** Minimum residential densities for certain zone districts as outlined and method for calculation of minimum residential density requirements.
- SECTION 5.** Standards for consolidation of lots within the City of Ketchum.
- SECTION 6.** Restrictions for the reduction in number of residential units from redevelopment of property.
- SECTION 7.** Parking exemption for retail uses.
- SECTION 8.** Parking exemption for office uses.
- SECTION 9.** Additional criteria for Design Review for projects in certain zone districts.
- SECTION 10.** Term of the ordinance.
- SECTION 11.** Noticing provisions for the adoption of the ordinance.

- SECTION 12.** Adoption procedures for the ordinance.
- SECTION 13.** Provides a savings and severability clause.
- SECTION 14.** Provides a repealer clause.
- SECTION 15.** Provides for publication of this Ordinance by Summary.
- SECTION 16.** Establishes an effective date.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 191 5th Street West, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

ATTEST:

APPROVED:

Tara Fenwick, City Clerk

Neil Bradshaw, Mayor

ATTACHMENT B:

Draft Ordinance 1234 - redline

ORDINANCE 1234

AN EMERGENCY ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, FINDING AN IMMINENT PERIL TO PUBLIC HEALTH, SAFETY, OR WELFARE EXISTS AND THE NEED TO IMMEDIATELY IMPLEMENT REVISED DEVELOPMENT STANDARDS THAT REQUIRE MINIMUM RESIDENTIAL DENSITIES IN CERTAIN ZONE DISTRICTS FOR CERTAIN PROJECTS; REGULATE THE CONSOLIDATION OF LOTS IN CERTAIN ZONE DISTRICTS; PROHIBIT THE REDUCTION OF DWELLING UNITS IN CONJUNCTION WITH DEVELOPMENT PROJECTS; ~~REQUIRE A CONDITIONAL USE PERMIT~~ ADD DESIGN REVIEW CRITERIA FOR CERTAIN DEVELOPMENT PROJECTS IN ~~THE COMMUNITY CORE~~ (CC) CERTAIN ZONE DISTRICTS; AND CLARIFY PARKING REQUIREMENTS FOR RETAIL AND OFFICE USES IN THE CC AND T ZONE DISTRICTS; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND A SUNSET DATE.

WHEREAS, Idaho Code Section 67-6523 authorizes local jurisdictions to enact emergency ordinances when the local governing board finds imminent peril to the public health, safety, or welfare; and

WHEREAS, the State of Idaho and the Idaho Housing and Finance Association has stated that access to workforce housing has become a statewide challenge impacting urban, rural, and resort communities, resulting in a proposal for a state-led gap financing program for development of workforce housing; and

WHEREAS, the 2014 Ketchum Comprehensive Plan identifies ten core values vital to the City's ability to achieve its vision including 1) A Strong and Diverse Economy, 2) Vibrant Downtown, and 4) A Variety of Housing Options; and

WHEREAS, the City of Ketchum (the "City") is experiencing a significant population increase and a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the City, its citizens, and its businesses; and

WHEREAS, businesses in Ketchum have been forced to reduce operating hours in the past two years due to lack of workforce; and

WHEREAS, the City's average annual population growth rate is approximately 1%, however, the population of the City increased 25% from 2019 to 2020; and

WHEREAS, the City collects housing specific data and is developing a Housing Action Plan to address the immediate need for more housing in the City; and

WHEREAS, the City lost 475 long-term rental and ownership housing units from 2000 to 2019; and

WHEREAS, in addition to the 475 housing units lost, the Housing Action Plan Summary and Findings identify the need to build, convert, or stabilize between 65 and 100 housing units annually in the City to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy; and

WHEREAS, from 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years; and

WHEREAS, the City is experiencing an increase in the redevelopment of property as more than half of the City's housing stock was built before 1980 and there are a limited number of vacant properties within city limits; and

WHEREAS, development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development; and

WHEREAS, the City Council, Planning and Zoning Commission, and Ketchum Urban Renewal Agency determined at a joint meeting on February 8, 2022, that immediate action to address housing issues within the City were necessary; and

WHEREAS, staff presented options for addressing housing issues to the Planning and Zoning Commission at a special meeting on February 15, 2022; and

WHEREAS, the Planning and Zoning Commission reaffirmed the urgent need for solutions to address housing issues; and

WHEREAS, the traditional development season is imminent and there is an immediate necessity to provide development applicants with some certainty on standards sooner than later; and

WHEREAS, the Planning and Zoning Commission met three times, on February 15, 2022, March 8, 2022, and March 29, 2022, to discuss the ordinance and obtain public input related to the proposed ordinance and recommended on March 29, 2022, the ordinance be adopted by City Council; and

WHEREAS, the provisions of this ordinance are temporary in nature and shall expire one hundred and eighty-two (182) days after the adoption of this emergency ordinance; and

WHEREAS, during the pendency of this emergency ordinance, the City will pursue a public process to explore the development and creation of an interim ordinance and/or permanent ordinance to further formalize the changes proposed in this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM, IDAHO:

Section 1. Finding of Imminent Peril to the Public Health, Safety and Welfare. The City Council hereby finds that an imminent peril to the public health, safety and welfare exists caused

by the permanent loss of land in Ketchum available to house the local workforce and provide a mixture of commercial uses necessary to support the Ketchum economy based on the following:

- a. Businesses in the Community Core are closing or reducing business hours due to a lack of workers.
- b. Commercial, entertainment, retail and restaurant use in the Community Core are essential to the economic vitality and public health, safety and welfare of the residents and visitors to the City.
- c. Each time a project is developed with low density residential, similar to single family dwellings, or with limited commercial use, the City permanently loses the potential to develop such property for higher density residential or projects containing commercial, entertainment, restaurant or retail uses.
- d. The permanent loss of properties that could otherwise be development for higher density residential or commercial uses, threatens the economic vitality of the City, threatens to permanently impair, or reduce revenue to support city operations and essential services without limitation, fire, police, emergency medical, and snow removal.
- e. If the upcoming development season proceeds without more immediate revisions to development standards, then the negative impacts and harms listed above will be further exacerbated in a nonreversible way.
- f. The City finds it requires sufficient time to study and review the public health, safety, and welfare concerns as identified above and adopt interim standards while the review is underway.

Section 2. The following interim regulations and standards apply to applications filed pursuant to Title 16 - Subdivision Regulations and Title 17 - Zoning Regulations. Wherever any provision in Title 16 or Title 17 or any other ordinance, rule or regulation of any kind contain standards covering the same subject matter, the standards of this Ordinance shall apply.

Section 3. All zoning districts referenced in this ordinance are pursuant to Ketchum Municipal Code (the “KMC”) Chapter 17.18 – *Zoning Districts* and abbreviated as referenced. All terms in this ordinance are defined in Section 17.08.020 – *Terms Defined* and 16.04.020-*Definitions* of the KMC with the addition of the following:

- A. Consolidation – the action or process of combining more than one lot or unit into a single lot or unit.
- B. Residential Density – the number of dwelling units per square feet of lot area.

Section 4. There shall now be minimum residential densities for new development projects or expansions of existing buildings that exceed a total floor area ratio (FAR) of 1.0 within Subdistrict 1 and Subdistrict 2 of the CC zone district and 0.5 FAR in the T, T-3000, T-4000, and GR-H zone districts as follows ~~multi-family and mixed-use developments in certain zone districts within the City as follows:~~

Zone District	Minimum Residential Density Required (units/SF)
CC Subdistricts 1 and 2	100% Residential Development 79 / 5,500
	Mixed Use Development

	≤ 30% Commercial	31-60% Commercial	61-80% Commercial	≥ 80% Commercial
	45 / 5,500	3 / 5,500	21 / 5,500	No Minimum <u>except when residential units are provided, there shall be a minimum of 2 units</u>
T	100% Residential Development 79 / 10,000			
	≤ 30% Commercial	31-60% Commercial	61-80% Commercial	≥ 80% Commercial
	45 / 10,000	3 / 10,000	21 / 10,000	No Minimum <u>except when residential units are provided, there shall be a minimum of 2 units</u>
T-3000	45 / 10,000			
T-4000	810 / 10,000			
GR-H	810 / 10,000			
GR-L	No minimum			
LR, LR-1, and LR-2	No minimum			
STO-1, STO-4, and STO-H	No minimum			
LI, LI-2, and LI-3	No minimum			
RU and AF	No minimum			

- a. For purposes of calculating minimum residential densities, commercial square footage shall include all uses identified in KMC Section 17.12.020 – District Use Matrix as “Commercial” and “Public and Institutional”, or similar uses as determined by the Director.
- b. Percent commercial shall be calculated by dividing the total commercial square footage by the Gross Floor Area for the project.
- c. Total commercial square footage shall be calculated using the total horizontal area of commercial uses on all floors in a building or portion of a building measured from the interior walls, excluding:
 - a. Common areas
 - b. Mechanical and maintenance equipment rooms
 - c. Parking areas and/or garages
 - d. Public areas
 - e. _____

~~Section 5~~ Minimum densities identified in Section 4 may be adjusted subject to the review and approval of a Conditional Use Permit by the Planning and Zoning Commission.

Section 56. There shall now be standards for the consolidation of lots. Additionally, there shall be a specific application type, process, and additional standards for the review and approval of the consolidation of lots as follows:

A. Consolidation of lots within the City shall be permitted in certain zone districts as follows:

Zone District	Consolidation of Lots
CC - Subdistricts 1 and 2	Permitted subject to additional standards
T	Permitted subject to additional standards
T-3000	Permitted subject to additional standards
T-4000	Permitted subject to additional standards
GR-H	Permitted subject to additional standards
GR-L	Permitted subject to waiver
LR, LR-1, and LR-2	Permitted subject to waiver
STO-1, STO-4, and STO-H	Permitted subject to waiver
LI, LI-2, and LI-3	Permitted subject to additional standards
RU and AF	Permitted subject to additional standards

- B. The definition of “Readjustment of Lot Lines” in KMC Section 16.04.020 - *Definitions*, also known as Lot Line Shifts, shall no longer include the “removal of lot lines”.
- C. Consolidation of lots may only be considered pursuant to the requirements and standards of KMC Section 16.04.030 – *Procedure for Subdivision Approval*.
- D. All preliminary plat applications for consolidation of lots shall be submitted concurrent with a building permit application or land use development application as applicable.
- E. The final plat for consolidation of lots shall not be signed by the City Clerk and recorded until the development has received one or both of the following as applicable:
 - 1. A certificate of occupancy issued by the City of Ketchum; and
 - 2. Completion of all design review elements as approved by the Planning and Zoning Administrator.
- F. In addition to KMC Section 16.04.040, all preliminary plat applications for consolidation of lots shall comply with the following criteria:
 - 1. The preliminary plat application is in conformance with all applicable building permit and land use development approvals.
 - 2. The preliminary plat application is in conformance with all applicable Zoning Regulations contained within Title 17 – Zoning Regulations.
 - 3. The preliminary plat application is found to be in conformance with the comprehensive plan in effect at the time the application was deemed complete.

Section 67. No demolition permit shall be issued pursuant to Chapter 15.16 of the KMC that results in the net loss in the total number of residential units currently existing on a property as of the effective date of this ordinance. The following standards apply to all properties within the City:

- A. Development of property, in any zone district, may not result in the net loss of dwelling units.
- B. Total number of dwelling units shall be calculated including all listed or defined dwelling unit uses and terms in the KMC such as, but not limited to, “dwelling, one family”, “dwelling, multi-family”, “dwelling unit, accessory”, and “work/live unit”.
- C. No demolition permit shall be issued for any structure until a building permit application for a replacement project on the property and required fees have been accepted by the City and deemed complete.
- C-D. Reduction in number of residential units may be permitted subject to the review and approval of a Conditional Use Permit by the Planning and Zoning Commission prior to submittal of a demolition permit application.

Section 78. There shall be no parking required for individual retail spaces of 5,500 square feet or less within the Community Core (CC) and Tourist (T) zoning districts.

Section 8. There shall be no parking required for the first 5,500 square feet of office space of a project within the Community Core and Tourist zone districts.

Section 9. Projects within the CC Subdistrict 1 and 2, T, T-3000, T-4000, and GR-H zone districts, no exempt from Design Review pursuant to KMC Section 17.96.010, shall meet the following additional criteria:

- a. The design and uses conform with the goals, policies, and objectives of the comprehensive plan; and
- b. The design and uses conform with the goals and objectives of applicable adopted Planning and Zoning Commission policy statements.
- ~~a. A Conditional Use Permit (CUP), as stipulated in KMC Chapter 17.116, is required for all development projects that:
Exceed a 1.0 floor area ratio (FAR) within Subdistrict 1 and Subdistrict 2 of the CC zone district and a 0.5 FAR in the T, T-3000, T-4000, and GR-H zone districts.
Change of use resulting in a conversion of commercial square footage to residential square footage.
No fee shall be charged for Conditional Use Permit applications submitted concurrent with Design Review applications with FAR exceedance.~~

Section 10. This ordinance shall be in full force and effect from and after its passage and approval and shall remain in effect for a period not to exceed one hundred and eight two (182) days from its effective date, pursuant to Idaho Code Section 67-6523.

Section 11. The notice and hearing requirements generally applicable to ordinances are not practical in light of the emergency nature of this ordinance, and therefore this ordinance will be heard under an abbreviated notice process pursuant to Idaho Code Section 67-6523.

Section 12. Pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the City Council, the rule requiring two (2) separate readings by title and one (1) reading in full be waived, and the same is hereby dispensed with, and accordingly, this emergency ordinance shall be in full force and effect immediately upon its passage and approval.

Section 13. SAVINGS AND SEVERABILITY CLAUSE: It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 14. REPEALER CLAUSE: All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

Section 15. PUBLICATION: This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A" shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 16. EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED BY THE CITY COUNCIL and APPROVED by the MAYOR OF KETCHUM IDAHO,
on this ___ day of ____ 2022.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick, City Clerk

ATTACHMENT C:
Planning and Zoning
Commission Policy Statement



City of Ketchum
Planning & Building

PLANNING AND ZONING COMMISSION POLICY STATEMENT

Goals for Successful Development in the Community Core, Tourist, and High-Density Zone Districts

Adopted: April 12, 2022

The Planning and Zoning Commission seeks to ensure that all projects taking advantage of the density bonus program, outlined in Ketchum Municipal Code Section 17.124.040 – *Floor area ratios and community housing*, contribute not only to community housing, but to the vibrancy of the community and the economic stability of Ketchum. The 2014 Ketchum Comprehensive Plan outlines future land uses for each zone district in Ketchum which were codified in 2015 when the zoning regulations were updated to include stated purposes for each zone district. To provide additional clarity to the development community, the following information outlines the purpose of each zone district and outlines the expectations and type of projects encouraged by the Planning and Zoning Commission. This policy statement is intended to provide guidance for a period of six months from the time of adoption, at which time the statement will be reviewed by Planning and Zoning Commission.

Community Core (CC-1 and CC-2)

Zoning Ordinance Purpose

The purpose of the CC community core district is to promote a compact and cohesive center of commerce and culture, to promote an attractive and safe pedestrian environment which includes sidewalks, gathering spaces, streetscape amenities and landscaping, to retain the unique small-town scale and character and to encourage buildings which respect Ketchum's historical and geographic context while providing diversity. Compatible mixed uses including retail, office, residential and cultural uses are encouraged. Commercial uses are concentrated in the CC District which is consistent with the City's comprehensive plan and the downtown master plan.

Successful projects in the Community Core - Retail Core subdistrict:

- Maximized ground floor restaurant and retail uses with outdoor public amenities such as outdoor seating and dining.
- Retain as much square footage of any existing retail and restaurant uses as possible.
- Have upper floors of primarily office use and minimal residential.
- Include on-site community housing.
- Include parking allocations that do not exceed minimum parking requirements, except for public parking.
- Have underground or tuck under parking for projects on more than one Ketchum Townsite Lot.
- Limit below grade uses to primarily storage, mechanical, and parking.

Successful projects in the Community Core - Mixed Use subdistrict:

- Maximized ground floor restaurant and retail uses with outdoor public amenities such as outdoor seating and dining.
- Primarily active commercial on the ground floor such as retail, restaurants, recreation, health/wellness services, and government.
- Have upper floors of primarily commercial or residential uses.
- Retain as much square footage of any existing retail and restaurant uses as possible.
- Place passive commercial uses, such as office, on the upper floors. If office uses are on the ground floor, it is limited and should not front the street.
- Limit below grade uses to primarily storage, mechanical, and parking.
- Include parking allocations that do not exceed minimum parking requirements, except for public parking.
- Have underground parking for projects on more than one Ketchum Townsite Lot.
- Have on-site community housing.
- Have strong connection to the street when the project is 100% residential, such as individual entrances to each ground floor residential unit and outdoor areas.

Tourist (T)

Zoning Ordinance Purpose

The purpose of the T Tourist District is to provide the opportunity for high density residential and tourist use, land ownership and development including certain restricted business and personal service establishments in conjunction with such use, which can be justified on the basis of the primary use within the district. Tourist district classifications are intended to be carefully placed in the neighborhood structure to assure the closest possible compatibility with the surrounding uses and development. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings. The tourist zone contains several distinct areas, including the Entrance Corridor, Second Avenue, River Run, Warm Springs Base Area and Saddle Road.

Successful projects in the Tourist zone district have:

- High density residential projects with a variety of housing unit types and sizes.
- On-site community housing.
- Active and passive commercial uses and hotels focused on serving visitors and second homeowners.
- Underground parking where feasible to maximize public gathering areas

T-3000, T-4000, and General Residential-High Density (GR-H)

Zoning Ordinance Purpose

GR-H: The purpose of the GR-H General Residential - High Density District is to accommodate the need for higher density residential land use alternatives within a district generally limited to residential uses while still preserving neighborhood amenities and favorable aesthetic surroundings.

