



## City of Ketchum

June 17, 2019

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to hold a public hearing, deliberate, and approve the 3<sup>rd</sup> reading by title only of the proposed light industrial district 48' and 58' workforce overlay map and text amendments (Ordinance #1192) with any specific edits deemed necessary**

Recommendation and Summary

Staff is recommending the Council approve the proposed light industrial (LI) district amendment and adopt the following motion:

"I move to approve the 3<sup>rd</sup> and final reading by title only of proposed Ordinance #1192 [Please note any specific final edits to the ordinance, as shown in Exhibit A]."

The reasons for the recommendation include:

- The proposed ordinance is consistent with the 1<sup>st</sup> and 2<sup>nd</sup> readings of the ordinance by the Ketchum City Council on May 20<sup>th</sup> and June 3<sup>rd</sup>
- Additional evidence supporting adoption of Ordinance #1192 were presented and compiled in the staff report presented to the KCC on April 15<sup>th</sup> and May 20<sup>th</sup> of 2019.

Background & Analysis

Previous staff reports have detailed the history of residential uses in the light industrial district and the importance of LI to the city's employment and service base. While many uses can occur in Ketchum's LI, which encompasses 60.94 acres and represents 2.9% of the overall land base within Ketchum City Limits, many LI uses cannot occur elsewhere in the City.

To accommodate the city's need for workforce housing while also safeguarding the city's limited LI land use base, the proposed amendments to Title 17 of the KMC include, among other provisions, that proposed residential uses be: (a) subordinate to LI in terms of access and location (2<sup>nd</sup> floor or above), except for community housing in the LI-3; (b) be subject to a conditional use permit process; and (c) in accordance with residential anti-nuisance provisions.

Additional ordinance edits address the LI purposes, residential ownership and rental options, LI fence heights, clarifications within the district use matrix and bulk standards, and mapping of both a 48' and 58' height overlay district map in the LI for special projects meeting specified criteria such as qualifying ground floors.

For additional details on each of the proposed amendments to the KMC, as approved in the 1<sup>st</sup> reading by the Ketchum City Council on May 20, 2019, see proposed ordinance #1192 in Exhibit A.

Attachments/Exhibits

**Attachment A** – Proposed Ordinance #1192

- Edits Eight Sections of KMC
- Includes 48' & 58' / Workforce Overlay Map

**NOTE:** Please refer to the Ketchum City Council packet dated May 20, 2019 for additional exhibit materials, including Public Comment, Procedural Items, Light Industrial Reference Material, Residential Uses in Light Industrial, LI Height Modeling, and Open House Presentation and Summary Results from January 23, 2019. A link to this packet is available at: <http://id-ketchum.civicplus.com/Archive.aspx?AMID=44>

Attachment A

## **ORDINANCE NO. 1192**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, THE ZONING ORDINANCE, OF THE KETCHUM MUNICIPAL CODE BY AMENDING: SECTION 17.08.020: TERMS DEFINED; SECTION 17.18.140 THROUGH 17.18.160: PURPOSE OF THE LIGHT INDUSTRIAL DISTRICTS NUMBER 1, 2, AND 3; SECTION 17.12.010: ZONING AND OVERLAY DISTRICTS AND MAP; SECTION 17.12.020: DISTRICT USE MATRIX; SECTION 17.12.030: DIMENSIONAL STANDARDS, DISTRICTS MATRIX; SECTION 17.12.050: LI-1, LI-2, AND LI-3 DIMENSIONAL STANDARDS, DISTRICT MATRIX; SECTION 17.124.090: RESIDENTIAL: LIGHT INDUSTRIAL DISTRICTS; SECTION 17.124.130: FENCES, HEDGES AND WALLS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance pursuant to Idaho Code § 67-6511; and

WHEREAS, the City of Ketchum desires to maintain a robust and viable center for year-round employment in the light industrial zoning districts; and

WHEREAS, the City of Ketchum desires to preserve the light industrial zoning districts for uses not permitted elsewhere in the city; and

WHEREAS, the City of Ketchum also recognizes that there is a severe lack of affordable housing available for the workforce within Ketchum city limits; and

WHEREAS, the proposed amendments to Title 17, Zoning, are intended to both facilitate the development of new housing units for the workforce while maintaining the availability of the Light Industrial zoning districts for light industrial uses; and

WHEREAS, the proposed amendments to Title 17, Zoning, contemplate and allow modern uses and work-live situations and include standards for use uses; and

WHEREAS, the Planning and Zoning Commission, after considering the proposed amendments at a series of public hearings held in 2018, recommended approval to the City Council finding that the proposed amendments were, on the whole, in alignment with the 2014 Comprehensive Plan; and

WHEREAS, the Ketchum City Council, having reviewed the proposed zoning code amendments, held public hearings on May 20, 2019, June 3, 2019, and June 17, 2019; and

WHEREAS, the Ketchum City Council, having considered the recommendation of the Planning and Zoning Commission and submitted comments and testimony from the public,

having determined that it is in the best interests of the public and adopt toe proposed amendments to Title 17, Zoning Ordinance;

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

**Section 1: AMENDMENTS TO SECTION 17.08.020, TERMS DEFINED.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 1 of Exhibit A to this ordinance.

**Section 2: AMENDMENTS TO SECTION 17.18.140 THROUGH 17.18.160, PURPOSE OF THE LIGHT INDUSTRIAL DISTRICTS NUMBER 1, 2, AND 3.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 2 of Exhibit A to this ordinance.

