

Lisa Enourato

From: Harry Griffith <harry@sunvalleyeconomy.org>
Sent: Monday, April 18, 2022 12:03 PM
To: Participate
Subject: SVED Comments on Emergency Ordinance 1234

SVED has concerns about the proposed Emergency Ordinance 1234. As drafted, it is complicated, allows for subjective interpretations, will be a detriment to both residential and commercial development in the affected zoning areas, and not achieve its stated objective of creating more housing stock.

Over the last 45 days, we have spoken with 20+ developers, contractors, architects, engineers and others engaged in Ketchum residential and commercial development, and the vast majority are strong against this ordinance. When layered on top of 3 other recent changes in/additions to policy (Historical Preservation, Design Guidelines, CC/T/GR-H policy goals), this ordinance is causing many to reconsider their interest and ability to invest in Ketchum.

We would ask Council to consider the following questions:

1. Is this really an emergency. It seems to us that a housing emergency does not translate to a zoning emergency.
2. Is this legal. Is this process of introducing an emergency ordinance in accordance with proper procedure. It also seems to us that this ordinance may give more powers to P&Z than allowed by LUPA and may infringe on property owner's rights from the perspective of the State of Idaho. There is also a risk that this approach will be consider a tax on developers to create affordable housing and over turned if challenged.
3. Does this consider the risks and economics of the development community. It seems to us that this will discourage development of mixed-use buildings with affordable units. We are aware of 4 projects with a total value of \$50+ million that are being put on hold or parcels that will be left vacant because of this ordinance.
4. How do 5,500 sf parcels provide for parking. With prohibition on consolidation, underground parking is economically impossible. Parking is also a problem with sub 5500 sf parcels.
5. What do the fixed commercial mixed-use development cutoff %'s achieve. Anyone can jump to the next category with a 1% commercial add on above the table limits.
6. How does this ordinance interface with ADU policy and ordinances.
7. How do the 14+ SF Residential structures already in the CC get dealt with. Can they remodel or be redeveloped as SFR, or are they prohibited.
8. What does "deemed complete" mean. If this means projects currently under construction is impacted, this damages the affected party.

These are a few of the more obvious questions that need to be considered. I am sure there may be other unintended (negative) consequences that will surface during the course of discussions.

Imposing yet another ordinance on the development community just compounds the problems people are having getting their projects through the design cycle to permitting. Lack of response in a reasonable time frame and unreasonable requests for additional information are what we are hearing from nearly all groups

pursuing Ketchum projects. I have heard directly of many who are no longer taking on Ketchum projects, preferring to focus on Sun Valley and Hailey where design review and permits are being processed in substantially shorter time frames. This problem has been getting progressively worse and needs some attention.

We would encourage Council to ask staff to review and respond to these and any other concerns which may arise in today's discussion.

Respectfully,

Harry Griffith

Executive Director, Sun Valley Economic Development

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