Tourist-3000 and Tourist-4000: The purpose of the T-3000 District is to provide the opportunity for short term tourist accommodations with limited tourist support services subordinate to and in conjunction

with tourist housing. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone and to encourage articulation and quality design in new buildings.

Successful multi-family residential developments have:

- High-density residential projects with a variety of housing unit types and sizes within the entirety of a project
- On-site community housing

Neil Morrow, Chair

City of Ketchum

Planning and Zoning Commission

ATTACHMENT D:

Staff Report and Attachments –
March 8, 2022 P&Z Commission
Meeting



**City of Ketchum
Planning & Building**

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF MARCH 8, 2022**

EXECUTIVE SUMMARY

Proposed is an interim ordinance, to be adopted through emergency ordinance procedures, that encourages development projects that meet the goals and objectives of the Ketchum Comprehensive Plan. The intent of the Ordinance is to:

- Promote projects that contribute towards the long-term vibrancy and economic stability of the downtown
- Increase the production of housing throughout Ketchum that in turn increases the supply and availability of housing for all income levels
- Provides the Planning and Zoning Commission the tools to engage, discuss and influence proposed uses in a building to ensure the project is of benefit to the community and meets the goals of the Comprehensive Plan

The ordinance is being proposed because:

- Ketchum experienced a significant population increase from 2019 to 2020 of approximately 25%, when annual population growth is traditionally 1%.
- Ketchum lacks available office, retail, and restaurant space, limiting the ability for businesses to start or expand within Ketchum.
- Ketchum has a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the city, its citizens, and its businesses.
- Ketchum lost 475 long term rental and ownership housing units from 2000 to 2019.
- Construction of residential units within Ketchum has decreased significantly since 1989. From 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years.
- In addition to the 475 housing units lost, the Housing Action Plan Summary and Findings identify the need to build, convert, or stabilize between 65 and 100 housing units annually to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy
- Development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development
- If the upcoming development season proceeds without more immediate revisions to development standards, then the negative impacts and harms listed above will be further exacerbated in a nonreversible way

The ordinance does not:

- Place a moratorium on development or reduce the development potential of properties
- Change, reduce or increase, the permitted maximum building heights, or floor area ratios (FAR)

The ordinance does:

1. Provide clarity and direction to the development community of the goals and objectives of Ketchum
2. Provide temporary regulations while permanent regulations are developed
3. Recommend five changes to the Ketchum zoning regulations as follows:
 - a. Minimum residential densities required for certain zone districts depending on project type
 - i. Community Core - Requires a minimum of 9 units per Ketchum townsite lot for 100% residential projects. For mixed-use projects the ordinance requires 5 units per townsite lot for projects with 30% or less commercial space, 3 units per townsite lot for projects with 31-60% commercial space, and one unit per townsite lot for projects with 61-80% commercial space. No residential units are required for projects with 80% or more of commercial space.
 - ii. Tourist - Requires a minimum of 9 units per 10,000 square feet of lot area for 100% residential projects. For mixed-use projects the ordinance requires 5 units per 10,000 square feet for projects with 30% or less commercial space, 3 units per 10,000 square feet for projects with 31-60% commercial space, and one unit per 10,000 square feet for projects with 61-80% commercial space. No residential units are required for projects with 80% or more of commercial space.
 - iii. T-3000 – Requires 5 units per 10,000 square feet of lot area.
 - iv. T-4000 and GR-H – requires 10 units per 10,000 square feet of lot area.
 - v. No minimum densities are proposed for General Residential-Low Density (GR-L), Limited Residential (LR, LR-1, and LR-2), Short-Term Occupancy (STO-1, STO-4, and STO-H), Light Industrial (LI, LI-1, and LI-2), Recreation Use (RU), or Agricultural and Forestry (AF) zone districts.
 - b. Consolidation of lots
 - i. Consolidation of lots permitted in all zone districts except General Residential-Low Density (GR-L), Limited Residential (LR, LR-1, and LR-2), Short-Term Occupancy (STO-1, STO-4, and STO-H).
 - ii. Consolidation of lots requires a preliminary plat and final plat application
 - iii. Additional review standards requiring conformance with land use approvals, zoning regulations, and comprehensive plan
 - c. Net loss of units
 - i. No project can result in the net loss of residential units through consolidation of units, or demolition and redevelopment of property
 - d. Retail parking exemptions
 - i. Any individual retail unit less than 5,500 square feet is exempt from parking requirements in the Community Core and Tourist zone districts
 - e. Conditional Use Permits for projects with density bonuses
 - i. Conditional Use Permits are required for any project utilizing the density bonus program in the Community Core (CC-1 and CC-2), the Tourist (T, T-3000, and T-4000), and General Residential - High Density (GR-H)
 - ii. The Planning and Zoning Commission has prepared a policy document to outline the expectations for successful projects
4. The ordinance would apply to all projects not deemed complete by the effective date of the ordinance.

BACKGROUND

The City of Ketchum, like most of Idaho, has seen a tremendous amount of growth in the past two years. In 2021, the State of Idaho had the highest population growth in the United States, according to US Census estimates. While the annual population growth rate in the City of Ketchum has been 1%, the city's population grew approximately 25% from 2019 to 2020. The City of Ketchum's 2014 Comprehensive Plan is the guiding document to assist the city in decision making when addressing population growth and the systems that support that growth, such as housing, transportation, and the economy. Due to the dramatic increase in

population growth, exacerbated by COVID-19, the lack of available housing to support employees of local businesses and the lack of available office, retail and restaurant spaces have escalated to a crisis level.

Changes to the zoning regulations have been made over time to facilitate a vibrant downtown and development of high-density housing. Some of the changes include:

- Elimination of the Form Based Code to allow for more innovation and creativity in downtown development
- Reduction or elimination of parking requirements for encouraged uses in the community core
- Density bonus program to incentivize the development of housing in certain zone districts
- Increased building heights in the Community Core, from a three-story limitation to four stories subject to City Council approval.

Although some projects are providing high density multi-family and mixed-use projects that contribute to the vibrancy of the downtown, many development projects are not. Market conditions and land prices are driving the development of low density, large luxury single-family residences, penthouse units and low-density townhouses throughout the city. Land prices are in part a function of the amount of square footage and mix of uses permitted through zoning. Currently, the development standards allow for the type of development that is counter to the Plan objectives. In the Community Core specifically, this results in little to no new commercial square footage to support the economy within the downtown and provide the vibrancy the Comprehensive Plan envisions.

Further, the trend for low density residential in the downtown consists of large single-family type condominiums for second homeowners. Over time, this results in dark streets with limited activity. This is not a new issue in the downtown. In 2005 Ketchum adopted an emergency ordinance prohibiting new single-family units in the Community Core. It was found that single family units degrade the vitality and economic stability of the downtown. Since 2005, single family dwellings have been prohibited in the Community Core.

The city's ability to respond to the current housing demand is hindered by the trend of residential development over the past 30 years. Data collected and published in the city's [Housing Action Plan Findings](#) indicate over 50% of the city's housing stock was built prior to 1980 and there has been a dramatic decrease in residential construction since 1989. As discussed in detail in the staff report below, older high-density developments have been demolished and replaced with less dense developments, reducing the number of available units to the community. Ketchum has also lost residential units to the consolidation of lots, consolidation of units, and conversion of long-term rentals into short-term rentals. It is estimated that from 2000 to 2019, the city lost 475 long term rental and ownership housing units in Ketchum. from the long-term housing stock to.

The Housing Action Plan Findings indicate that in addition to the 475 housing units lost to short term rentals, there will need to be between 65 and 100 housing units built, converted, or stabilized annually in Ketchum to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy. In addition to the loss of long-term rental and ownership units in Ketchum, the construction of new housing units is decreasing not increasing. From 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years.

What this means for Ketchum today is that there is less housing being constructed now than in the past. This results in a scarcity of housing for all income levels thereby increasing the cost and limiting availability of housing. Simply put, Ketchum is not constructing enough housing to meet the demand.

The City Council, Planning and Zoning Commission, and Urban Renewal Agency acknowledged there is a crisis during a joint work session on February 8, 2022 and identified short-term actions that could be taken by each entity based on their role, authority, and capacity. The Commission has the authority to recommend changes to the City of Ketchum Zoning Regulations for consideration by the City Council. Staff presented three ideas at the Feb 8 meeting for consideration:

- Establish minimum density requirement in multi-family, tourist, and community core zone districts
- Eliminate or reduce minimum lot size in residential zoning districts
- Permit multi-family development to occur in all residential zoning districts, including single-family zones

The Commission also expressed concern about the type of development projects occurring in the downtown and the long-term impact on the vibrancy and housing inventory. Expressing a sense of urgency, the Commission asked staff to develop a list of regulatory changes that could address the concerns. On February 15, 2022, Staff presented potential short- and long-term code changes for consideration (Attachment C). Short-term changes are those that can be easily implemented with minimal staff time. The long-term changes require additional time allowing for staff analysis, outreach, and development.

At the February 15, 2022, Commission meeting, there was general agreement with the proposed short-term recommendations. The Commission reiterated that changes to the regulations need to be thoughtful and carefully crafted to achieve the goals of the city and allow the development community the flexibility and predictability to execute projects. The Commission asked staff to draft an ordinance for review prior to presentation to City Council for review.

Proposed Ordinance

An interim ordinance, adopted through emergency ordinance procedures, is a tool to quickly and temporarily implement code changes while permanent ordinance language is being developed. Interim ordinances layer over the existing zoning regulations, superseding applicable regulations, allowing the city to test regulations and determine effectiveness for a limited period. Upon expiration of the ordinance, a permanent ordinance must be in place, or the regulations become null and void. As proposed, the ordinance would be adopted through emergency ordinance procedures. Ketchum is in crisis with the loss of restaurants, retail, and offices in the downtown coupled with the scarcity of housing available for all income levels. If something is not done immediately, there will be irreparable harm to the long-term vitality and economic stability of Ketchum and irreversible loss of housing to support a diverse community and a strong economy.

The proposed ordinance is not a moratorium on development within the city and does not propose any decrease or change to maximum building heights or permitted floor area ratios (FAR). Staff carefully crafted the ordinance to consider available data and policy directives from the 2014 Comprehensive Plan, ensuring that all proposed changes are reasonable and can be executed by the development community. Primarily, the ordinance sets standards that will support a strong and diverse economy, foster a vibrant downtown, and provide a variety of housing options for all residents and visitors. The full ordinance can be found as Attachment A. Below is an overview of each element of the ordinance.

ANALYSIS

Staff recommends interim changes to Title 16 – *Subdivision Regulations* and Title 17-*Zoning Regulations* of the Ketchum Municipal Code related to the following:

- Minimum residential densities
- Consolidation of lots
- Net loss of units
- Retail parking exemptions
- Conditional Use Permits for projects with density bonuses

Staff initially recommended a change to the definition of “dwelling, multi-family”, but no longer recommends a change to this definition. After a deeper review of how an update to the definition would impact all zone districts, it was determined that a change would create zoning interpretation issues within the GR-L, LR, and LI zone districts requiring a much more extensive set of text changes. Staff believe the goals are effectively addressed in the short term with the code changes proposed.

Below is an overview of the proposed standards, goal of the proposal, and any additional data or information staff used to develop the recommendation. It is important to note that no change in building height or increase in allowable floor area ratio (FAR) is being proposed at this time.

Ordinance Section 4 - Minimum Residential Densities

Goal: Increase the supply of housing and number of new residential units constructed in appropriate high density and select commercial zone districts as guided by the comprehensive plan.

Not all zone districts, particularly low-density residential districts, need minimum density requirements to achieve the goals of the comprehensive plan. Staff is not recommending minimum residential density requirements for the General Residential – Low Density (GR-L), Limited Residential (LR, LR-1, and LR-2), Short Term Occupancy (STO-1, STO-4, and STO-H), Light Industrial (LI, LI-2, and LI-3), Recreation Use (RU), and Agricultural and Forestry (AF) zone districts. Staff proposes minimum residential densities in the Community Core (CC-1 and CC-2), Tourist (T, T-3000, and T-4000), and General Residential – High Density (GR-H) zone districts. Staff also recommends some flexibility in the minimum density requirements by allowing the densities to be adjusted with approval of a Conditional Use Permit (Section 5 of the Ordinance).

To develop a sound recommendation for consideration by the Commission, staff analyzed sample data from constructed projects in each zone district and land use designations in the 2014 Comprehensive Plan. Below is additional information on how these pieces of information were used.

- Sample of constructed projects within each zone district – Staff selected a sample of constructed projects in each zone district representing a variety of densities, low and high. This data is site specific and based on actual lot area and number of units. Although the sample does not include all constructed projects within a zone district, the data clarifies and quantifies what exists today and the range of development possibilities. Detailed data of constructed projects by zone district is included as Attachment E.
- Future Land Use Map Designation – The Future Land Use Map (FLUM) included in the 2014 Comprehensive Plan is the guiding document for future land uses and intensities of those uses when changes occur. The FLUM designates future land uses for every property within the City. Examples of designations include low, medium, and high density residential as well as “Commercial/Employment”. It is important that the targeted minimum density is consistent with what the FLUM states is the desired future use. Although specific density targets are not included in the Plan, except for low density residential, the Plan identifies primary and secondary uses and those were used to identify appropriate density targets. Staff compared the current zone districts within the city with the FLUM

designation to ensure that proposed densities are appropriate. See Attachment G for the zone district and FLUM comparison.

In addition to the information above, staff analyzed data from previous efforts conducted by the city and developed additional development scenarios specific to the Community Core zone district:

- 2017 Love Schack Architecture Parking and Development Analysis – The city contracted with the architectural firm to evaluate how parking requirements impact development in the community core. The analysis was utilized by staff, the Commission, and City Council when determining the parking incentives and parking requirements for development in the downtown that are in place today. The analysis included development scenarios for a variety of project types including 100% residential and mixed-use, with or without underground parking. Staff believes these examples are still valid and can assist in the establishment of minimum density requirements downtown. These examples were not used in the development of minimum densities for the T or GR-H zone districts. Please see Attachment D for the full analysis.
- Development scenarios conducted by staff - As the Love Schack scenarios did not contemplate more than one floor of commercial, staff evolved the base assumptions of the Love Schack model to project scenarios of projects with 30%, 60%, and 80% commercial square footage. This analysis is important to understand what impact increased commercial space has on residential density potential. The model assumes on-site community housing, average unit size of 1,200 square feet, surface parking on the rear of the ground floor, and 15% of square footage dedicated to common areas and mechanical systems. The mixed use development scenarios can be found in Attachment F.

Below is an overview of each zone district where minimum densities are proposed and why the density target was chosen:

Community Core (Subdistricts 1 and 2)

The comprehensive plan designates the Community Core as “Retail Core” and “Mixed Use Commercial” mirroring the current CC-1 and CC-2 zone districts. Both designations identify the primary use of commercial, but state that residential can be appropriate on upper floors in both designations. As such, it is important to not hinder commercial development with minimum residential density requirements. As shown in Table 1, staff recommends a minimum residential density for projects that are 100% residential, and different minimum residential densities for mixed-use projects depending on the amount of commercial square footage. Commercial square footage is calculated as amount of “net leasable area”.

Table 1: Recommended Minimum Residential Densities for CC district (units/SF)

CC Subdistricts 1 and 2	100% Residential Development			
	9 units / 5,500 SF			
	Mixed Use Development			
	≤ 30% Commercial	31-60% Commercial	61-80% Commercial	≥ 80% Commercial
	5 units / 5,500 SF	3 units/ 5,500 SF	1 units / 5,500 SF	No Minimum

Since 2018, following changes to the parking standards to facilitate smaller units, restaurant and retail uses, the city has approved 11 projects including five that are 100% residential and six that are mixed use. All approved projects are either under construction or have been completed by the date of this report. Table 2 provides an overview of the residential densities for the 11 projects in the community core. Densities are listed as units per standard Ketchum Townsite lot (5,500 square feet).

Table 2: Approved Project Densities 2018-2021 (units/5,500 SF)

Project Type	High	Low	Average	Median
100% Residential	20	5	11	7
Mixed-Use	7	1	4	4

The mixed-use projects outlined above included a range of commercial square feet from 16-62% commercial with an average of 32% commercial space.

The Love Schack development scenarios included in Attachment D outline mixed use and 100% residential projects that can be achieved under the city’s current parking requirements. The scenarios assume only ground floor commercial and surface parking on single Ketchum Townsite lots. The development scenarios outline that the following densities can be achieved and parked under the current code.

Table 3: Love Schack Development Scenarios – Ketchum Townsite Lots

Project Type	Density
100% Residential	6-11 units
Mixed Use*	13-14 units

The last data point used by staff are development scenarios for mixed use projects with varying amounts of commercial square footage as shown in Table 4. The densities shown reflect a range as there is 1,169 square feet of community housing required, which could result in one or two units depending on unit size.

Table 4: Residential Density Scenarios for Mixed Use Projects

	30% Commercial	60% Commercial	80% Commercial
Residential Density	6-7 units	4-5 units	2-3 units

As demonstrated above, there are a variety of project types and development scenarios that can be achieved in the Community Core. Staff believe the recommended minimum densities take into consideration the various constraints of a property such as lot size and parking. Staff also believe that the minimum densities encourage the development of more units and variety of unit types and sizes, when using the parking incentives.

Tourist Zone Districts (T, T-3000, and T-4000)

The comprehensive plan designates the Tourist zone districts as either “Commercial/Employment” or “High Density Residential” except for T-3000 which is designated “Medium Density Residential”. The Commercial/Employment category is only present in the T zone district and mimics many of the characteristics of the Mixed-Use designation in the Community Core, however, commercial spaces should be geared towards visitors. There are a variety of residential unit types, and the current development pattern is similar to a residential district, therefore, the densities should not be as high as those in the Community Core.