**Section 3: AMENDMENTS TO SECTION 17.12.010, ZONING AND OVERLAY DISTRICTS AND MAP.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 3 of Exhibit A to this ordinance and to include new 48' and 58' height limit areas on the official zoning map of the city as indicated in the map included in Section 3 of Exhibit A of this ordinance.

**Section 4: AMENDMENTS TO SECTION 17.12.020, DISTRICT USE MATRIX.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 4 of Exhibit A to this ordinance.

**Section 5: AMENDMENTS TO SECTION 17.12.030, DIMENSIONAL STANDARDS, DISTRICTS MATRIX.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 5 of Exhibit A to this ordinance.

**Section 6: AMENDMENTS TO SECTION 17.12.050: LI-1, LI-2, AND LI-3 DIMENSIONAL STANDARDS, DISTRICT MATRIX.** That Title 17 of the Ketchum Municipal Code be amended to create a new section 17.12.050 as indicated in Section 6 of Exhibit A to this ordinance.

**Section 7: AMENDMENTS TO SECTION 17.124.090: RESIDENTIAL: LIGHT INDUSTRIAL DISTRICTS.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 7 of Exhibit A to this ordinance.

**Section 8: AMENDMENTS TO SECTION 17.124.130: FENCES, HEDGES AND WALLS.** That Title 17 of the Ketchum Municipal Code be amended to include new language and remove stricken language as indicated in Section 8 of Exhibit A to this ordinance.

**Section 9: 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 10: REPEALER CLAUSE.** All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

**Section 11: PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit B, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 13: EFFECTIVE DATE.** This Ordinance shall be in full force and effect 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 \_\_\_\_\_ 2019.

APPROVED BY the Mayor of the City of Ketchum, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

APPROVED:

\_\_\_\_\_  
Neil Bradshaw, Mayor

ATTEST:

\_\_\_\_\_  
Robin Crotty, City Clerk

**EXHIBIT A TO ORDINANCE 1192**

## **SECTION 1 – Definitions**

### **17.08.020 DEFINITIONS:**

**BUSINESS SUPPORT SERVICE:** The use of land for the sale, rental, or repair of office equipment, supplies, and materials, or the provision of services used by office and service establishments. Uses include: ~~Typical uses include, but are not limited to,~~ office equipment and supply firms, small business machine repair shops, convenience printing and copying establishments, or information technology support services.

**CONSTRUCTION MATERIAL LAYDOWN YARD:** A site identified and approved as part of a Construction Activity Plan or other city-issued permit for a specific construction project. Construction material laydown yards are intended to be used on an intermittent basis in association with a singular, permitted development project.

**CRAFT/COTTAGE INDUSTRY:** A facility devoted solely to the arts and crafts that produces or makes items that by their nature are designed or made by an artist or craftsman by using hand skills.

**DAYCARE, ONSITE EMPLOYEE:** Child care programs that occur in facilities where parents are on the premises.

**HEALTH AND FITNESS FACILITY – WELLNESS FOCUS:** A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, with a focus on wellness and characterized by low-impact movements and/or lack of mechanized equipment, including, but not limited to, yoga and Pilates studios, dance studios, gymnasiums, personal training studios, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.

**HEIGHT OF BUILDING/LIGHT INDUSTRIAL DISTRICTS:** The greatest vertical distance measured at any point from natural, existing, or finished grade, whichever is lowest, to the highest point of the roof, except where expressly exempted by 17.12.050. No facade shall be greater than the maximum height permitted in the zoning district. Building heights in light industrial districts are subject to the qualifying ground floor heights and residential standards contained in 17.124.090.

**INDUSTRIAL DESIGN:** The professional service of creating and developing concepts and specifications that optimize the function, value and aesthetics of products and systems for the mutual benefit of both user and manufacturer, often employing design thinking strategies. Typically, industrial design is intended to result in tangible goods that can be mass produced. Industrial design businesses may include on-site prototyping, fabrication, and manufacturing.

**INSTRUCTIONAL SERVICE:** The use of land for the provision of ~~informational, instructional and similar~~ services for personal improvement other than physical improvement. ~~Typical uses~~ Uses include, but are not limited to, health or physical fitness studios facilities, dance, music, painting, ceramics, arts or photography studios, fiber arts, educational tutoring facilities, handicraft or hobby instruction.

**OFFICE, CONTRACTOR-RELATED BUSINESS:** An establishment wherein the primary use is the conduct of a business or profession specifically related to building contracting including, design services, engineering, construction, landscaping, maintenance and property management, .

**PRODUCT DESIGN:** See Industrial Design.

**PROFESSIONAL RESEARCH SERVICES:** An establishment that specializes in performing professional, scientific, and technical research services and is may inclusive of light manufacturing as an accessory use. Uses are limited to: ~~Typical uses include, but are not limited to, construction contractors, physical distribution and logistics, engineering and specialized design services, electronic and computer services, photographic services, research, development and~~



~~scientific services, and internet or remote sales and marketing.~~ This definition does not include uses which create vibration outside the exterior building walls or uses that would diminish the quality of air and water in the city.

PUBLIC USE: A structure or use intended or used for a public purpose by a city, other than the city of Ketchum, a school district, the county, the state, or by any other public agency, or by a public utility.

PUBLIC UTILITY: An organization that maintains the infrastructure for a public service, which often also provides a service using that infrastructure.

QUALIFYING GROUND FLOOR: A ground floor of a building, where the start of the second story is 18 feet or more above the level of the finished floor. In the LI zoning districts, buildings where not less than seventy percent (70%) of the structure has a Qualifying Ground Floor are permitted a higher overall height subject to §17.12.050.