As shown in Table 5, staff recommends minimum residential densities for residential and mixed-use projects in the T zone district, but mixed-use projects are not contemplated for the T-3000 and T-4000 zone districts. It is important to note that the residential densities outlined are per 10,000 square feet of land, not per Ketchum townsite lot. This is because the standard Ketchum Townsite lot is only found in the Community Core and would not be a reasonable unit of measure for other areas of town.

Table 5: Proposed Minimum Residential Densities for Tourist Zone Districts (units/SF)

T	100% Residential Development 9 units / 10,000 SF			
	≤ 30% Commercial 5 units / 10,000 SF	31-60% Commercial 3 units / 10,000 SF	61-80% Commercial 1 unit / 10,000 SF	≥ 80% Commercial No Minimum
T-3000	5 units / 10,000 SF			
T-4000	10 units / 10,000 SF			

The proposed residential densities above were developed by analyzing a range of projects within these zone districts and reviewing the targeted future land use for the zone district. As shown in Table 6 below, a variety of densities exist in these zone districts today, including projects with densities over 10 per 10,000 square feet.

Table 6: Actual Project Densities by Zone District (units/10,000 SF)

Zone District	High	Low	Average	Median
Tourist	12	1	5	5
T-3000	7	3	4	4
T-4000	2	1	1	1

The T-4000 zone district is unique as it is currently made up of one single family subdivision and one large piece of vacant land. The Comprehensive Plan designates this zone district as “High Density Residential”. This is likely to ensure that when the vacant property is redeveloped, that the product is high density residential rather than a continuation of the single-family pattern of development.

GR-H Zone District

The comprehensive plan designates the GR-H zone district as “High Density Residential”. Staff recommend a minimum residential density of 10 units per 10,000 square feet. Table 7 is an overview of what is present in the zone district today.

Table 7: Actual Project Densities (units/10,000 SF)

Zone District	High	Low	Average	Median
GR-H	6	2	4	4

As discussed in the introduction of this staff report, the GR-H zone district is the area where higher density projects have been replaced with lower density projects. These examples include the Bavarian Apartments with a density of 4 units per 10,000 square feet, replaced with three residential projects with a density of 1. The Wood River Raquet Club had a density of 8 units per 10,000 square feet, replaced for a project with a density of 3. Additionally, the GR-H zone district is an area where continued decrease in density has occurred in recent years. As shown in Attachment E, historic densities are double or triple the density of projects proposed in the past two to three years.

Staff believe a minimum of 10 units per 10,000 square feet facilitates the development of high-density residential in a location designated for such development by the comprehensive plan and allows the city to build back the loss of residential units from previous redevelopments.

Ordinance Section 6 - Consolidation of Lots

Goal: Limit the loss of existing housing stock and preserve future development potential on vacant lots.

As discussed at the February 15, 2022, meeting with the Commission, consolidation of lots can be an effective way to achieve the minimum densities proposed above as it provides more land area and potential for more efficient building design or use of space. Staff proposes that consolidation of lots be permitted, with additional review standards, in all zone districts except for the GR-L, STO, and LR zone districts. These zone districts do not have proposed minimum densities and therefore consolidation of lots to achieve density requirements is not applicable. Additionally, prohibiting consolidation of lots in these zone districts limit the loss of development potential or reduction in existing housing stock.

Staff recommend the following for consolidation of lots in zone districts where permitted:

- Consolidation applications no longer processed through the Readjustment of Lot Lines process to ensure review by the Commission
- Addition of approval criteria to ensure all consolidations conform with development or building permit approvals, zoning regulations, and the comprehensive plan.
- Final Plat approval for consolidation of lots cannot be complete until the associated project is complete

Ordinance Section 7 - Net Loss of Units

Goal: Prevent loss of residential units to ensure the total number of residential units in the city does not decrease.

Loss of units can occur through the consolidation of existing units such as duplexes or condos into one unit, or demolition of an existing structure and replacement with new development that provides less units than previously existed on the property. To limit the consolidation of units and ensure the number of units existing on a property does not decrease, staff recommends that no project can result in the net loss of residential units on a property. The best way to implement this requirement is to evaluate proposed projects upon receipt of a demolition permit. Not all projects require Design Review approval, but in both scenarios mentioned above, a demolition permit is required.

Staff recommends that no demolition permit be issued which results in a net loss of residential units and that all demolition permits must be submitted with a building permit application for a replacement project. This approach is similar to the review and approval of demolition permits on structures that are older than 50 years.

For properties in zone districts with minimum density requirements, number of units may be dictated by the minimum density or the number of existing units. Below are two examples that illustrate how the regulations work together:

- If a property contains two units in a zone district where a minimum of five units are required, redevelopment of the project must include five units.
- If a property contains eight units in a zone district where a minimum of five units are required, redevelopment of the property must include eight units.

Ordinance Section 8 - Parking Exemptions

Goal: Incentivize the development of retail space within all subdistricts of the Community Core zone district.

The city updated the parking standards for the CC and Tourist zone districts in 2017. As an incentive to provide retail space in new development, no parking was required for retail space less than 5,500 square feet. The 5,500 square foot threshold was established to prevent big box or single tenant large volume retailers from

locating in the downtown. The present code language is inhibiting inclusion of multiple retail spaces at or under 5,500 square feet from being included in projects.

To provide greater flexibility and encourage multiple smaller retail spaces in a project, staff recommend the parking exemption for retail space less than 5,500 square feet be applied on a per retail unit basis, not total net leasable square footage of the project. This approach would encourage further development of retail uses on the ground floor of larger projects.

Ordinance Section 9 - Conditional Use Permits

Goal: Provide the Commission the ability to ensure all projects receiving a density bonus contribute not only to community housing, but to the vibrancy of the community and the economic stability of Ketchum.

Staff recommends a Conditional Use Permit (CUP) be required for projects exceeding the base floor area ratio (FAR) outlined in Section 17.124.040 of the KMC and as shown below in Table 8.

Table 8: Floor Area Ratio Maximums by Zone District

Districts	Permitted Gross FAR	Inclusionary Housing Incentive
GR-H	0.5	1.4
T	0.5	1.6
T-3000	0.5	1.6
T-4000	0.5	1.6
CC	1.0	2.25

Staff also recommends a Conditional Use Permit for conversion of commercial space into residential space in the above listed zone districts. Currently, the Commission only has oversight of the design review criteria for projects which does not address mix of uses which is a key ingredient for ensuring a vibrant and active downtown and tourist areas. To provide clarity to applicants and more certainty in the project review process, the Commission asked to establish a policy statement outlining goals and expectations for projects within the Community Core. Staff prepared a policy document included as Attachment B for consideration.

Although some members of the Commission recommended a higher threshold for the CUP than what is proposed, staff recommends the threshold for CUP be consistent with the density bonus program to reduce confusion. The density bonus threshold is what delineates discretionary review from what is allowed by-right. It is important to provide a consistent benchmark for the development community of when certain rules apply.

STAFF RECOMMENDATION

Staff request the Commission consider the information above and make a recommendation on the proposed ordinance and draft conditional use permit policy statement. Although a hearing with the Commission is not required for the ordinance, staff recommends the Commission make a recommendation to the City Council.

ATTACHMENTS:

- A. Emergency Ordinance 1234
- B. Policy Statement for Community Core, Tourist, and GR-H Projects
- C. Staff Memorandum – February 15, 2022
- D. Love Schack Architecture Analysis
- E. Zone District Density Data
- F. Mixed Use Development Scenarios
- G. Comprehensive Plan Zone District Comparison
- H. Public Comment

**Attachment A:
Emergency Ordinance 1234**

ORDINANCE 1234

AN EMERGENCY ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, FINDING AN IMMINENT PERIL TO PUBLIC HEALTH, SAFETY, OR WELFARE EXISTS AND THE NEED TO IMMEDIATELY IMPLEMENT REVISED DEVELOPMENT STANDARDS THAT REQUIRE MINIMUM RESIDENTIAL DENSITIES IN CERTAIN ZONE DISTRICTS; REGULATE THE CONSOLIDATION OF LOTS IN CERTAIN ZONE DISTRICTS; PROHIBIT THE REDUCTION OF DWELLING UNITS IN CONJUNCTION WITH DEVELOPMENT PROJECTS REQUIRE A CONDITIONAL USE PERMIT FOR CERTAIN DEVELOPMENT PROJECTS IN THE COMMUNITY CORE (CC) ZONE DISTRICT; AND CLARIFY PARKING REQUIREMENTS FOR RETAIL USES IN THE CC ZONE DISTRICT; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND A SUNSET DATE.

WHEREAS, Idaho Code Section 67-6523 authorizes local jurisdictions to enact emergency ordinances when the local governing board finds imminent peril to the public health, safety, or welfare; and

WHEREAS, the State of Idaho and the Idaho Housing and Finance Association has stated that access to workforce housing has become a statewide challenge impacting urban, rural, and resort communities, resulting in a proposal for a state-led gap financing program for development of workforce housing; and

WHEREAS, the 2014 Ketchum Comprehensive Plan identifies ten core values vital to the City's ability to achieve its vision including 1) A Strong and Diverse Economy, 2) Vibrant Downtown, and 4) A Variety of Housing Options; and

WHEREAS, the City of Ketchum (the "City") is experiencing a significant population increase and a severe shortage of housing for the local workforce at all income levels which is threatening the livelihood and straining the resources of the City, its citizens, and its businesses; and

WHEREAS, businesses in Ketchum have been forced to reduce operating hours in the past two years due to lack of workforce; and

WHEREAS, the City's average annual population growth rate is approximately 1%, however, the population of the City increased 25% from 2019 to 2020; and

WHEREAS, the City collects housing specific data and is developing a Housing Action Plan to address the immediate need for more housing in the City; and

WHEREAS, the City lost 475 long-term rental and ownership housing units from 2000 to 2019; and

WHEREAS, in addition to the 475 housing units lost, the Housing Action Plan Summary and Findings identify the need to build, convert, or stabilize between 65 and 100 housing units

annually in the City to ensure adequate housing for the City's workforce and support the dynamic demands of a resort community economy; and

WHEREAS, from 1990 to 2009, approximately 290 units were constructed for an average of 15 units per year. From 2010 to 2020, only 92 units were constructed for an average of 9 units per year, a significant decrease from previous years; and

WHEREAS, the City is experiencing an increase in the redevelopment of property as more than half of the City's housing stock was built before 1980 and there are a limited number of vacant properties within city limits; and

WHEREAS, development permitted under the current zoning regulations result in low-density residential development in areas where the 2014 Ketchum Comprehensive Plan envisions medium to high density residential and vibrant mixed-use development; and

WHEREAS, the City Council, Planning and Zoning Commission, and Ketchum Urban Renewal Agency determined at a joint meeting on February 8, 2022, that immediate action to address housing issues within the City were necessary; and

WHEREAS, staff presented options for addressing housing issues to the Planning and Zoning Commission at a special meeting on February 15, 2022; and

WHEREAS, the Planning and Zoning Commission reaffirmed the urgent need for solutions to address housing issues; and

WHEREAS, the traditional development season is imminent and there is an immediate necessity to provide development applicants with some certainty on standards sooner than later; and

WHEREAS, the provisions of this ordinance are temporary in nature and shall expire one hundred and eighty-two (182) days after the adoption of this emergency ordinance; and

WHEREAS, during the pendency of this emergency ordinance, the City will pursue a public process to explore the development and creation of an interim ordinance and/or permanent ordinance to further formalize the changes proposed in this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM, IDAHO:

Section 1. Finding of Imminent Peril to the Public Health, Safety and Welfare. The City Council hereby finds that an imminent peril to the public health, safety and welfare exists caused by the permanent loss of land in Ketchum available to house the local workforce and provide a mixture of commercial uses necessary to support the Ketchum economy based on the following:

- a. Businesses in the Community Core are closing or reducing business hours due to a lack of workers.
- b. Commercial, entertainment, retail and restaurant use in the Community Core are essential to the economic vitality and public health, safety and welfare of the residents and visitors to the City.

- c. Each time a project is developed with low density residential, similar to single family dwellings, or with limited commercial use, the City permanently loses the potential to develop such property for higher density residential or projects containing commercial, entertainment, restaurant or retail uses.
- d. The permanent loss of properties that could otherwise be development for higher density residential or commercial uses, threatens the economic vitality of the City, threatens to permanently impair, or reduce revenue to support city operations and essential services without limitation, fire, police, emergency medical, and snow removal.
- e. If the upcoming development season proceeds without more immediate revisions to development standards, then the negative impacts and harms listed above will be further exacerbated in a nonreversible way.
- f. The City finds it requires sufficient time to study and review the public health, safety, and welfare concerns as identified above and adopt interim standards while the review is underway.

Section 2. The following interim regulations and standards apply to applications filed pursuant to Title 16 - Subdivision Regulations and Title 17 - Zoning Regulations. Wherever any provision in Title 16 or Title 17 or any other ordinance, rule or regulation of any kind contain standards covering the same subject matter, the standards of this Ordinance shall apply.

Section 3. All zoning districts referenced in this ordinance are pursuant to Ketchum Municipal Code (the “KMC”) Chapter 17.18 – *Zoning Districts* and abbreviated as referenced. All terms in this ordinance are defined in Section 17.08.020 – *Terms Defined* and 16.04.020-*Definitions* of the KMC with the addition of the following:

- A. Consolidation – the action or process of combining more than one lot or unit into a single lot or unit.
- B. Residential Density – the number of dwelling units per square feet of lot area.

Section 4. There shall now be minimum residential densities for multi-family and mixed-use developments in certain zone districts within the City as follows:

Zone District	Minimum Residential Density Required (units/SF)			
CC Subdistricts 1 and 2	100% Residential Development 9 / 5,500			
	Mixed Use Development			
	≤ 30% Commercial 5 / 5,500	31-60% Commercial 3 / 5,500	61-80% Commercial 1 / 5,500	≥ 80% Commercial No Minimum
T	100% Residential Development 9 / 10,000			
	Mixed Use Development			
	≤ 30% Commercial 5 / 10,000	31-60% Commercial 3 / 10,000	61-80% Commercial 1 / 10,000	≥ 80% Commercial No Minimum

T-3000	5 / 10,000
T-4000	10 / 10,000
GR-H	10 / 10,000
GR-L	No minimum
LR, LR-1, and LR-2	No minimum
STO-1, STO-4, and STO-H	No minimum
LI, LI-2, and LI-3	No minimum
RU and AF	No minimum

Section 5. Minimum densities identified in Section 4 may be adjusted subject to the review and approval of a Conditional Use Permit by the Planning and Zoning Commission.

Section 6. There shall now be standards for the consolidation of lots. Additionally, there shall be a specific application type, process, and additional standards for the review and approval of the consolidation of lots as follows:

A. Consolidation of lots within the City shall be permitted in certain zone districts as follows:

Zone District	Consolidation of Lots
CC - Subdistricts 1 and 2	Permitted subject to additional standards
T	Permitted subject to additional standards
T-3000	Permitted subject to additional standards
T-4000	Permitted subject to additional standards
GR-H	Permitted subject to additional standards
GR-L	Permitted subject to waiver
LR, LR-1, and LR-2	Permitted subject to waiver
STO-1, STO-4, and STO-H	Permitted subject to waiver
LI, LI-2, and LI-3	Permitted subject to additional standards
RU and AF	Permitted subject to additional standards

B. The definition of “Readjustment of Lot Lines” in KMC Section 16.04.020 - *Definitions*, also known as Lot Line Shifts, shall no longer include the “removal of lot lines”.

C. Consolidation of lots may only be considered pursuant to the requirements and standards of KMC Section 16.04.030 – *Procedure for Subdivision Approval*.

D. All preliminary plat applications for consolidation of lots shall be submitted concurrent with a building permit application or land use development application as applicable.

E. The final plat for consolidation of lots shall not be signed by the City Clerk and recorded until the development has received one or both of the following as applicable:

1. A certificate of occupancy issued by the City of Ketchum; and

2. Completion of all design review elements as approved by the Planning and Zoning Administrator.
- F. In addition to KMC Section 16.04.040, all preliminary plat applications for consolidation of lots shall comply with the following criteria:
1. The preliminary plat application is in conformance with all applicable building permit and land use development approvals.
 2. The preliminary plat application is in conformance with all applicable Zoning Regulations contained within Title 17 – Zoning Regulations.
 3. The preliminary plat application is found to be in conformance with the comprehensive plan in effect at the time the application was deemed complete.

Section 7. No demolition permit shall be issued pursuant to Chapter 15.16 of the KMC that results in the net loss in the total number of residential units currently existing on a property as of the effective date of this ordinance. The following standards apply to all properties within the City:

- A. Development of property, in any zone district, may not result in the net loss of dwelling units.
- B. Total number of dwelling units shall be calculated including all listed or defined dwelling unit uses and terms in the KMC such as, but not limited to, “dwelling, one family”, “dwelling, multi-family”, “dwelling unit, accessory”, and “work/live unit”.
- C. No demolition permit shall be issued for any structure until a building permit application for a replacement project on the property and required fees have been accepted by the City and deemed complete.

Section 8. There shall be no parking required for individual retail spaces of 5,500 square feet or less within the Community Core (CC) and Tourist (T) zoning districts.

Section 9. A Conditional Use Permit (CUP), as stipulated in KMC Chapter 17.116, is required for all development projects that:

- a. Exceed a 1.0 floor area ratio (FAR) within Subdistrict 1 and Subdistrict 2 of the CC zone district and a 0.5 FAR in the T, T-3000, T-4000, and GR-H zone districts.
- b. Change of use resulting in a conversion of commercial square footage to residential square footage.
- c. No fee shall be charged for Conditional Use Permit applications submitted concurrent with Design Review applications with FAR exceedance.

Section 10. This ordinance shall be in full force and effect from and after its passage and approval and shall remain in effect for a period not to exceed one hundred and eight two (182) days from its effective date, pursuant to Idaho Code Section 67-6523.

Section 11. The notice and hearing requirements generally applicable to ordinances are not practical in light of the emergency nature of this ordinance, and therefore this ordinance will be heard under an abbreviated notice process pursuant to Idaho Code Section 67-6523.