RECREATION FACILITY, HIGH INTENSITY: A recreation facility that, due to the nature of the use, requires floor area or mass and volume, or generates higher decibel levels, that are more appropriately accommodated in the light industrial area or are buffered from residential or pedestrian-oriented commercial activity on a large recreational use zoned parcel district than in the Community Core or a Tourist zone. Uses include indoor shooting range, dryland hockey training facility, gymnastics/tumbling gym, and instructional or personal training facilities wherein the instruction involves throwing, dragging, or launching heavy equipment.

RESTRICTIVE COVENANTS: A restrictive covenant runs with the land and, thereby, binds present and future owners of the property. Restrictive covenants are used to implement the conditions of a land use approval or ensure implementation of project mitigations and components.

STORAGE YARD: Storage of large equipment, operable vehicles and construction/property maintenance materials on an ongoing or permanent basis. This shall not include junkyards or wrecking yards.

TV AND RADIO BROADCASTING: An installation consisting of one or more transmitters or receivers used for radio, television or cable communications or broadcasting.

WORK/LIVE UNITS: Work/Live units incorporate residential living space in a non-residential building. Work/live units are held jointly in common ownership and the work and live spaces cannot be sold or platted as separate condominiums, as documented with a city-approved restrictive covenant recorded against the property.

## **SECTION 2 – Light Industrial Area Purposes.**

### **17.18.140: LIGHT INDUSTRIAL DISTRICT NUMBER 1 (LI-1)**

- A. Purpose: The LI-1 light industrial district number 1 is established as a transition area ~~providing limited commercial service industries, limited retail, small light manufacturing, research and development, and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public~~ between the Community Core and the LI-2 district. The LI-1 district provides suitable locations and environs for (1) limited business and personal services; (2) small light manufacturing; (3) research and development; (4) offices related to building, maintenance and construction; (5) limited retail; and, (6) multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-1. Traffic to the LI-1 district is intended to be generated primarily by uses related to the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a light industrial zone.

### **17.18.150: LIGHT INDUSTRIAL DISTRICT NUMBER 2 (LI-2)**

- A. Purpose: The LI-2 light industrial district number 2 ~~is the city's primary light industrial area and is established to provide for a permanent year round employment base and the location of light manufacturing, wholesale trade and distribution, research and development, service industries, limited related, bulk retail and offices related to building, maintenance and construction and which generate little traffic from tourists and the general public.~~ with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other commercial zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: (1) light manufacturing; (2) wholesale trade and distribution; (3) research and development; (4) service industries; (5) limited bulk retail and; (6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a light industrial zone.

### **17.18.160: LIGHT INDUSTRIAL DISTRICT NUMBER 3 (LI-3)**

- A. Purpose: The LI-3 light industrial district number 3 is established as a transition area ~~providing for a permanent year round employment base and the location of research and development, wholesale trade and distribution and high technology industries along with offices related to building, maintenance and construction and which generate little traffic from tourists and the general public and providing a mix of deed restricted and market rate housing.~~ between the LI-2 zoning district and the residential LR and GR-L districts. The LI-3 district provides suitable locations and environs for a permanent year-round employment base comprised of (1) research and development; (2) wholesale trade and distribution; (3) technology industries; and (4) offices related to building, maintenance and construction uses; and, (5) deed restricted and market rate multi-family dwellings located within mixed-use buildings. Uses in the LI-3 are intended to generate traffic primarily from the employers and employees of permitted uses and secondarily from deed restricted and market rate housing units.