Section 12. Pursuant to the affirmative vote of one-half (1/2) plus one (1) of the

members of the City Council, the rule requiring two (2) separate readings by title and one (1) reading in full be waived, and the same is hereby dispensed with, and accordingly, this emergency ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED BY THE CITY COUNCIL and APPROVED by the MAYOR OF KETCHUM IDAHO, on this ____ day of ____ 2022.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick, City Clerk

Attachment B:
Policy Statement for
Community Core, Tourist, and
GR-H Projects



City of Ketchum Planning & Building

PLANNING AND ZONING COMMISSION POLICY STATEMENT

Goals for Successful Development in the Community Core, Tourist, and High-Density Zone Districts

The city adopted Emergency Ordinance 1234 which requires a Conditional Use Permit for any project taking advantage of the density bonus program outlined in Ketchum Municipal Code Section 17.124.040 – *Floor area ratios and community housing*. The goal of the Conditional Use Permit is to ensure that all projects receiving a density bonus contribute not only to community housing, but to the vibrancy of the community and the economic stability of Ketchum. The 2014 Ketchum Comprehensive Plan outlines future land uses for each zone district in Ketchum which were codified in 2015 when the zoning regulations were updated to include stated purposes for each zone district. To provide additional clarity to the development community, the following information outlines the purpose of each zone district and outlines the expectations and type of projects encouraged by the Planning and Zoning Commission.

Community Core (CC-1 and CC-2)

Zoning Ordinance Purpose

The purpose of the CC community core district is to promote a compact and cohesive center of commerce and culture, to promote an attractive and safe pedestrian environment which includes sidewalks, gathering spaces, streetscape amenities and landscaping, to retain the unique small-town scale and character and to encourage buildings which respect Ketchum's historical and geographic context while providing diversity. Compatible mixed uses including retail, office, residential and cultural uses are encouraged. Commercial uses are concentrated in the CC District which is consistent with the City's comprehensive plan and the downtown master plan.

Successful projects in the Community Core - Retail Core subdistrict have:

- Maximized ground floor restaurant and retail uses with outdoor public amenities such as outdoor seating and dining.
- Upper floors of primarily office use and minimal residential.
- On-site community housing.
- Parking allocations that do not exceed minimum parking requirements.
- Underground or tuck under parking for projects on more than one Ketchum Townsite Lot.
- Below grade uses limited to storage, mechanical, and parking.

Successful projects in the Community Core - Mixed Use subdistrict have:

- Maximized ground floor restaurant and retail uses with outdoor public amenities such as outdoor seating and dining.
- Primarily active commercial on the ground floor such as retail, restaurants, recreation, health/wellness services, and government.

- Commercial uses, such as office, on the upper floors. Limited office uses on the ground floor but should not be fronting the street.
- Below grade uses limited to storage, mechanical, and parking. Placement of commercial or residential uses below grade is not appropriate.
- Parking allocations that do not exceed minimum parking requirements.
- Underground parking for projects on more than one Ketchum Townsite Lot.
- Upper floors primarily contain commercial or residential uses.
- On-site community housing.
- 100% residential projects have strong connection to the street such as individual entrances to each ground floor residential unit and non-privatized outdoor common areas.

Tourist (T)

Zoning Ordinance Purpose

The purpose of the T Tourist District is to provide the opportunity for high density residential and tourist use, land ownership and development including certain restricted business and personal service establishments in conjunction with such use, which can be justified on the basis of the primary use within the district. Tourist district classifications are intended to be carefully placed in the neighborhood structure to assure the closest possible compatibility with the surrounding uses and development. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings. The tourist zone contains several distinct areas, including the Entrance Corridor, Second Avenue, River Run, Warm Springs Base Area and Saddle Road.

Successful projects in the Tourist zone district have:

- High density residential projects with a variety of housing unit types and sizes
- On-site community housing
- Active non-privatized common areas
- Active and passive commercial uses and hotels focused on serving visitors and second homeowners
- Underground parking where feasible to maximize public gathering areas

T-3000, T-4000, and General Residential-High Density (GR-H)

Zoning Ordinance Purpose

GR-H: The purpose of the GR-H General Residential - High Density District is to accommodate the need for higher density residential land use alternatives within a district generally limited to residential uses while still preserving neighborhood amenities and favorable aesthetic surroundings.

Tourist-3000 and Tourist-4000: The purpose of the T-3000 District is to provide the opportunity for short term tourist accommodations with limited tourist support services subordinate to and in conjunction with tourist housing. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone and to encourage articulation and quality design in new buildings.

Successful multi-family residential developments have:

- High-density residential projects with a variety of housing unit types and sizes within the entirety of a project
- On-site community housing
- Active non-privatized common areas

Attachment C:
Staff Memorandum –
February 15, 2022



City of Ketchum Planning & Building

STAFF REPORT KETCHUM PLANNING AND ZONING COMMISSION REGULAR MEETING OF FEBRUARY 15, 2022

INTRODUCTION

The City of Ketchum, like most of Idaho, has seen a tremendous amount of growth in the past two years. In 2021, the State of Idaho had the highest population growth in the United States, according to US Census estimates. The City of Ketchum's 2014 Comprehensive Plan is the guiding document to assist the city in decision making when addressing population growth and the systems that support that growth, such as housing, transportation, and the economy. Due to the dramatic increase in growth, exacerbated by COVID-19, some key issues identified in the plan such as the fostering of a vibrant downtown and the need to house the community's workforce have escalated.

The City of Ketchum is actively working on many key infrastructure projects and the development of a Housing Action Plan to ensure that the city can adequately support our growing community. Additionally, changes to the zoning regulations have been made over time to facilitate a vibrant downtown and development of high-density housing. Some of the changes include:

- Elimination of the Form Based Code to allow for more innovation and creativity in downtown development
- Reduction or elimination of parking requirements for certain types of uses in the community core
- Density bonus program to incentivize the development of housing in certain zone districts
- Increased building heights in the Community Core, from a three-story limitation to four stories subject to City Council approval.

Although some projects are meeting the overall intent of the changes, providing high density multi-family and mixed-use projects that contribute to the community, many development projects are not. Market conditions and land prices are driving the development of low density, large luxury single-family residences, penthouse units and low-density townhouses throughout the city. In the Community Core specifically, this results in very limited development of commercial square footage needed to support the economy within the downtown and provide the vibrancy the comprehensive plan envisions. Further, the trend for residential in the downtown consists of low-density single-family type condominiums for second homeowners. Over time, this results in dark streets with limited activity. Below is an overview of key issues and trends seen in current development projects not only in the Community Core, but throughout the city.

Identified Issues and Development Trends:

- **Loss of Housing/Density**
 - Removal of multiple units on a site and replacement with a project containing fewer units that previously existed. For example, there may be 2-3 units on a site that are being demolished and replaced with a project of 1-2 units.
 - Construction of fewer units in areas that are identified for high density development such as the Community Core, Tourist, and GR-H zone districts.
 - Loss of smaller more affordable units as a result of combining multiple residential lots for development of one large lot for one large single-family home.

- **Vibrancy in the Community Core**

- Development of 2-4 large single family condominium units on sites that can accommodate 5-7 units of varying sizes and affordability in the Community Core. The larger units are targeted for individuals who will not be full time residents in the downtown resulting in projects with little to no activity.
- Low inventory of commercial space in the Community Core for office and retail uses placing pressure on Light Industrial zone district for uses that are not permitted in the Light Industrial area.
- Low inventory of restaurant space limiting new restaurants and existing restaurants the ability to relocate or expand due to increase in size or displacement from redevelopment.
- Lack of public gathering spaces on the ground floor in the community core limiting opportunities for the community to gather

ANALYSIS

Currently, the Planning and Zoning Commission has no authority to review or modify mix of uses proposed in new development. The Planning and Zoning Commission’s purview is limited to design review of the building.

To address the stated issues above, the Commission would need the authority to evaluate not only the design of a building but also the proposed mix of uses in a new development project. The mix of uses is a key ingredient for ensuring a vibrant and active downtown. The Commission has the authority to recommend changes to the City of Ketchum Zoning Regulations for consideration by the City Council. Staff believe there are a variety of short- and long-term regulatory changes that can be made. Below is an overview of proposed changes for consideration by the Commission.

As we enter a new development season, the Commission may want to consider immediate short-term measures that can be easily implemented while a longer-term solution is being developed. The other option is to focus on the longer-term solutions without interim measures in place. Staff would recommend the Commission consider recommending short term measures to be in place while the long-term measures are being reviewed and adopted.

Short Term

The following regulatory changes could be made through an emergency interim ordinance to immediately allow Commission review of the mix of uses in a new project, halt the loss of housing, and increase the density of proposed projects where appropriate.

- 1. Require Conditional Use Permit for any project over 1.0 FAR in the Community Core.**

In order for the Commission to have review and approval authority over the mix and type of uses in a new project, there must be a permit required for review. In the short term, the Commission could require a Conditional Use Permit along with the Design Review Permit for any project over 1.0 FAR. This would allow the Commission to review new mixed-use projects to allow for site specific evaluation of the project’s programming and how it achieves the desired vision for the downtown. This would be considered an interim step while the development of more specific program requirements is evaluated .

- 2. Require minimum residential densities in the Community Core (CC), Tourist (T), and General Residential – High Density (GR-H).**

A minimum number of residential units based on the size of the lot could be set for each zone district based on an analysis of what the comprehensive plan envisions, what the zoning regulations allow for, and what has been constructed. Minimum densities would be different for 100% residential projects than for mixed-use projects with commercial and residential uses. Proposed projects would be required to include a minimum number of residential units

based on the lot area of the project. For example, on a Ketchum Townsite lot in the CC district with a Floor Area Ratio (FAR) bonus, a higher density project could accommodate 5-7 units of varying sizes where currently only two units are required.

3. Update the definition of “ Dwelling, multi-family”

Currently, the zoning regulations define “dwelling, multi-family” as “Dwelling, multiple-family: A building, under single or multiple ownership, containing two or more dwelling units used for residential occupancy.” In most communities, this definition would be used to describe a “duplex” not a multi-family development. Today, a project within the community core or in the high-density districts (GR-H and Tourist), is only required to include two dwelling units to be qualified as multifamily development. Single family units are prohibited in the Community Core and to avoid this restriction, some projects propose two large units. The definition of multi-family could be updated to reflect a larger number of units. This change would apply to not only the CC district, but also multi-family projects in all T and GR-H zone districts.

4. Limit ability of consolidation of lots.

An increase in consolidation of lots has occurred over the past few years. In most zone districts, this results in larger lots with larger single-family homes. The same area could be utilized for a larger number of smaller homes, more reflective of the originally platted subdivisions. In some areas, such as the CC, T, and GR-H zones, consolidation of lots can be an effective way to achieve higher density on a project as it provides more land area and potential for more efficient building design. The code could be revised to limit the ability for consolidation of lots in low density residential areas and allow consolidation of lots in the CC, T, and GR-H minimum densities are met as discussed above. These projects would still be subject to design review to ensure the bulk, mass, and scale of the project is appropriate.

5. Prohibit reduction in total unit counts for redevelopment projects

The consolidation of lots sometimes comes with the demolition of existing housing stock. In one recent example, two adjacent lots, each containing a modest single-family cabin, were consolidated with the intention of demolishing the two cabins for construction of one larger single-family home. Additionally, the city has seen the conversion of attached duplexes into single family homes. The code could be revised to prohibit the reduction in the number of units on a property. This approach does not eliminate redevelopment of the property but would require that redevelopment of the property contain the same number or more of units that existed prior to redevelopment.

Long Term

Building on the foundation of the short-term changes, the following long-term changes can be considered. Implementation of these changes is more complex, requiring detailed analysis of the proposed change and potential impacts on infrastructure, community character, and other city policy initiatives. These changes should be developed through analysis and comprehensive community outreach before final decisions are made.

- 1. Reduce minimum lot sizes or shift to maximum lot sizes in certain residential zone districts.**
- 2. Increase the CC-1 district area within the Community Core to require ground floor commercial space on more properties.**
- 3. Include requirements for the mix and percentages of uses for mixed-use projects, prioritizing underground parking and differentiating between active and passive commercial uses.**
- 4. Disincentivize the creation of large residential units of a certain size in certain zone districts.**
- 5. Re-evaluate the base FAR to incentivize the types of projects desired in certain areas.**
- 6. Allow duplex or multi-family uses in all zone districts where appropriate.**

7. Evaluate current parking incentives to identify potential opportunities.

Implementation of short-term solutions allows the city to track effectiveness of proposed changes to determine if desired outcomes are achieved. This evaluation will inform the approach the city takes in implementing the long-term solutions and may result in additional long-term solutions being identified throughout the process.

STAFF RECOMMENDATION

Staff requests the Commission consider the information above and provide directions on the next steps. Staff believes implementation of short-term measures are critical to address the loss of vitality in the downtown, continued loss of residential housing and increase the density of projects.

1. Provide direction to staff on which of the short-term measures should be addressed.
2. Provide direction to staff on the process by which the short-term measures should be adopted.
An emergency interim ordinance addressing the short-term changes would minimize continued degradation of the issues and provide time for development of long-term regulatory changes. An emergency ordinance can be in effect for up to 182 days and is adopted by the City Council. After that an interim ordinance can be adopted for up to one year. During this time, staff can proceed with the preparation of a long term ordinance addressing the short-term changes; however, the long term changes will take more time to implement, and the immediate impact of the changes will be diminished.

ATTACHMENTS:

- A. None

Attachment D:
Love Schack Architecture
Analysis

How Parking Influences Development & Density, in Ketchum, Idaho.

Love Schack Architecture, P.C.
www.loveschackarchitecture.com

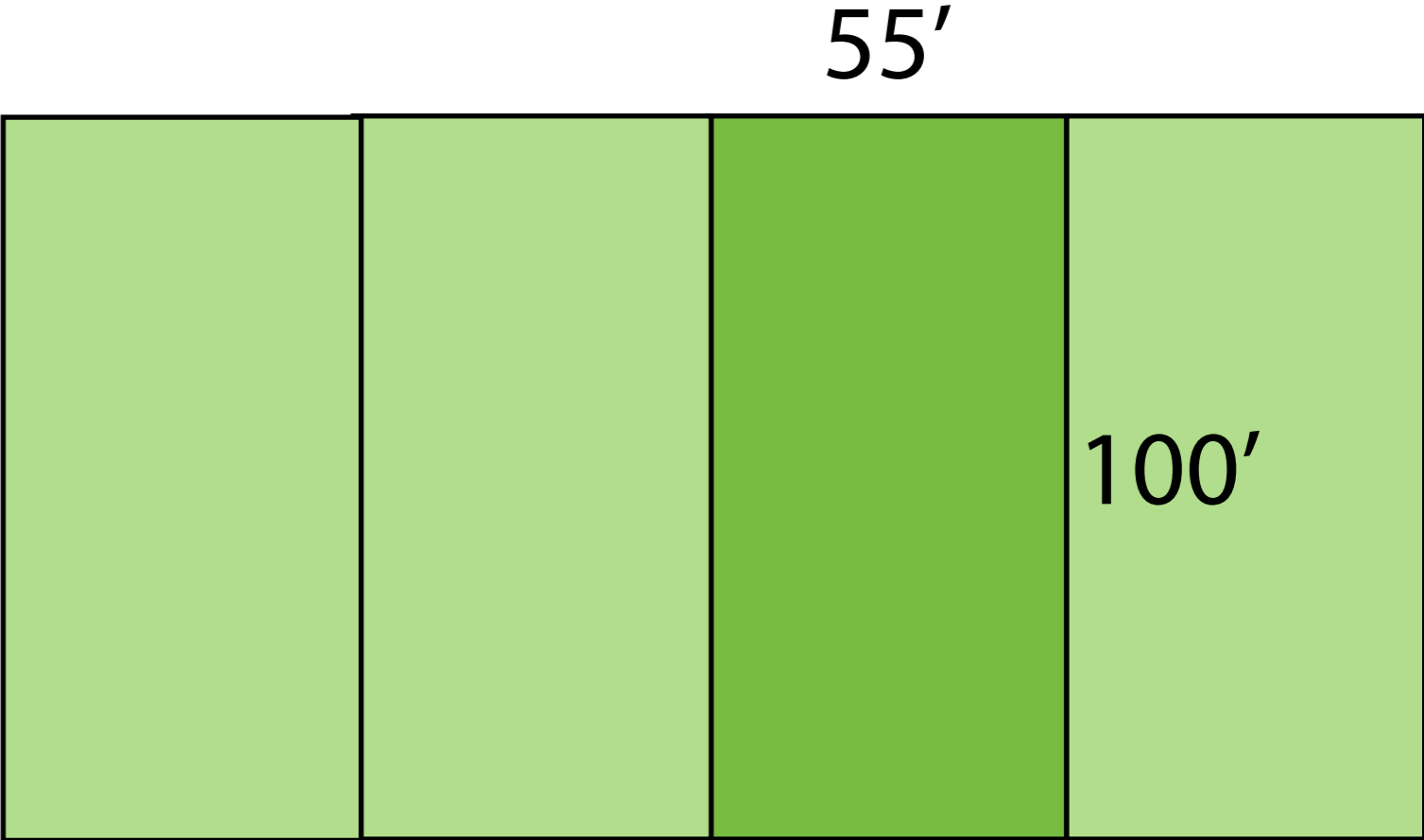


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Typical Property within the
Community Core is
55' x 100', or 5500 sqft area.



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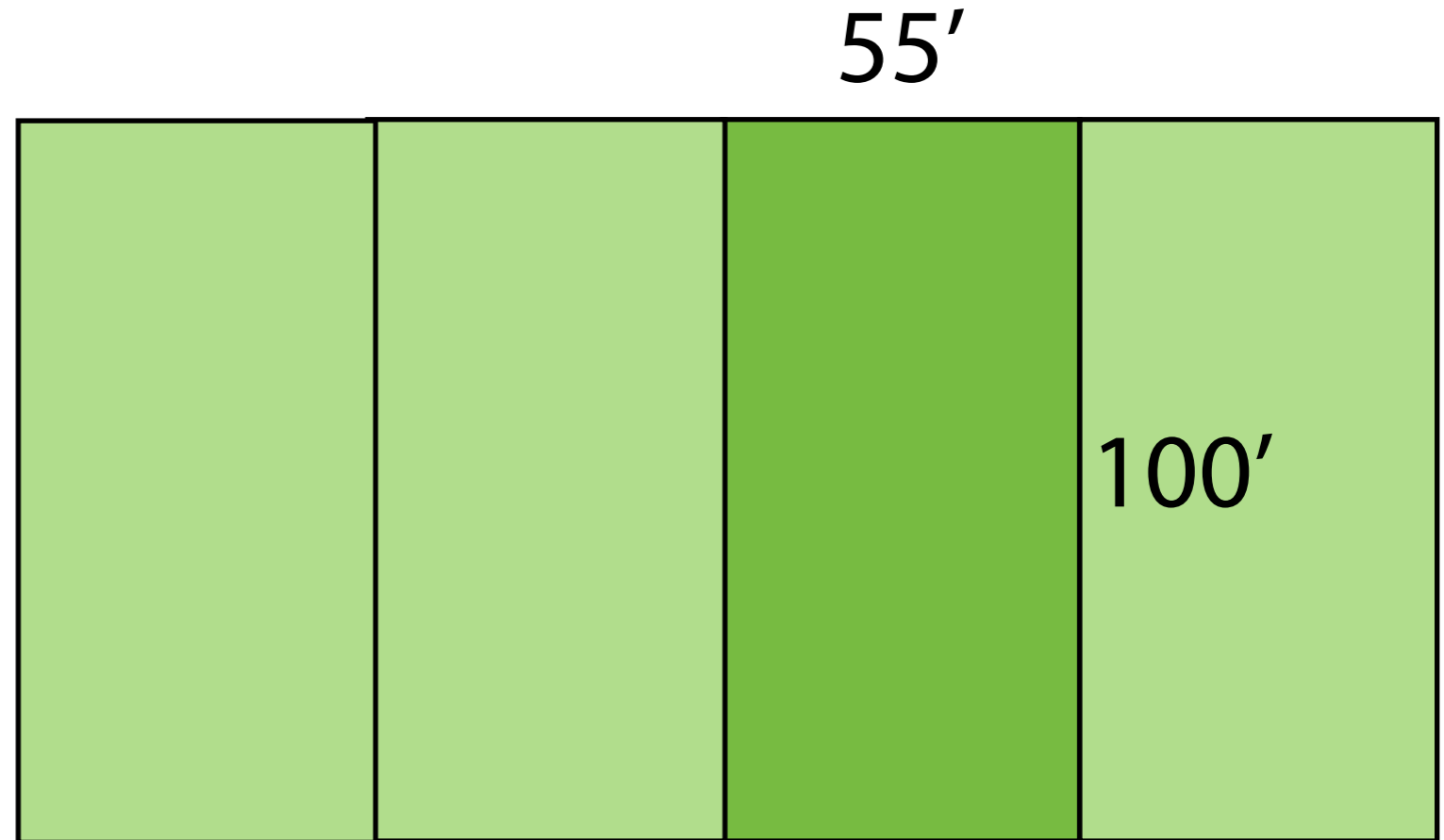


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What is the development potential?

In addition to local parking requirements, how do other components of Local Zoning and National Building Code impact the allowable density and viability of development?

What are the opportunities?



City of Ketchum



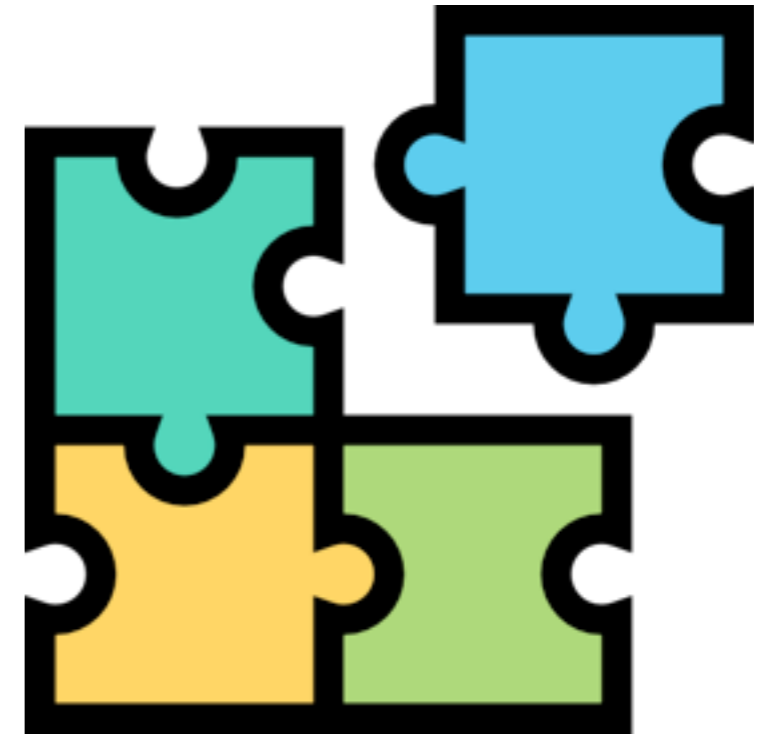
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Approach :

Code Review and Zoning Analysis with guidelines provided by the Ketchum Planning Department to objectively determine the maximum development potential. Five prototypes were developed.

Zoning Considerations :

- **Minimum Parking Requirements**
- **Density Bonuses for Community Housing**
- Lot Sizes
- Allowed Uses
- Setbacks
- Maximum Height



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Building Code, IBC 2012

Underground Parking Car Ramp Requirements Egress & Life Safety

Construction Type

Building Use & Occupancy

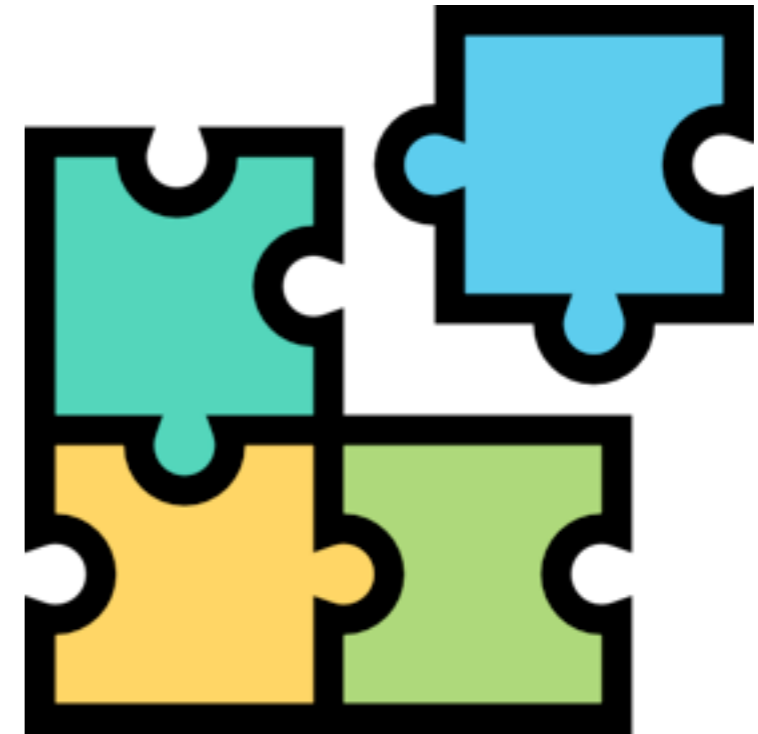
Allowed Footprint/Maximum Stories

Fire Sprinkler Requirements

Fire Rating for Exterior Walls & Allowed Adjacencies

Requirement of ADA Units

Requirement of ADA Parking Spaces



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Existing

based on *cumulative sq.ft.* of each use

residential = 1 car/1500 sq.ft.

commercial = varies:

- 1 car/100 sq.ft. of assembly in restaurants
- 1 car/500 sq.ft. of retail



* 4 on-street parking places are credited for commercial use, after 4 spaces provided on-site

0 parking req'd for CH



Proposed

residential = based on ranges of sq.ft., parking spaces are required per unit

commercial = varies:

- 1 car/1000 sq.ft. generally
- all restaurants exempt
- first 5,500 sq.ft. of retail exempt

*note: on-street parking credit remains available for developments providing on-site parking

0 parking req'd for ground level retail, up to 5,500 sq.ft., and restaurant

0 parking req'd for CH

0 parking req'd for small residential units

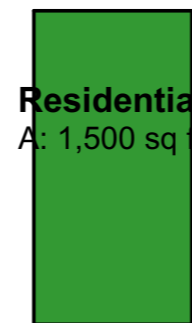
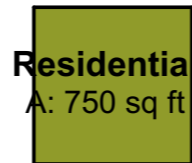
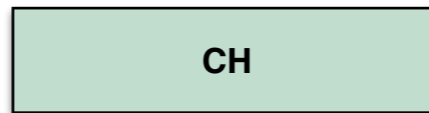
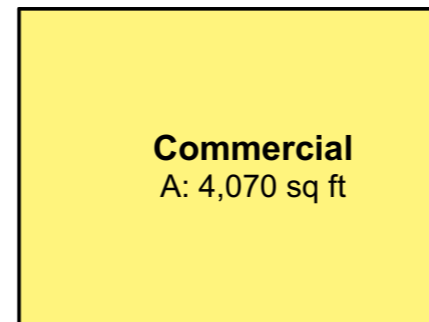
<750 sqft



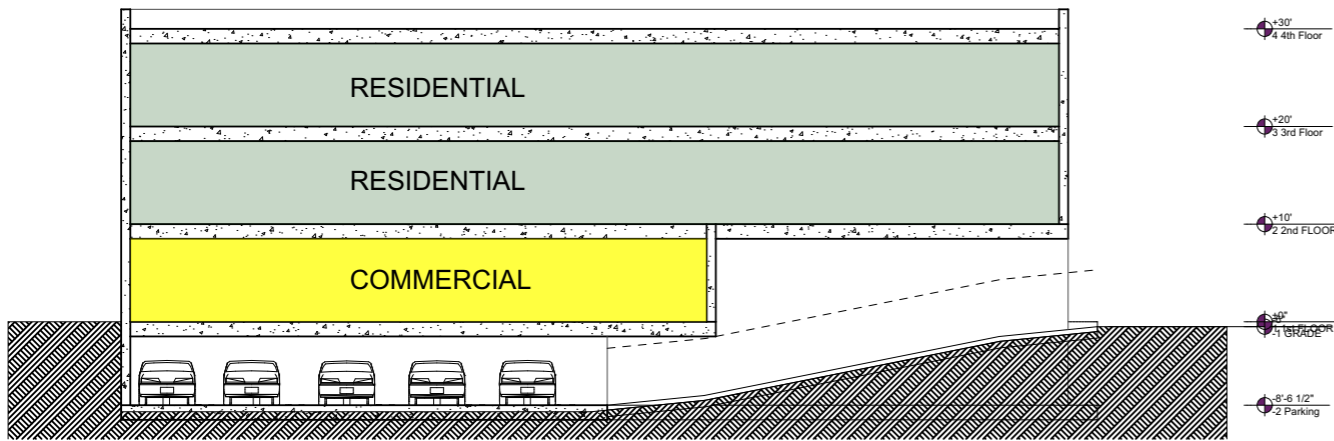
750-1500 sqft



1500+ sqft



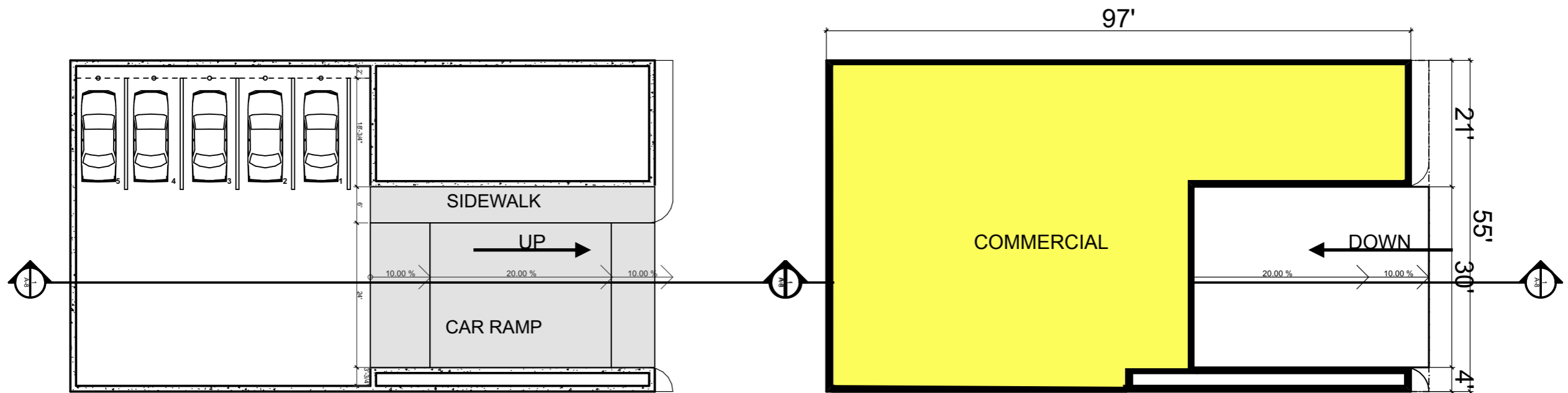
Underground parking \neq a solution for 1 lot



1 Building Section
SCALE: 1/16" = 1'-0"

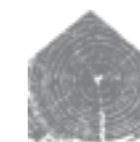


**based on minimum head heights allowed by code, trucks and vans do not fit!*



7 A significant amount of ground level developable area is lost

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FAR (Floor Area Ratio) =
developable square footage
(floor area) compared to square
footage of lot

When Community Housing (CH) is included in development, or when CH is met by payment-in-lieu of construction, a significant density bonus is added to the FAR.

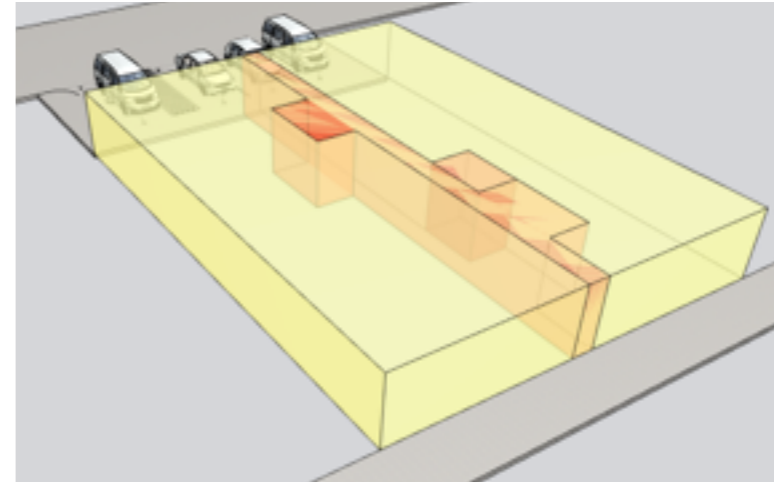
Example:

If a lot is 100' x 55' = 5500 sqft, including CH allows up to 12,375 sqft w/ an FAR of 2.25 to be developed

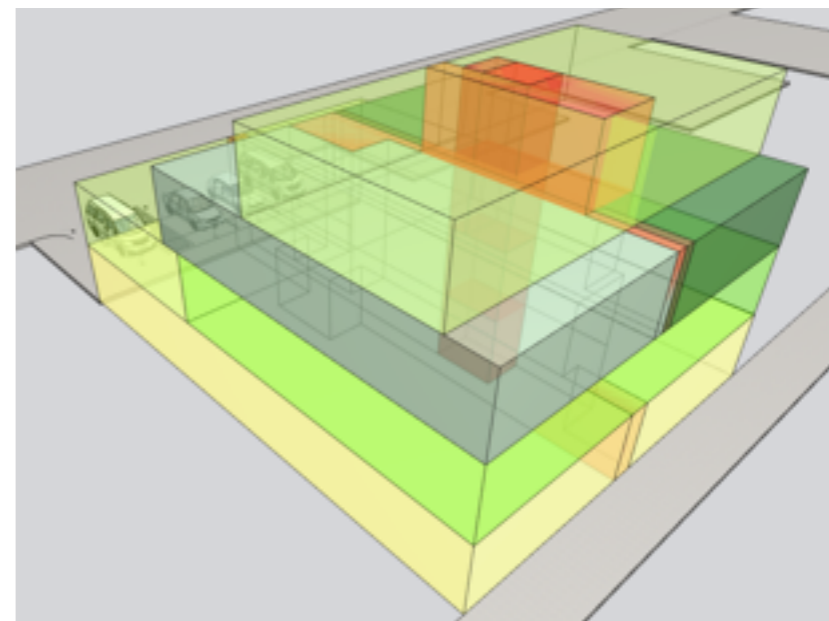
With an FAR of 2.25, 1375 sqft of CH is required, or a fee-in-lieu for 1,375 sq ft can be paid.

For the following development prototypes CH is included on site.