***SECTION 3 – NEW MAP AND SUB-DISTRICTS ... 17.12.010***

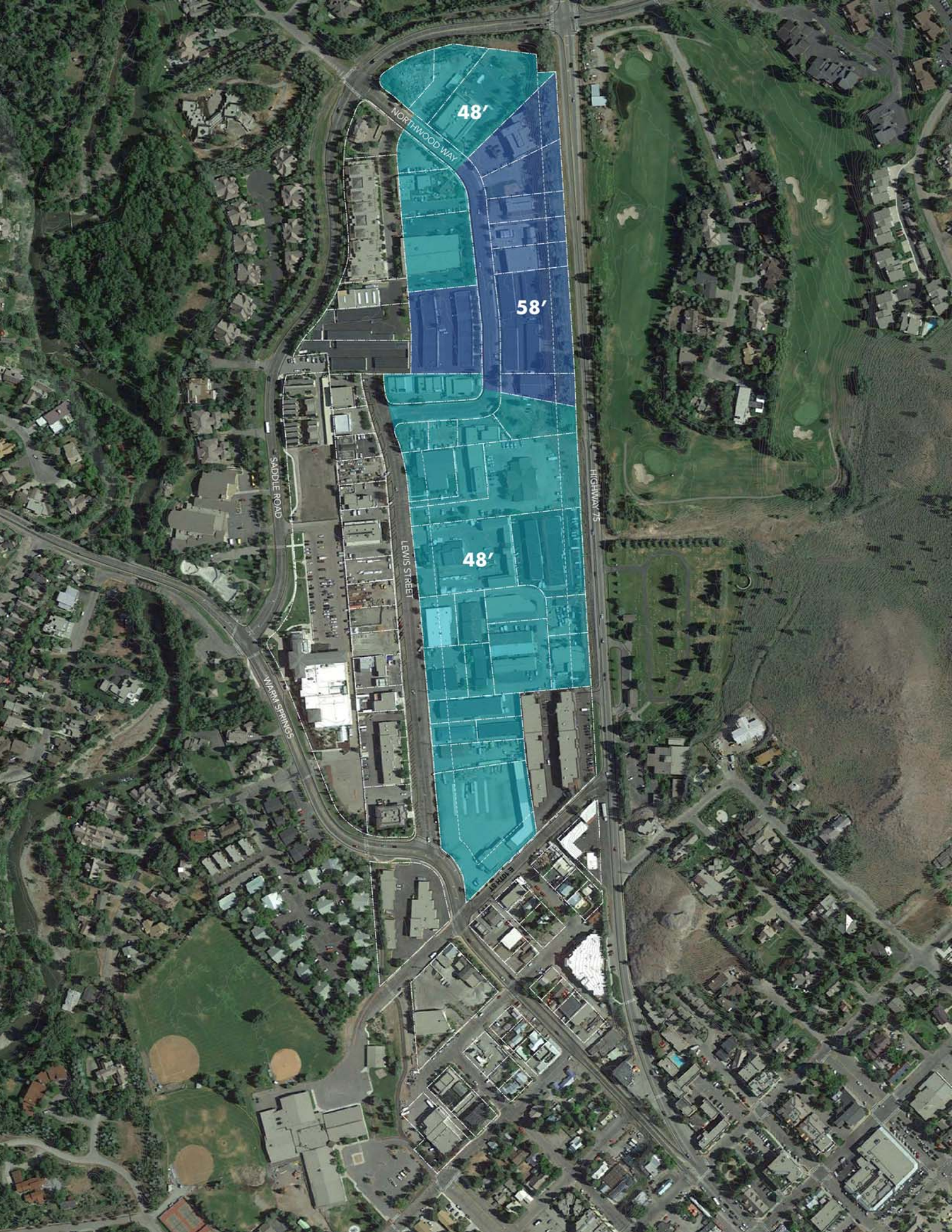
## 17.12.010: Zoning Map Districts

A. Establishment of Districts: In order to carry out the provisions of this title, the City of Ketchum, Idaho is divided into the following zoning districts and overlay districts:

<b><u>Zoning Districts</u></b>	
LR	Limited residential district
LR-1	Limited residential - one acre district
LR-2	Limited residential - two acre district
GR-L	General residential - low density district
GR-H	General residential - high density district
STO-.4	Short term occupancy - .4 acre district
STO-1	Short term occupancy - one acre district
STO-H	Short term occupancy - high density district
T	Tourist district
T-3000	Tourist - 3000 district
T-4000	Tourist - 4000 district
CC	Community core district
<u>CC-1</u>	<u>Community Core Subdistrict 1 - Retail Core</u>
<u>CC-2</u>	<u>Community Core Subdistrict 2 - Mixed Use</u>
LI-1	Light industrial district number 1
LI-2	Light industrial district number 2
LI-3	Light industrial district number 3
RU	Recreation use district
AF	Agricultural and forestry district

<b><u>Overlay Districts</u></b>	
FP	Floodplain management overlay <del>zoning</del> district
A	Avalanche <del>zone</del> <u>overlay</u> district
WSBA	Warm Springs base area overlay district
WSBA-1	Warm Springs base area overlay district-1
MO	Mountain overlay <del>zoning</del> district
<u>48'</u>	<u>Light industrial 48' height overlay district</u>
<u>58'</u>	<u>Light industrial 58' height overlay district</u>







**SECTION 4 – LI-1, LI-2, and LI-3 Land Use Matrix ... 17.12.020**

17.12.020: DISTRICT USE MATRIX:

"P" = PERMITTED "C" CONDITIONAL "A" = ACCESSORY

DISTRICT USE MATRIX

DISTRICT USES		L R	L R 1	L R 2	G R L	G R H	S T O 0.4	S T O 1	S T O H	T	T 3000	T 4000	C C SD 1	C C SD 2	L I 1	L I 2	L I 3	R U	A F
RES.	Dwelling, Multi-family				P <sup>1</sup>	P			P	P	P	P	P <sup>26</sup>	P	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>19</sup>	
	Dwelling, One-Family	P	P	P	P <sup>2</sup>	P	P	P	P	P	P	P	See Note 28	See Note 28				C <sup>19</sup>	P
	Residential Care Facility	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>26</sup>	P					
	Short-term Rental	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P <sup>33</sup>	P	P	P	P	P	P <sup>33</sup>	P <sup>33</sup>
	Work/Live Unit														C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>		
COMMERCIAL	Agriculture, Commercial																		P
	Adult Only Business															P <sub>C</sub>			
	Business Support Service												P	P	P	P			
	Commercial Off-site Snow Storage									P/C <sup>32</sup>			P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>		
	Construction Material Laydown Yard														P	P	P		
	Convenience Store									P			P	P	P <sup>12</sup>	P <sup>16</sup>			
	Craft/Cottage Industry														P	P	P		
	Daycare Center				C <sup>4</sup>	C <sup>4</sup>				P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P	P	C <sup>17</sup>		C <sup>17</sup>		
	Daycare Facility				C <sup>4</sup>	P <sup>4</sup>			C <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P	P	C <sup>17</sup>		C <sup>17</sup>	P <sup>4</sup>	
	Drive-Through Facility												P <sup>9</sup>	P <sup>9</sup>					
	Equestrian Facility																	C	C
	Food Service									P	P <sup>6</sup>	P <sup>6</sup>	P	P	P <sub>C</sub> <sup>15</sup>	P <sub>C</sub> <sup>15</sup>		C <sup>29</sup>	
	Golf Course	P	P	P	P	P	P	P	P	P	P	P						C	
	Grocery Store												P	P					
	Health and Fitness Facility - wellness focus									P			P	P	P <sub>C</sub> <sup>37</sup>	P <sub>C</sub> <sup>37</sup>	P <sup>37</sup>		
	Hotel									P <sup>25</sup>	P <sup>25</sup>	P <sup>25</sup>	P <sup>25</sup>	P <sup>25</sup>					
	Hybrid Production Facility												P	P	P	P			
	Industrial Design														P	P	P		
	Instructional Service												P	P	P <sub>C</sub> <sup>37</sup>	P <sub>C</sub> <sup>37</sup>			
	Kennel, Boarding														P	P			
	Laundry, Industrial														P	P			
	Lodging Establishment									P	P	P	P	P					
	Maintenance Service Facility														P	P		C	
	Manufacturing														P	P			
	Mortuary												C	C					
	Motor Vehicle Fueling Station														C <sup>30</sup>	C <sup>30</sup>			
	Motor Vehicle Sales														C	C			
	Motor Vehicle Service														P	P			
	Neighborhood Off-site Snow Storage	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>	P/C <sup>32</sup>		P/C <sup>32</sup>	P/C <sup>32</sup>							
	Office, Business									C			P <sup>10</sup>	P			P		
	Office, Contractor-related business									C			P <sup>10</sup>	P	P	P	P		
	Outdoor Entertainment									P	P	P	P	P					
	Personal Service									P	P <sup>6</sup>	P <sup>6</sup>	P	P	P <sup>13</sup>				
	Professional Research Service														P	P	P		
	Recreation Facility, Commercial									C	C	C	P <sup>20</sup>	P <sup>20</sup>				C	
	Recreation Facility, high intensity														P	P			
	Repair Shop									P	P <sup>6</sup>	P <sup>6</sup>	P	P	P	P			
	Retail Trade									P <sup>5</sup>			P <sup>34</sup>	P <sup>34</sup>	P <sup>12</sup>	P <sup>16</sup>		C <sup>29</sup>	
	Self-Service Storage Facility														P	P			
	Ski Facility									C	C	C						C	C
	Storage Yard														P	P	P		
	Studio, Commercial												P	P	P <sup>35</sup>	P <sup>35</sup>	P <sup>35</sup>		
	Tourist House									P	P	P	P <sup>11</sup>	P <sup>11</sup>					
	Tourist Housing Accommodation						P	P	P	P	P	P							
	Truck Terminal														P	P			
	TV and Radio Broadcasting Station														P	P	P		
	Veterinary Service Establishment														P	P		C <sup>21</sup>	
	Warehouse														P	P	P		
	Wholesale														P	P			
	Wireless Communication Facility	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>	C <sup>23</sup>
	Assembly, Place of				C <sup>3</sup>	C <sup>3</sup>							C	C					

DISTRICT USES		L R	L R 1	L R 2	G R L	G R H	S T O 0.4	S T O 1	S T O H	T	T 3000	T 4000	C C SD 1	C C SD 2	L I 1	L I 2	L I 3	R U	A F
PUBLIC & INSTITUTIONAL	Cemetery																	C	C
	Cultural Facility												P	P				C	
	Geothermal Utility											C <sup>7</sup>							
	Hospital												C	C					
	Medical Care Facility					C				P			P	P					
	Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parking Facility, Off-Site									C	C	C	C	C	P	P	P		
	Parking, Shared									C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>		
	Performing Arts Production												P	P				C	
	Public Use	C	C	C	C	C	C	C	C	CP	C	C	P	P	CP	CP	CP	CP	C
	Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recreation Facility, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recycling Center															PC			
	School residential campus																P <sup>30</sup>		
	Semi-Public Use					C				C	C	C	P	P				C	C
ACCESSORY	Agriculture, Urban	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>	A <sup>22</sup>
	Avalanche Protective, Deflective, or Preventative Structure/Earthwork	C	C	C	C	C	C	C	C	C	C	C						C	C
	Daycare Home	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>			C <sup>4</sup>				A <sup>4</sup>
	Daycare, Onsite Employees														A	A	A		
	Dwelling Unit, Accessory	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>	A <sup>18</sup>					A <sup>18</sup>
	Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Energy System, Solar	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Energy System, Wind	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Fallout Shelter	A	A	A	A	A	A	A	A	A	A	A							A
	Guesthouse	A	A	A	A	A	A	A	A	A	A	A							
	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Recreation Facility, Residential	A	A	A	A	A	A	A	A	A	A	A	A	A	A <sup>36</sup>	A <sup>36</sup>	A <sup>36</sup>		
	Equestrian Facility, Residential	A	A	A	A	A	A	A	A	A	A	A							A
	Sawmill, Temporary																		C