FAR 1.0



FAR 2.25



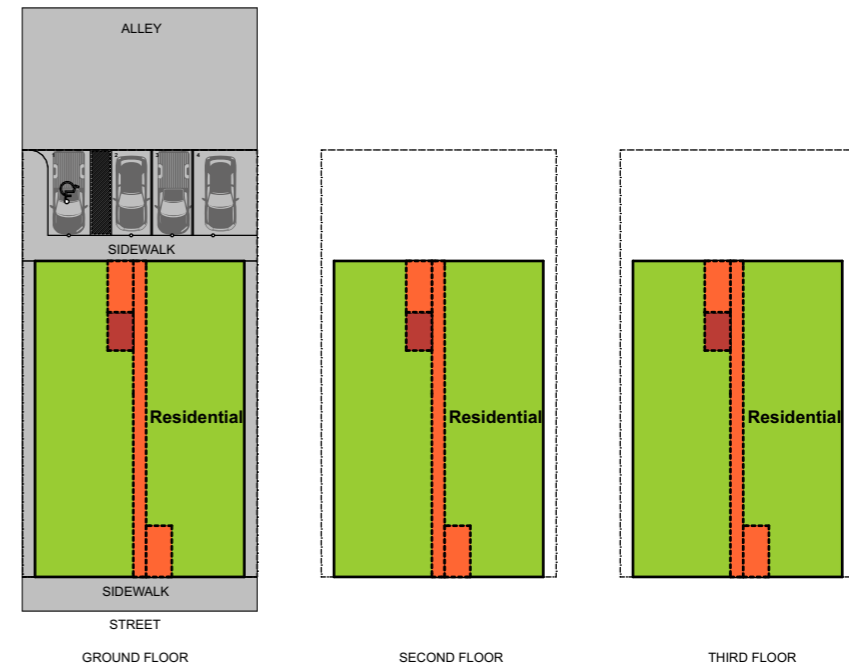
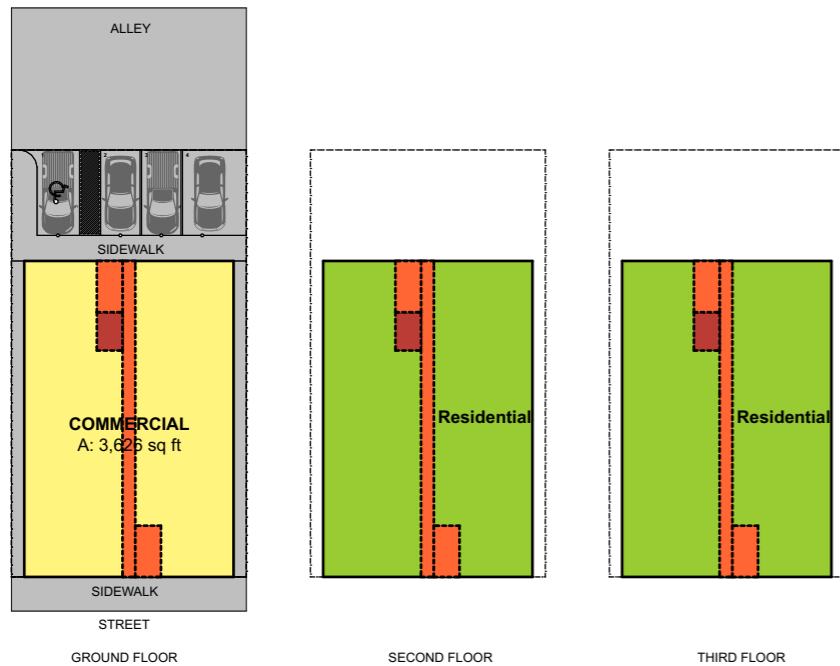
City of **Ketchum**

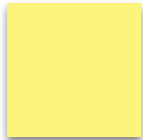



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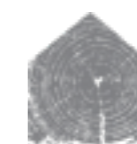
Mixed Use defined by ground floor being 100% commercial and upper floors residential.

Residential Only = all units residential.



 = COMMERCIAL USE
 = RESIDENTIAL USE

City of **Ketchum**

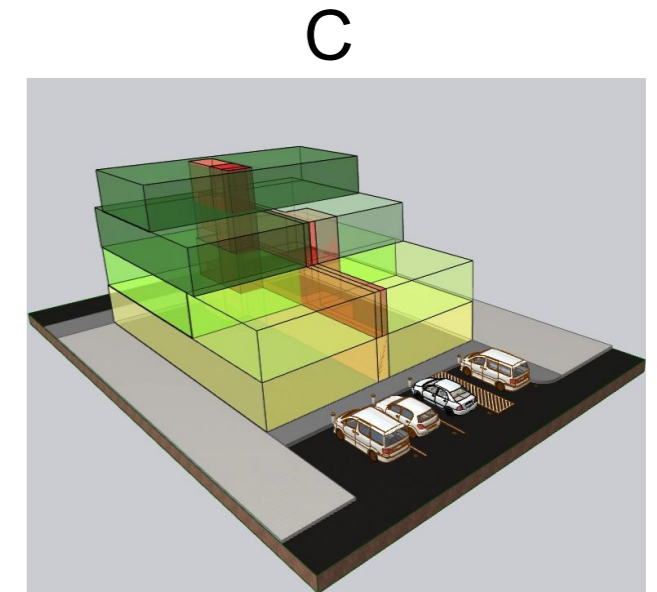
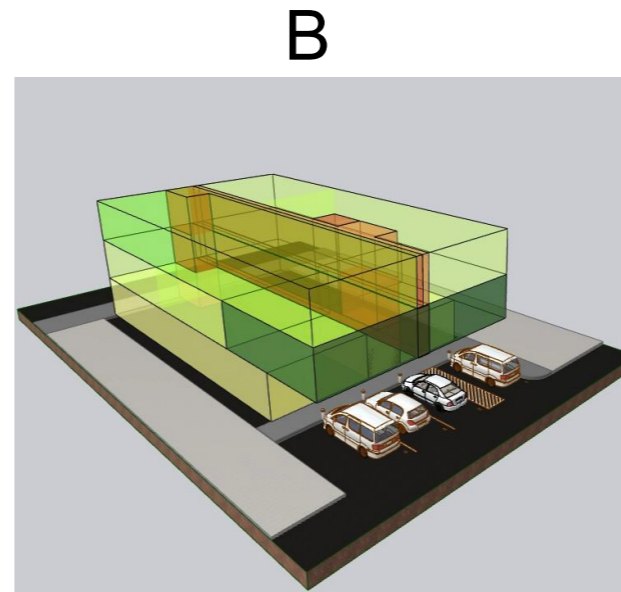
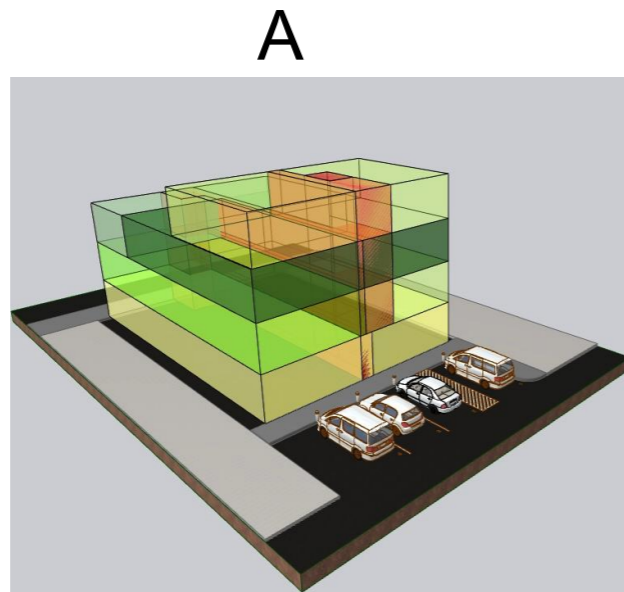


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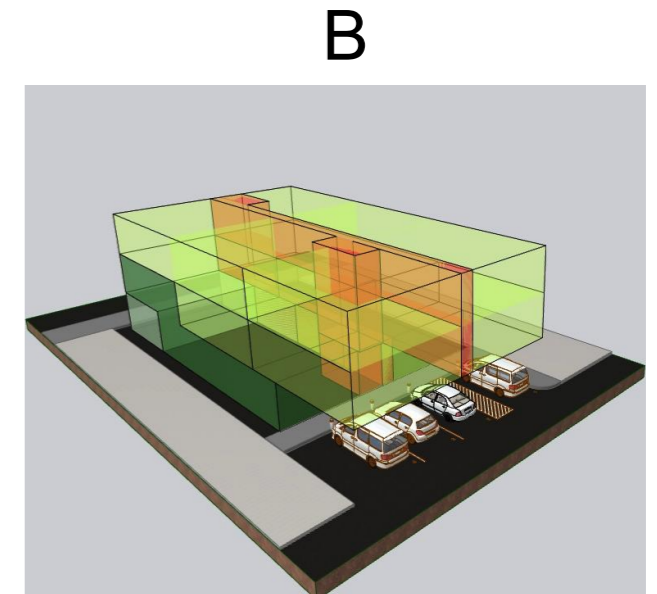
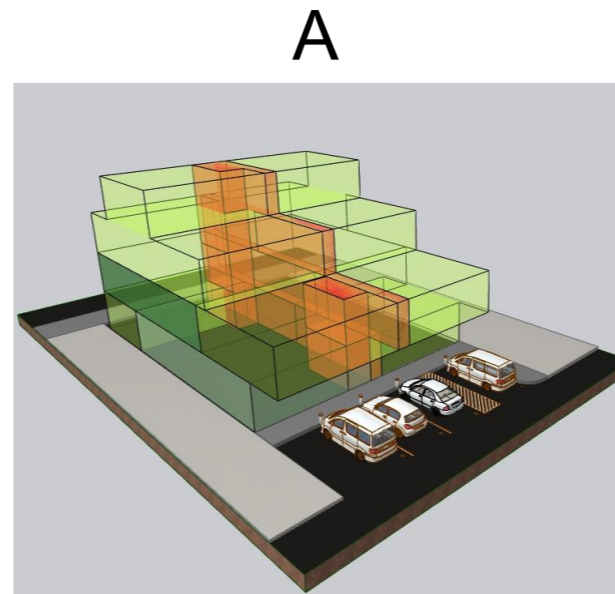
Floor Area Ratio (FAR) Scenarios

All Scenarios are 2.25 FAR
All Scenarios included the required 1,375 sq ft of CH on site.

MIXED USE OPTIONS



RESIDENTIAL ONLY OPTIONS



**we did not consider all of the potential options, but considered options with different priorities, i.e. maximizing commercial sqft on the ground level or avoiding side setbacks, or maintaining a simple rectangular building vs. keeping the height low, all the while, maintaining the full build-out of 12,375 sqft to achieve the maximum FAR of 2.25*



Mixed Use - Option A (12,375 sqft) 2.25 FAR

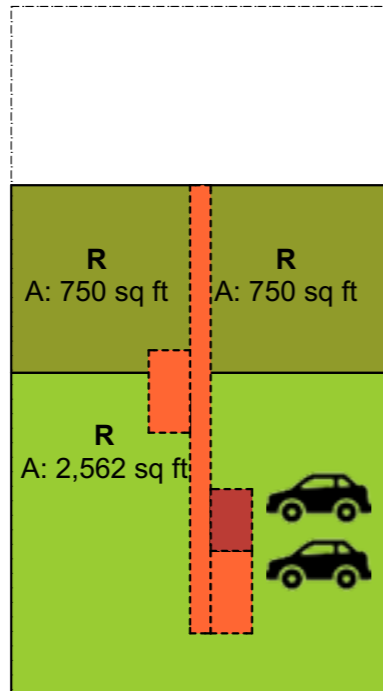
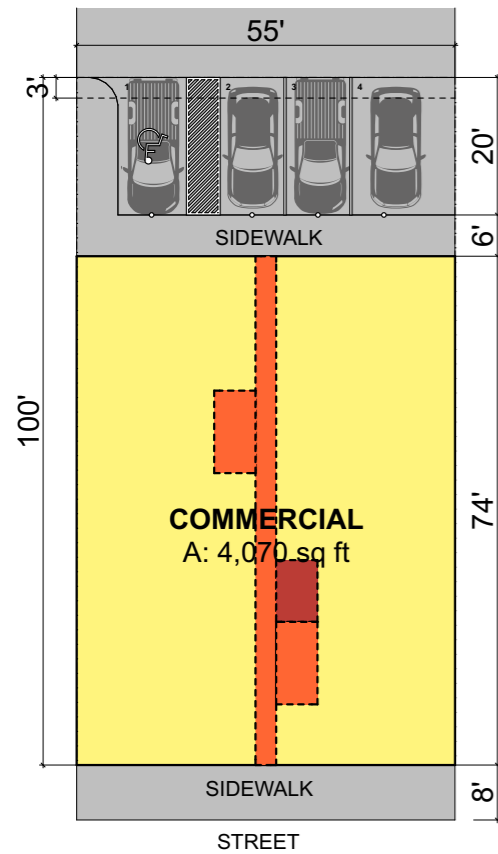
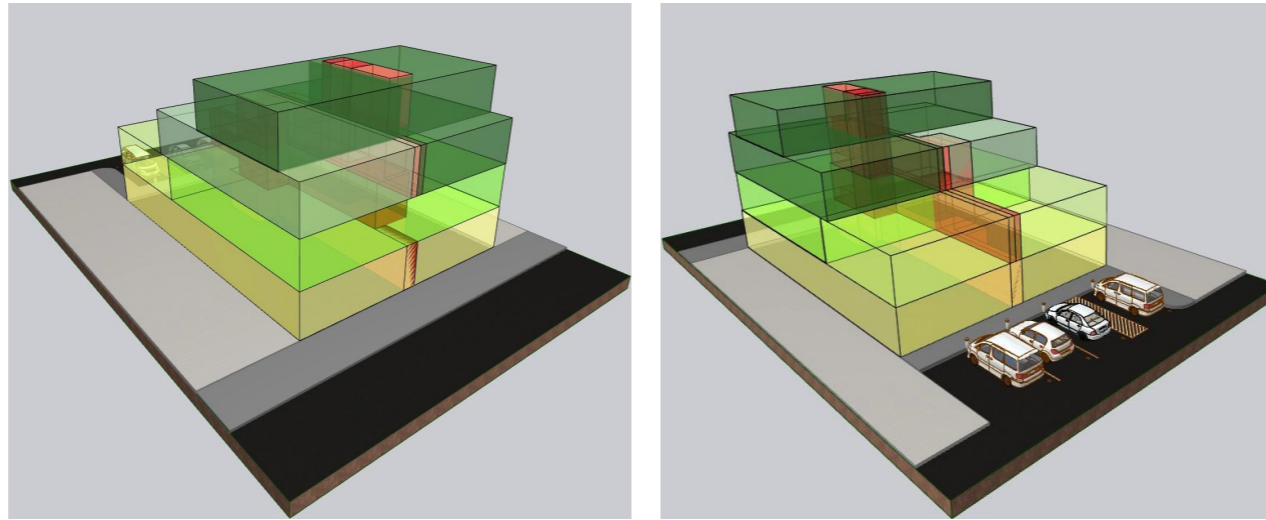
Community Core - Subdistrict A

Development Priority: Maximize commercial = no side setbacks

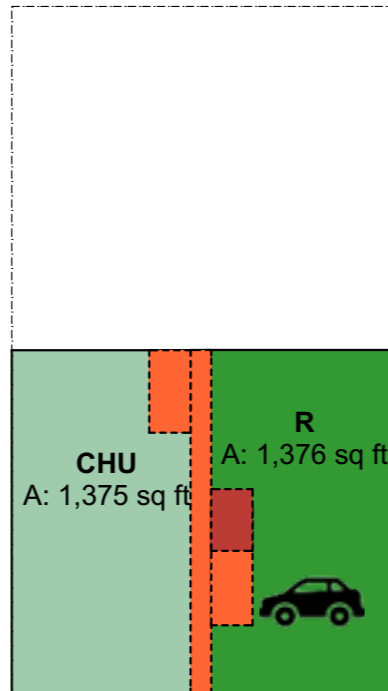
**all Mixed Use options require an elevator to reach ADA unit above ground floor*

***max of 4 units/floor by fire code*

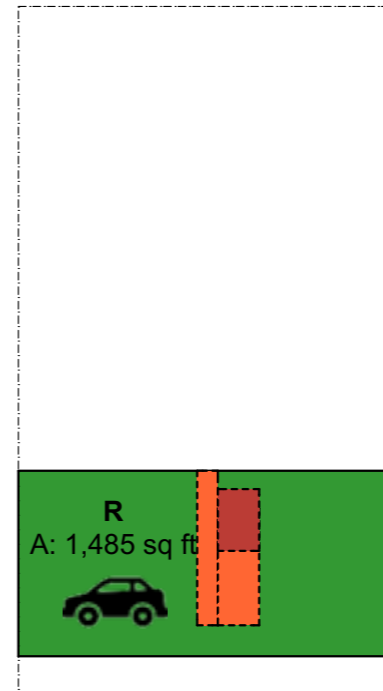
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR

Current On-Site Parking
Regs Require :
13 total spaces, 9 after credit

New On-Site Parking
Regs Require :
4 spaces

Mixed Use - Option B (12,375 sqft) 2.25 FAR

Community Core - Subdistrict A

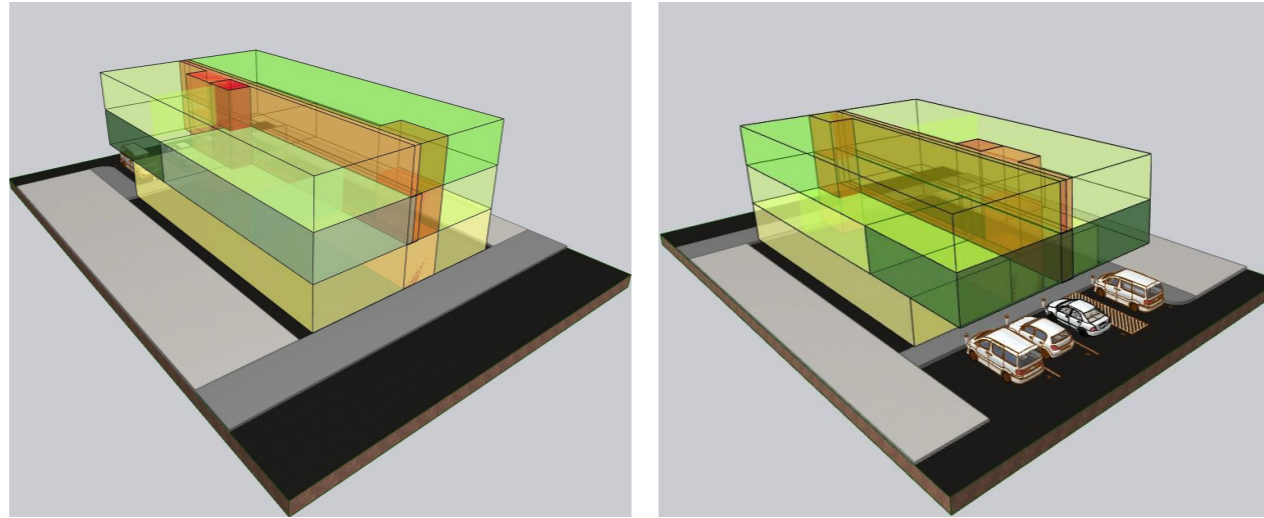
Development Priority = Maximize Residential, 3 stories only