1. A multi-family development containing up to two (2) dwelling units is permitted.
2. Two (2) one-family dwellings are permitted.
3. Religious institutions are allowed through the provision of a conditional use permit. No other assembly uses as defined in Chapter 17.08 are permitted.
4. Use is not permitted in the Avalanche Zone. Reference Zoning Map.
5. Retail trade is permitted but must not exceed 2,500 square feet.
6. Uses must be subordinate to and operated within tourist housing and not to exceed ten percent (10%) of the gross floor area of the tourist housing facility.
7. Utility for offsite use.
8. See section 17.125.070 17.125.080 for shared parking standards.
9. Drive-throughs are not allowed in association with food service establishments.
10. This is a permitted use, however offices and professional services on the ground floor with street frontage require a conditional use permit.
11. Tourist houses shall only be located in existing one-family dwellings. Additions to the home shall not exceed 20 percent (20%) of the existing square footage.
12. The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment, (b) Building, construction and landscaping materials; small engines with associated sales (c) Retail in conjunction with manufacturing, warehousing or wholesaling not to exceed 30% gross floor area or 800 square feet, whichever is less; no advertising is displayed from windows or building facades; and no access onto a major arterial is allowed if an alternative access is available.
13. Personal service is not allowed except for laundromats and dry cleaning establishments.
14. See section 17.124.090 of this title for industrial districts residential development standards.
15. Catering and food preparation is permitted. Restaurants require a conditional use permit and shall not exceed 1,000 square feet and serve no later than 9:00 P.M. unless expressly permitted through approval of the conditional use permit.
16. The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment (b) Building, construction and landscaping materials; small engines with associated sales (c) Furniture and appliances in conjunction with warehousing not to exceed 18% gross floor area or 900 square feet, whichever is less; (d) Other retail in conjunction with manufacturing, warehousing or wholesaling; it is limited to 10% gross floor area or 500 square feet, whichever is less. ---- Retail uses (c) & (d) shall have no advertising displayed from windows or building facades; and no access will be permitted onto a major arterial if an alternative access is available.
17. See section 17.124.120.C of this title for industrial districts daycare development standards.
18. See section 17.124.070 of this title for accessory dwelling unit development standards.
19. A maximum of five (5) dwelling units are allowed through a conditional use permit and shall be a minimum of 400 square feet and not exceed 1,200 square feet in size.
20. Indoor only.
21. Only allowed in conjunction with an equestrian facility.
22. See section 17.124.080 of this title for urban agriculture development standards.
23. See chapter 17.140 for wireless communications facility provisions.
24. Allowed on the ground floor only.
25. See section 17.124.050 of this title for hotel development standards.
26. Ground floor street frontage uses are limited to retail and/or office uses. In subdistrict A1 office uses require a conditional use permit.
27. Ground floor only.



DISTRICT USES	L R	L R 1	L R 2	G R L	G R H	S T O 0.4	S T O 1	S T O H		T 3000	T 4000	C C SD 1	C C SD 2	L I 1	L I 2	L I 3	R U	A F
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28. Through the provision of a conditional use permit, the planning and zoning commission may approve a 20% increase to the total existing square footage of an existing nonconforming one-family dwelling.
29. Use is allowed as an accessory use through the provision of a conditional use permit.
30. Development agreemenet and compliance with §17.124.090.C required.
31. Vehicular access from Highway 75 to motor vehicle fueling stations is prohibited.
32. All commercial and neighborhood off-site snow storage uses are subject to the standards set forth in section 17.124.160 of this title. Conditional Use Permits are required of all off-site snow storage operations when the project: (a) affects greater than one-half acre; or, (b) has, at the discretion of the Administrator, the potential to negatively impact neighboring uses within 300’ of the proposed neighborhood or commercial off-site snow storage operation.
33. Short Term Rental in the Avalanche Overlay zone is permitted subject to the regulations found in Chapter 17.92, Avalanche Overlay District.
34. Gross floor area for individual retail trade is limited to 36,000 gross square feet and net leasable floor area for grouped retail trade is limited to 55,000 net leasable square feet.

35. Commercial studios in the Light Industrial Districts are subject to the standards of section 17.124.150 of this title.
36. Residential recreation facilities in the Light Industrial Districts are not allowed except for residents and guests of a particular residential development.
37. Permitted on the second floor and above only. For single-story buildings in existence on (date of ordinance adoption) the use is permitted on the ground floor.

## ***SECTION 5 – LI-1, LI-2, and LI-3 Dimensional Standards, District Matrix***

### **17.12.030: DIMENSIONAL STANDARDS, DISTRICTS MATRIX:**

- A. Unless otherwise specified, development in the city shall comply with the standards set forth in the dimensional standards, districts matrix. All community core district dimensional standards are listed in section 17.12.040 of this chapter.
- B. The minimum lot size listed in the dimensional standards, districts matrix applies unless the health district determines that additional area is required to meet minimum health standards.
- C. In addition to the requirements of the dimensional standards, districts matrix, the regulations of chapter 17.128, "Supplementary Location And Bulk Regulations", of this title apply.

#### **DIMENSIONAL STANDARDS, DISTRICTS MATRIX**

See section 17.12.040 this chapter for community core dimensional standards.

See section 17.12.050 of this chapter for light industrial dimensional standards.

District	Minimum Lot Area	Minimum Lot Area with PUD	Minimum Lot Area, Townhouse Sublot	Lot Width	Building Height	Maximum Building Coverage/ FAR	Minimum Open Space	Front Setback	Side Setback	Rear Setback	Lot Lines Created by Townhouse Sublots	Setbacks From Hwy 75	Setback on Warm Springs Rd.	Setbacks Along 200' Former RR ROW	
LR	9,000 sf	n/a	n/a	80' avg	35'	35%	n/a	15'	The greater of 1' for every 2' in building height, or 10'	20'	n/a	25'/32' <sup>7</sup>	30'	3'	
LR-1	1 acre	n/a	n/a	100' avg	35'	25%	n/a	15'		20'	n/a	80'	30'	n/a	
LR-2	2 acres	n/a	n/a	100' avg	35'	25%	n/a	15'		20'	n/a	400' <sup>6</sup>	30'	n/a	
GR-L	8,000 sf	8,000 sf plus 4,000 for every unit over 2	Equal to that of the perimeter of the townhouse unit	80' avg	35'	35%	n/a	15'	The greater of 1' for every 3' in building height, or 5' <sup>1</sup>	The greater of 1' for every 3' in building height, or 15' <sup>1</sup>	0'	25'/32' <sup>7</sup>	30'	n/a	
GR-H	8,000 sf	n/a		80' avg	35' <sup>2</sup>	See FAR requirements in section 17.124.040 of this title	35% <sup>5</sup>	15'	The greater of 1' for every 3' in building height, or 5'. One-family dwellings must maintain at least		0'	25'/32' <sup>7</sup>	30'	5', however 3' required for one-/ two-family dwelling units	
STO-.4	0.4 acres	n/a	n/a	80' avg	35'	25%	n/a	15'	The greater of 1' for every 2' in building height, or 10'	The greater of 1' for every 2' in building height, or 20'	n/a	400'	30'	n/a	
STO-1	1 acre	n/a	n/a	100' avg	35'	25%	n/a	15'			n/a	400'	30'	n/a	
STO-H	9,000 sf (min of 3,000 sf/unit)	n/a	Equal to that of the perimeter of the townhouse unit	100' avg	35'	35% building coverage, and 75% covered by buildings, parking areas and accessory buildings	n/a	15'	The greater of 1' for every 3' in building height, or 5' <sup>1</sup>	The greater of 1' for every 3' in building height, or 15" <sup>(1)</sup>	0'	400'	30'	n/a	
T	8,000 sf	n/a		80' avg	35' <sup>2</sup>	See FAR requirements in section 17.124.040 of this title	35% <sup>5</sup>	15'	The greater of 1' for every 3' in building height, or 5'. At least 10' for one-family dwellings <sup>1</sup>		The greater of 1' for every 3' in building height, or 10'. At least 15' for one-family dwellings <sup>1,2</sup>	0'	25'/32' <sup>7</sup>	30'	5', however 3' required for one-/ two-family dwelling units
T-3000	8,000 sf	n/a		80' avg	35' <sup>2</sup>		35% <sup>5</sup>	15'				0'	n/a	30'	n/a
T-4000	8,000 sf	n/a		80' avg	35' <sup>2</sup>		35% <sup>5</sup>	15'				0'	n/a	30'	n/a
<del>U-1</del>	<del>8,000 sf</del>	<del>n/a</del>	<del>n/a</del>	<del>80' min</del>	<del>35'</del>	<del>75%</del>	<del>n/a</del>	<del>20'</del>	<del>0'<sup>3</sup> for internal side yards and a minimum of 10' for street side yards</del>	<del>0' 1'</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	
<del>U-2</del>	<del>8,000 sf</del>	<del>n/a</del>	<del>n/a</del>	<del>80' min</del>	<del>35'</del>	<del>75%</del>	<del>n/a</del>	<del>20'</del>		<del>0' 1'</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	
<del>U-3</del>	<del>8,000 sf</del>	<del>n/a</del>	<del>n/a</del>	<del>80' min</del>	<del>35'<sup>2</sup></del>	<del>75%</del>	<del>n/a</del>	<del>20'</del>		<del>0' 1'</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	<del>n/a</del>	
RU	9,000 sf	n/a	Equal to that of the townhouse unit	n/a	35'	25%	n/a	30' <sup>4</sup>	15' <sup>4</sup>	15' <sup>4</sup>	0'	n/a	n/a	n/a	
AF	10 acres	n/a	n/a	n/a	35'	10% (includes pools)	n/a	25'	25'	25'	n/a	n/a	n/a	n/a	
* See title 16 of this code.															

\* See title 16 of this code.

Notes:

1. If the lot adjoins a more restrictive district on the side or rear, the more restrictive setbacks of that district shall apply.
2. For building with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eaves line to the ridge top shall be 35 feet. Roof ridges above the mean point may extend up to a height of 44 feet.
- ~~3. For buildings with a minimum roof pitch of 4:12 may go to 40 feet.~~
4. The placement of all structures for conditional uses shall be subject to approval of the planning and zoning commission.
5. A maximum of 5 percent open site area may be used for private decks or patios and walkways subject to design review approval.
6. 100 foot setback from Highway 75 is required for lots platted prior to 1979.
7. Minimum setbacks along Highway 75: where the street width is 80 feet, all buildings shall be set back a minimum of 25 feet, and where the street width is 66 feet, all buildings shall be set back a minimum of 32 feet.

***SECTION 6 – LI-1, LI-2, and LI-3 Dimensional Standards, District Matrix ...***  
**17.12.050**

**17.12.050: Dimensional Standards, Light Industrial Districts Matrix**

A. Development in the light industrial zoning districts shall comply with the standards set forth in the dimensional standards, light industrial districts matrix. Dimensional standards for all other districts, unless otherwise specified, shall be found in section 17.12.030 of this chapter.

B. In addition to the requirements of the dimensional standards, light industrial districts matrix, the regulations of chapter 17.128, "Supplementary Location And Bulk Regulations", of this title apply.

C. To reduce the perceived bulk and lessen view blockage of four-story and five-story buildings, the Administrator may require alternative building concept options to be presented for review by the Commission as part of Design Review process set forth in Section 17.96.