**all Mixed Use options require an elevator to reach ADA unit above ground floor*

***requires 3' side setbacks per fire code*

****no limit on # of units/story*

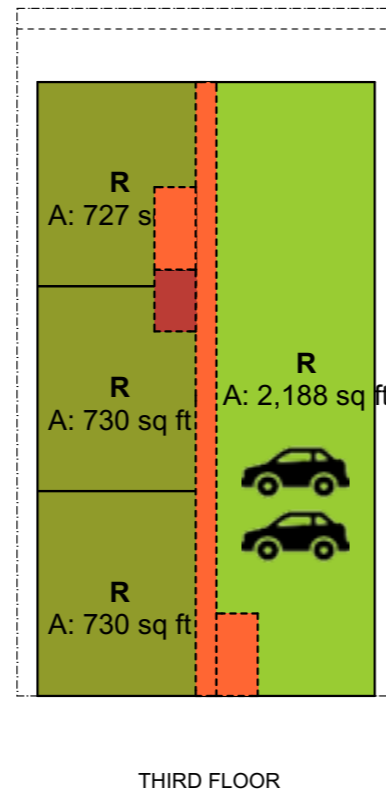
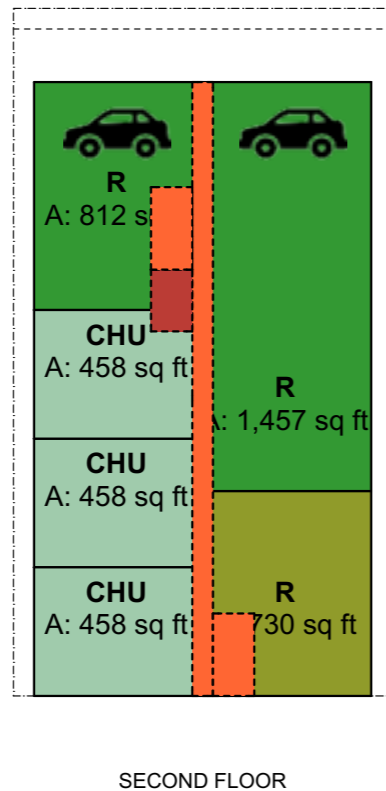
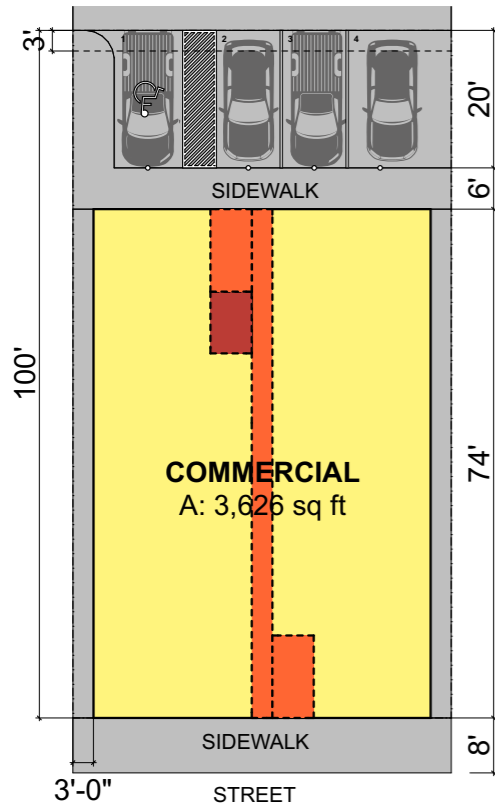
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



Current On-Site Parking
Regs Require :
12 spaces
After Credit : 8



New On-Site Parking
Regs Require :
4 spaces



Mixed Use - Option C (12,375 sqft) 2.25 FAR

Community Core - Subdistrict A

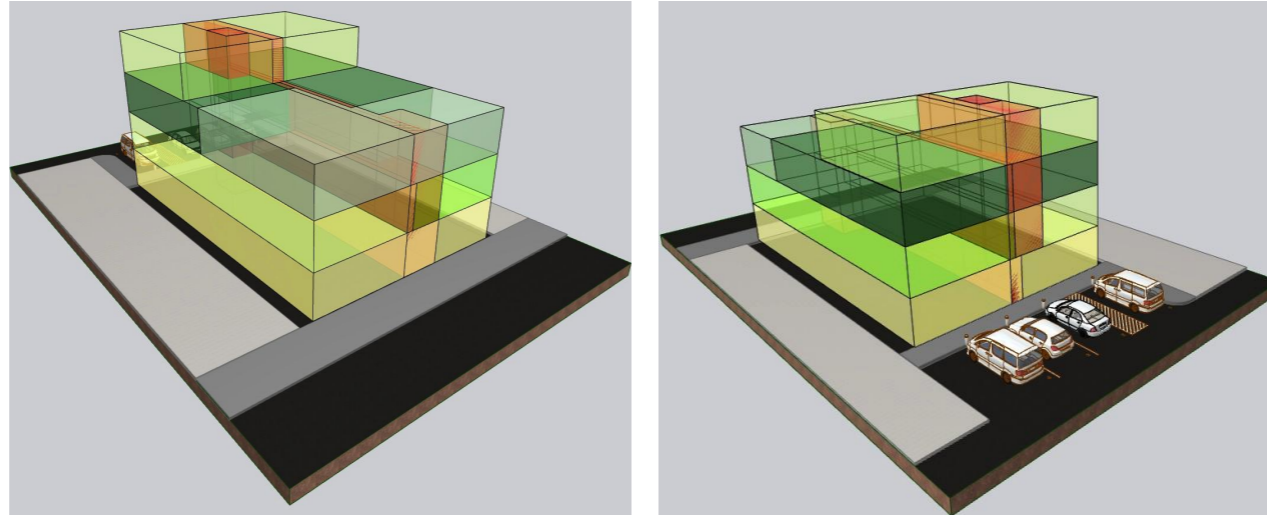
Development Priority = Maximize Residential, maintain simple rectangle (no overhang over parking)

**all Mixed Use options require an elevator to reach ADA unit above ground floor*

***requires 3' side setbacks per fire code*

****no limit on # of units/story*

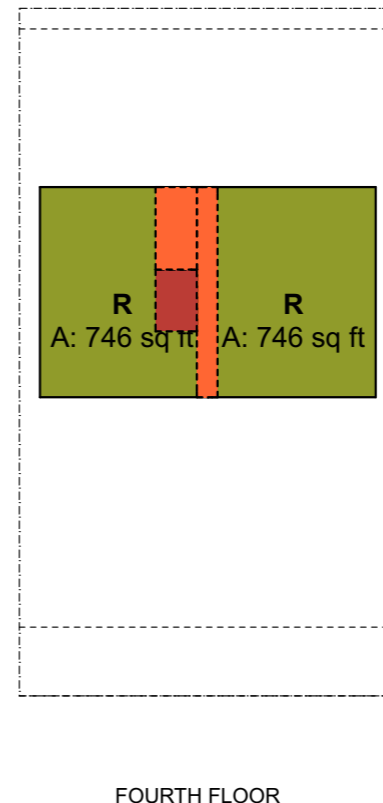
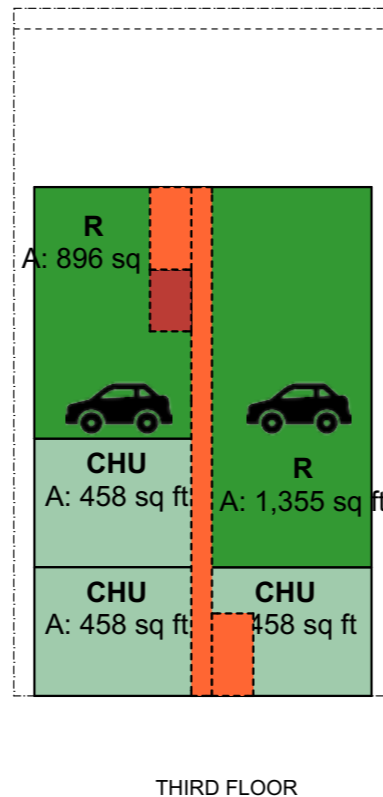
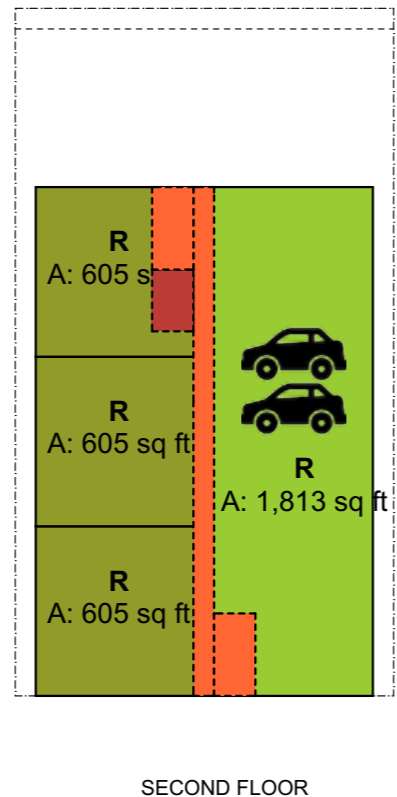
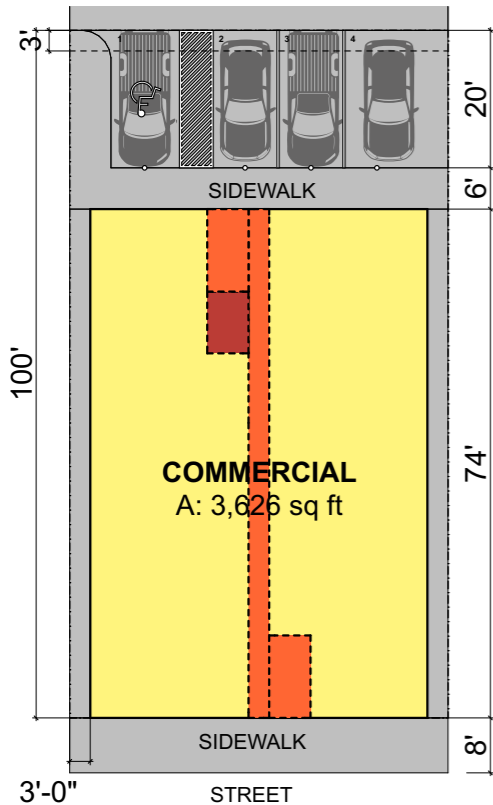
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



Current on-Site Parking
Regs Require :
12 spaces
After Credit : 8



New On-Site Parking
Regs Require :
4 spaces



Residential Only- Option A (12,375 sqft) 2.25 FAR

Community Core - Subdistrict C

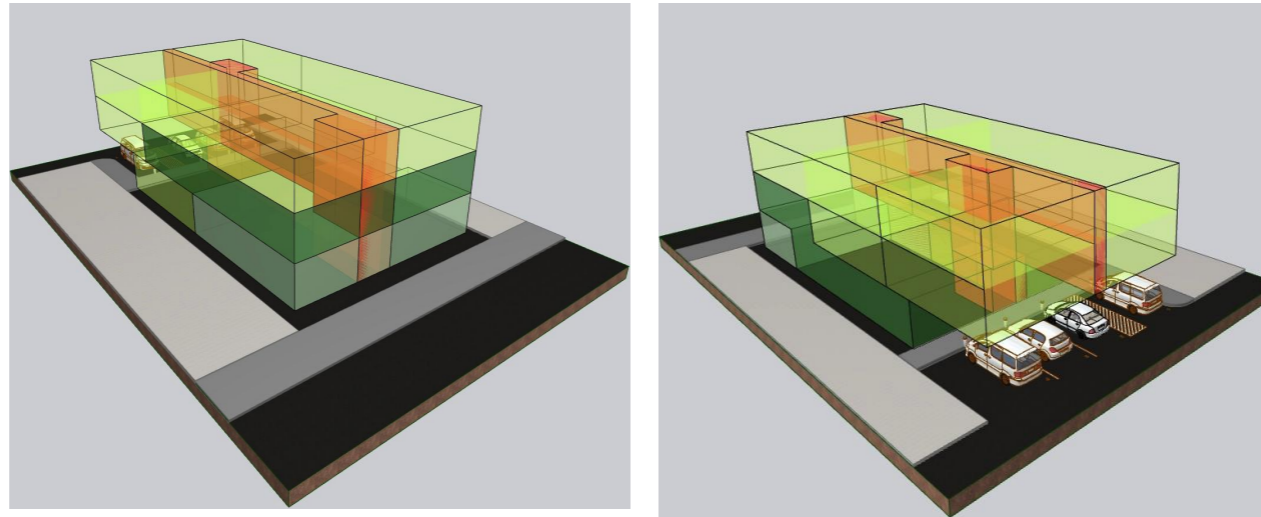
Development Priority = Maximize Residential

**Residential Only allows ADA unit on ground floor, no elevator required*

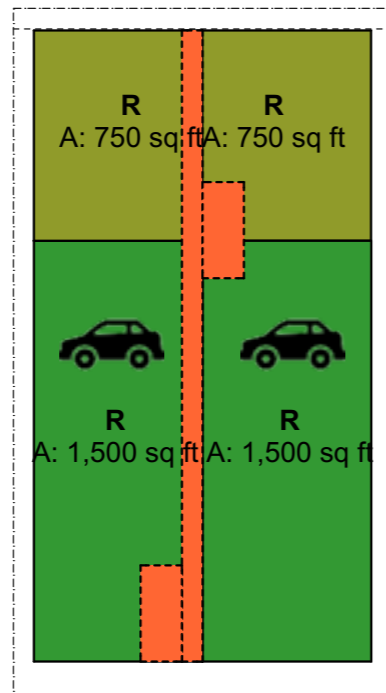
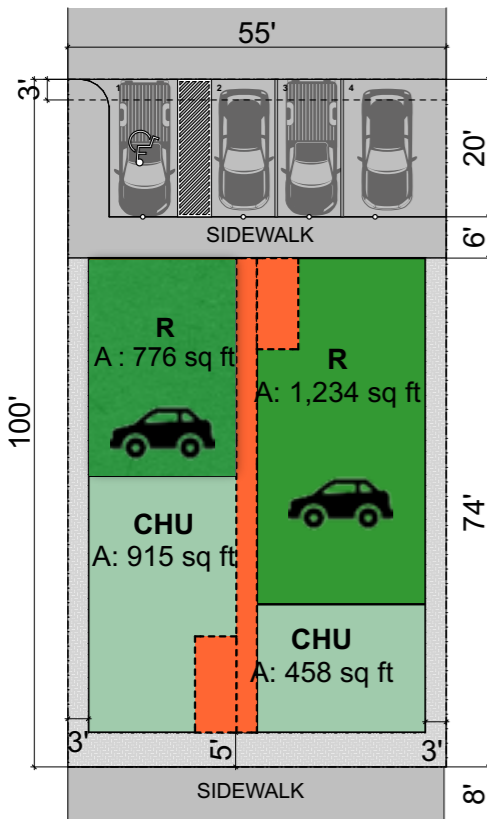
***requires 3' side setbacks per fire code*

****no limit on # of units/story*

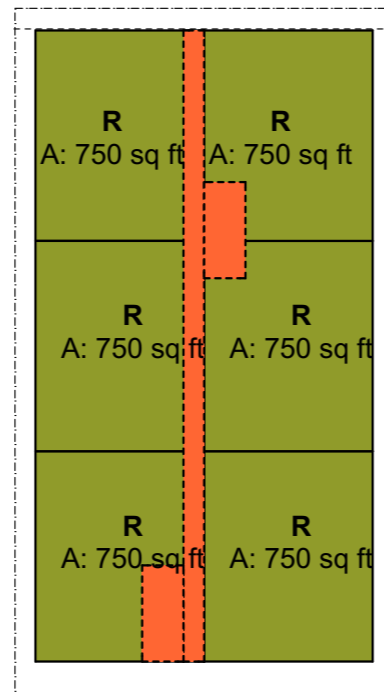
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



Current On-Site Parking
Regs Require :
7 spaces



SECOND FLOOR



THIRD FLOOR

New On-Site Parking
Regs Require :
4 spaces

Residential only - Option B (12,375 sqft) 2.25 FAR

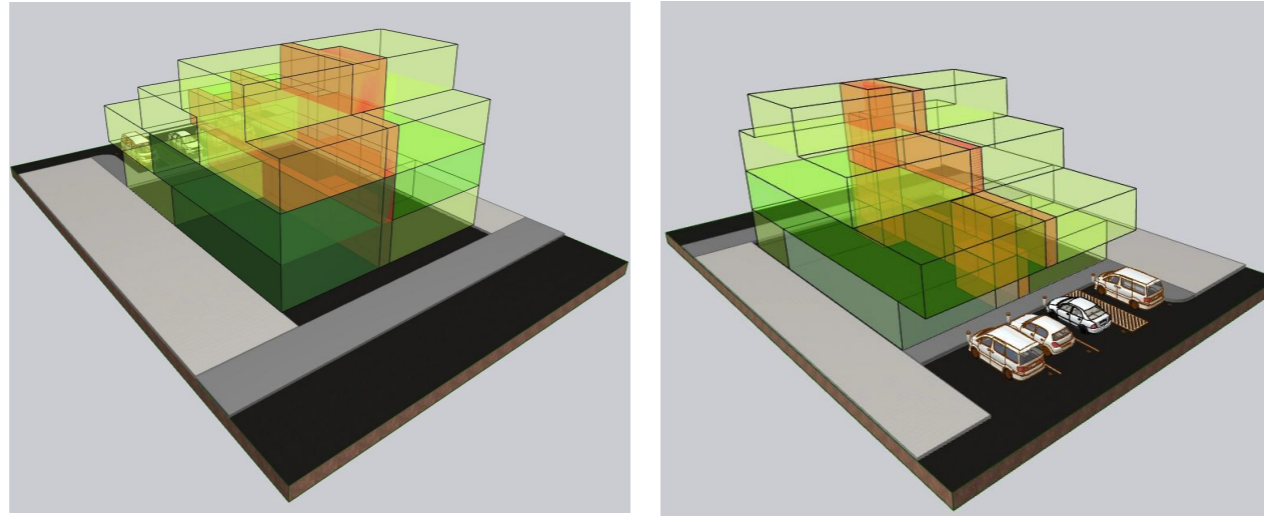
Community Core - Subdistrict C

Maximize Residential, with no side setbacks

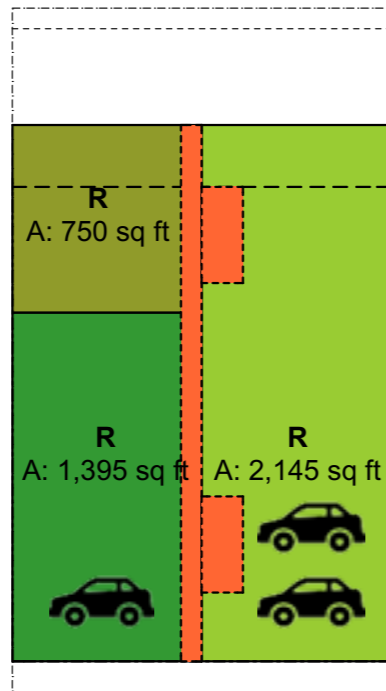
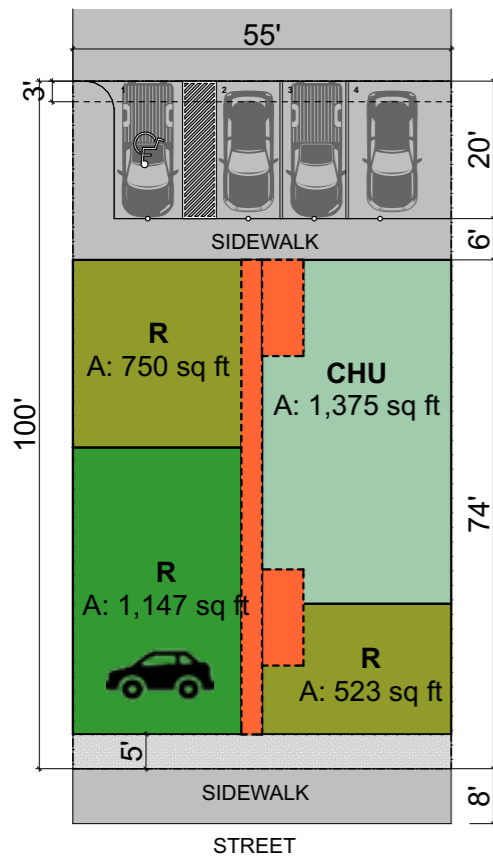
**Residential Only allows ADA unit on ground floor, no elevator required*

***max of 4 units/floor by fire code*

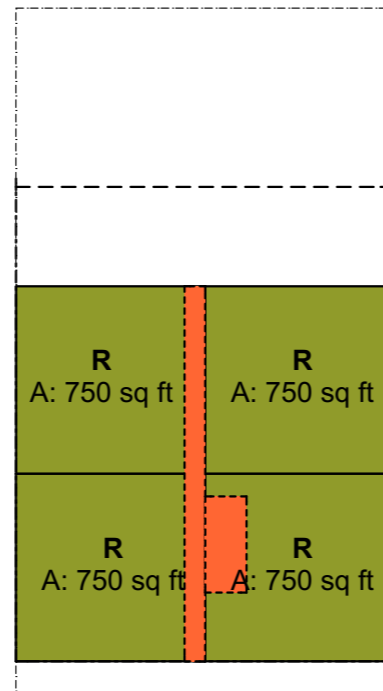
- 0 Parking : Residential, Under 750 sqft
- 1 Parking : Residential, 751 - 1500 sqft
- 2 Parking : Residential, 1501+ sqft
- 0 Parking : CHU 1,375 sqft
- Commercial
- Egress



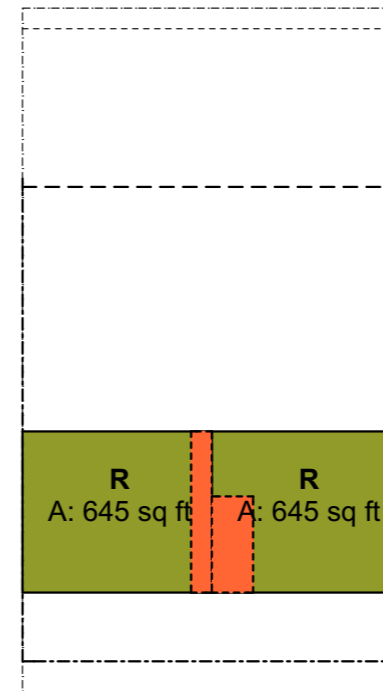
*Current On-Site Parking
Regs Require :
7 spaces*



SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR

*New On-Site Parking
Regs Require :
4 spaces*

Summary

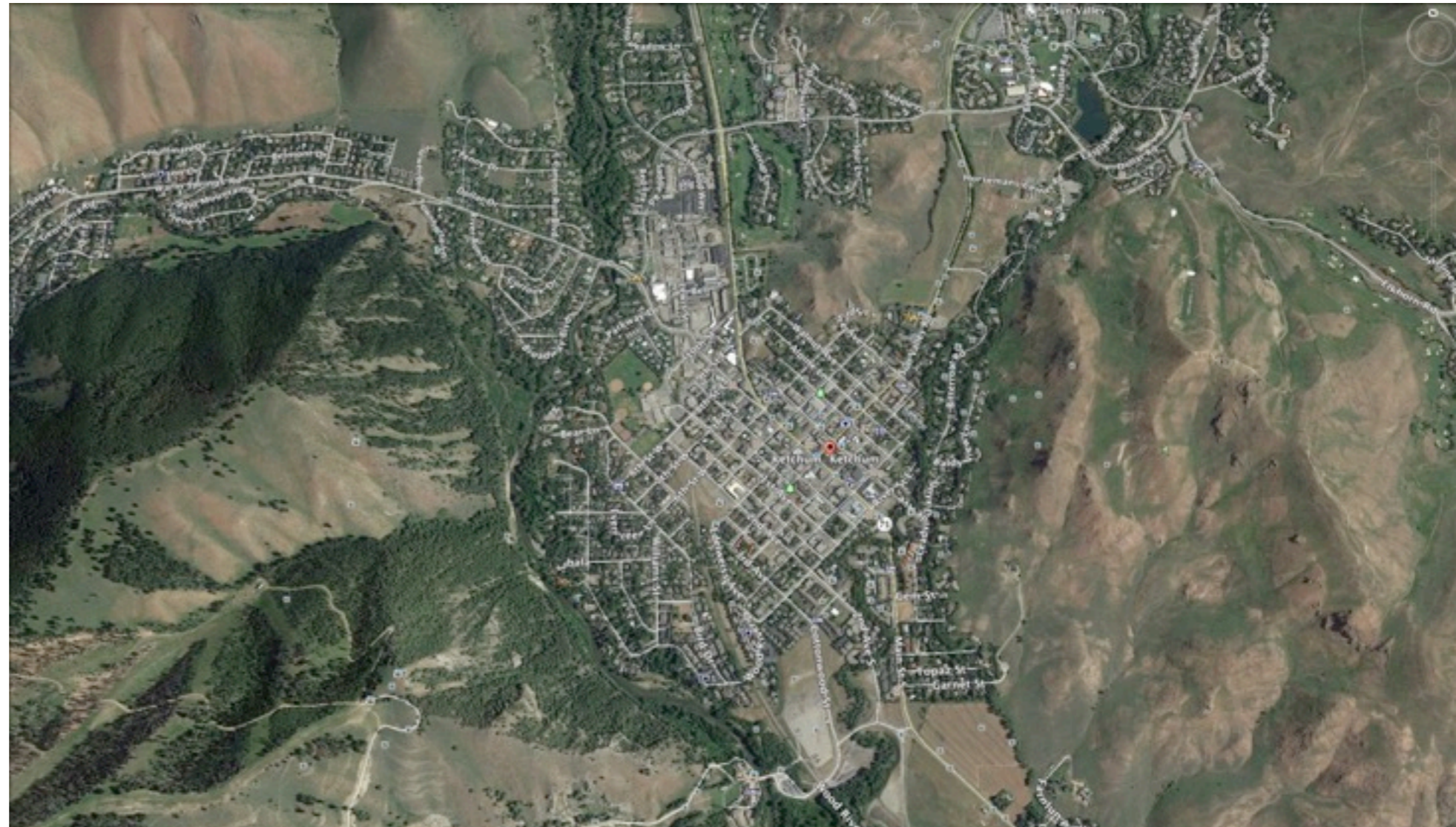
- Parking regulations do impact the density of development.
- The new parking regulations proposed by the City of Ketchum are less restrictive than the current parking regulations and enable full build-out of city lots.
- 5500 square foot lots are more developable under the proposed code.



City of **Ketchum**



LOVE | SCHACK
ARCHITECTURE



Contact

Lindsey Love & Lindsay Schack
Love Schack Architecture
offices in Bozeman, MT and Driggs, ID
<http://loveschackarchitecture.com/>
phone : 406.282.4277
email : info@loveschack.com

Thank you
City of Ketchum



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**Attachment E:
Zone District Density Data**

DENSITY COMPARISON BY ZONE DISTRICT - CITY OF KETCHUM DEVELOPMENT

			Density	
Community Core	# of projects	Total # of units	Per Townsite Lot	
100% Residential Projects	5	55	Average	11
	<i>*37 units came from 2 projects</i>		Median	7

			Density	
Mixed Use Projects	# of projects	Total # of units	Per Townsite Lot	
	6	42	Average	4
			Median	4

			Density	
Tourist	# of projects	Total # of units	Per 10k	
	17	420	average	5
			median	5

			Density	
T-3000	# of projects	Total # of units	Per 10k	
	16	140	average	4
			median	4

			Density	
GR-H	# of projects	Total # of units	Per 10 K	
	11	172	average	4
	<i>*85 units came from 1 project</i>		median	4

Community Core - 100% Residential Projects

				Density
Project #	Year Approved	Lot Area	# of Units	Per Townsite Lot
Project 1	2018	5500	20	20
Project 2	2019	5500	17	17
Project 3	2019	5500	7	7
Project 4	2019	4125	4	5
Project 5	2021	5500	7	7
Totals and Averages			55	11
			<i>median</i>	7

Community Core - Mixed Use Projects

				Density
Project #	Year Approved	Lot Area	# of Units	Per Townsite Lot
Project 1	2018	5500	4	4
Project 2	2019	8250	4	3
Project 3	2020	5482	4	4
Project 4	2020	16,500	4	1
Project 5	2020	18,163	23	7
Project 6	2021	5,500	3	3
Totals and Averages			42	4
			<i>median</i>	4

Tourist

				Density
				Per 10K
Project #	Year Built	Lot Area	# of Units	
Project 1	1977	64782	32	5
Project 2	1981	20720	9	4
Project 3	1987	45708	9	2
Project 4	2003	54340	9	2
Project 5	1973	41491	27	7
Project 6	1970	40192	49	12
Project 7	1972	34880	28	8
Project 8	1972	123438	64	5
Project 9	1971	33000	20	6
Project 10	1978	16518	8	5
Project 11	1980	27639	12	4
Project 12	1980	75177	36	5
Project 13	2000	54014	27	5
Project 14	2007	286214	69	2
Project 15	2015	21885	9	4
Project 16	2018	15015	8	5
Project 17	2021	54,551	4	1
Totals and Averages			420	5
			<i>median</i>	5

Tourist - 3000

				Density
Project #	Year Approved	Lot Area	# of Units	Per 10k
Project 1		90740	30	3
Project 2		9979	3	3
Project 3		14795	10	7
Project 4		9979	4	4
Project 5		14026	10	7
Project 6		21124	7	3
Project 7		14647	7	5
Project 8		29923	14	5
Project 9		42906	20	5
Project 10		25421	11	4
Project 11		7839	3	4
Project 12		9979	4	4
Project 13		9979	3	3
Project 14		9905	3	3
Project 15		20000	6	3
Project 16		10005	5	5
Totals and Averages			140	4
			median	4

Tourist - 4000

				Density
Project #	Year Approved	Lot Area	# of Units	Per 10k
Project 1		14204	1	1
Project 2		13952	1	1
Project 3		13120	1	1
Project 4		12880	1	1
Project 5		12513	1	1
Project 6		21882	1	2
Project 7		11807	1	1
Project 8		10778	1	1
Project 9		14137	1	1
Project 10		12828	1	1
Project 11		13958	1	1
Project 12		19315	1	2
Project 13		44833	5	1
Project 14		6422	1	1
Project 15		8439	1	1
Totals and Averages			19	1
			median	1

General Residential - High Density

General Residential - High Density				Density
				<i>Per 10k</i>
Project #	Year Built	Lot Area	# of Units	
Project 1	1971	17614	11	6
Project 2	1975	206310	85	4
Project 3	1979	24464	14	6
Project 4	1994	19000	9	5
Project 5	1997	16604	8	5
Project 6	2001	18640	8	4
Project 7	2008	32936	11	3
Project 8	2019	9078	2	2
Project 9	2021	18,130	4	2
Project 10	2008	60540	10	2
Project 11	2020	47,338	10	2
Totals and Averages			172	4
			<i>median</i>	4

Attachment F:
Mixed Use Development
Scenarios

MIXED USE DEVELOPMENT SCENARIOS

Zone District	CC
Lot Size	5,500
FAR 2.25	12,375
1st Floor	1,430
	3,795
2nd Floor	4,290
3rd Floor	4,290
Dev SF	12,375

parking
**Assume 5 ft front setback, 3 ft rear setback*

Zone District	CC
Lot Size	11,000
FAR 2.25	24,750
1st Floor	1,360
	8,862
2nd Floor	7,944
3rd Floor	7,944
Dev SF	24,750

parking ramp
**Assume parking ramp, 3 ft rear setback and 5ft front setback*

	30%	60%	80%	
Commercial	3,713	7,425	9,900	
Net	3,156	6,311	8,415	<i>*15% reduction for common area</i>

CH	1,169	1,169	1,169	
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Residential	7,494	3,781	1,306	
Net	6,370	3,214	1,110	<i>*15% reduction for common area</i>
# of units	5	3	1	<i>*Average of 1200 SF</i>

	30%	60%	80%	
Commercial	7,425	14,850	19,800	
Net	6,311	12,623	16,830	<i>*15% reduction for common area</i>

CH	2,338	1,169	1,169	
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Residential	14,988	8,731	3,781	
Net	12,739	7,422	3,214	<i>*15% reduction for common area</i>
# of units	11	6	3	<i>*Average of 1200 SF</i>

Attachment G:
Comprehensive Plan Zone
District Comparison

CITY OF KETCHUM ZONE DISTRICT - FUTURE LAND USE COMPARISON

ZONE DISTRICT	GENERAL AREA/NEIGHBORHOOD	COMP PLAN DESIGNATION
CC-1	Sun Valley Rd/Main Street/4th Street	Retail Core
CC-2	Downtown	Mixed Use Commercial
T	South of Downtown	Commercial/Employment
	Warm Springs - Skiway Dr/Picabo	Commercial/Employment
	Saddle Rd	High Density Residential
T-3000	Warm Springs - Jane/Ritchie/Picabo	Medium Density Residential
T-4000	Warm Springs - Lloyd Ct and west	High Density Residential
GR-H	Pinewood	High Density Residential
	West Ketchum - Bird Dr	High Density Residential
GR-L	Warm Springs - Sage Rd	Low Density Residential
	Warm Springs - Irene and Bald Mtn	Low Density Residential
	Warm Springs - Wanderers	Low Density Residential
	Warm Springs - Flower	Medium Density Residential
	West Ketchum	Medium Density Residential
	Red Fox Ln	Medium Density Residential
	Warm Springs - Four Seasons	High Density Residential
LR	Warm Springs - N of Warm Springs Rd	Low Density Residential
	Warm Springs - S of Warm Springs Rd/River Run	Low Density Residential
	Gem Streets	Low Density Residential
	Spur Lane	Low Density Residential
	Mortgage Row	Medium Density Residential
LR-1	Mortgage Row	Medium Density Residential
LR-2	Beaver Springs and North	Residential Transition
STO-1	Bigwood	Low Density Residential
STO-4	Bigwood	Low Density Residential
STO-H	Bigwood	Low Density Residential
LI	Lewis Street	Mixed Use Industrial
LI-2	Northwood Way S of Saddle Rd	Mixed Use Industrial
LI-3	9th and 10th Stree N of CC district	Mixed Use Industrial