**D. Light Industrial Zoning Districts Dimensional Standards Matrix**

		LI-1	LI-2	LI-3
Dimensional Standards				
	Minimum Lot Area	8,000 Square Feet		
	Minimum Lot Width	80'		
	Maximum Building Coverage	75%		
Minimum Building Setbacks				
	Front	20'		
	Side	0' <sup>1</sup> for internal side yards and, except for non-enclosed public use structures, a minimum of 10' for street side yards		
	Side setbacks for 4th and/or 5th story in 48' or 58' overlay district	NA	10'	
	Rear	0' <sup>1</sup>		
	Cantilevered decks and overhangs	0'		
	Warm Springs Road / 10th Street / Lewis Street - Setback for fourth or fifth floors, if permitted, from property line(s) adjacent to Warm Springs Road, 10th Street, and Lewis Street	60'		
	State Highway 75 - Setback from property line adjacent to State Highway 75 right-of-way for properties within the 48' or 58' overlay district	NA	Below an elevation of 5,850' or the grade of State Highway 75 pavement adjacent to the property, whichever is greater: 0'	
		NA	Portion of building above highway grade up to 40' in height: 35'	
		NA	Fourth and fifth stories: 60'	
	Setback from all facades for non-habitable structures, fixed amenities, solar and mechanical equipment affixed to a roof	10'		
Maximum Building Height				
	Building Height	35'		35' <sup>2</sup>
	Building Height with Qualifying Ground Floor <sup>6</sup>			
	Two Story	35'		35' <sup>2</sup>
	Three Story	40'		
	Four Story <sup>3</sup>	not permitted	48' <sup>3, 4</sup>	48' <sup>3, 4</sup>
	Five Story <sup>3</sup>	not permitted	58' <sup>3, 5</sup>	58' <sup>3, 5</sup>
	Non-habitable structures located on building rooftops	6' above roof surface height		
	Parapets and rooftop walls screening/enclosing mechanical equipment	4' above roof surface height		
	Perimeter walls enclosing rooftop deck	4' above roof surface height. Perimeter rooftop walls enclosing rooftop decks are required to be at least 75% transparent		
	Rooftop solar and mechanical equipment above roof surface	5' above roof surface height		

**Footnotes:**

1. If the lot adjoins a more restrictive residential district on the side or rear, the more restrictive setbacks of that district shall apply.
2. Buildings with a minimum roof pitch of 4:12 may be 40' in height.
3. Four and five story buildings are permitted only within the four and five story overlay district.
4. Portions of buildings with roofs that have a minimum roof pitch of 4:12 may be 53' in height subject to Design Review approval by the Planning and Zoning Commission.
5. Portions of buildings with roofs that have a minimum roof pitch of 4:12 may be 63' in height subject to Design Review approval by the Planning and Zoning Commission.
6. In the LI zoning districts, buildings where not less than seventy percent (70%) of the structure has a Qualifying Ground Floor (where the start of the second story is 18 feet or more above the level of the finished floor) are permitted a higher overall height subject to §17.12.050.

## **SECTION 7 – Light Industrial District Residential Standards.**

### **17.124.090: RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:**

A. Residential units in the light industrial districts shall comply with the following minimum criteria:

1. Except deed restricted community housing units approved by Council in the LI-3, Dwelling units shall not occupy the ground floor.
2. Design review under chapter 17.96 of this title shall be required, whether new building, addition to existing building, or remodel of existing building.
3. Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units, and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.
4. Except as set forth in the following five instances noted herein below, Dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The five instances where dwelling units may be sold are limited to:
  - a. City approved work/live units, as defined in Sections 17.08 and 17.124.090.A.5;
  - b. Three-story projects in the LI-3 where not less one-third ( $\frac{1}{3}$ ) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with section 17.124.090.B;
  - c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-third ( $\frac{2}{3}$ ) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with section 17.124.090.A.7;
  - d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965;
  - e. Existing condominiums and work/live units with less than 1,000 square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of ordinance 1192 as published on [DATE];
5. In the approval of work/live units, the city shall also find that:
  - a. The work portion of the unit meets the definition of work/live unit set forth in Section 17.08.020, including that the project is subject to Council approval of a restrictive covenant;
  - b. The work unit is:
    - (1) suitable for on-site employees, foot traffic/customers, and meets applicable building and fire codes;
    - (2) signed and posted with regular hours of operation;

- (3) served by the prominent means of access for the work/live unit; and,
    - (4) associated with a business license for a use allowed (either conditionally or permitted) in the district.
  - c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:
    - (1) the size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet;
    - (2) means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and
    - (3) suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in Section 17.125.

56. Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit and shall not exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet. total and shall contain not more than two (2) bedrooms, unless otherwise specified in this section.

7. Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with Section 17.12.050 shall comply with the following minimum criteria:

- a. If dwelling units are to be sold, a minimum of two-third (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;
- b. The area designated as light industrial shall be as follows:
  - (1) The area designated as light industrial shall be a minimum of twenty-five ~~fifty~~ percent (25%) of the gross floor area in four story buildings.
  - (2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.
  - (3) Subject light industrial use shall not be for personal storage by dwelling occupants;
- c. Up to seventy-five ~~fifty~~ percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and
- d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.

68. Anti-nuisance and Notice Provisions.

- a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city

will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.

- b. ~~7.~~ All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
- c. ~~8.~~ Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone.
- d. ~~9.~~ All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

9. Compliance with all applicable code sections, including among others, the city's parking and loading standards as set forth in Section 17.125.

10. Conditions including, but not limited to, the following may be attached to the conditional use permit approval:

- a. Access to the ~~apartments~~ residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted city standards;
- b. ~~Location~~ Separation of residential and light industrial parking on the site to minimize conflicts;
- c. Restrictions on exterior storage of personal property of tenants;
- d. Certificate of occupancy required prior to occupancy of units;
- e. Ketchum fire department and Ketchum building department requirements shall be met prior to occupancy;
- f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;
- g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; ~~and/or~~
- h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;
- i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,
- j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.

~~11. The city council, after receiving a recommendation from the commission, may waive fees otherwise required in connection with development of such rental housing. The following findings shall be made to waive any such fees:~~



- a. ~~There is a need for rental housing stock in Ketchum;~~
- b. ~~The proposal meets the criteria contained in this subsection;~~
- c. ~~The housing proposed is an integral part of the project; and/or~~
- d. ~~Ketchum is in an acceptable financial position to waive such fees.~~

## **SECTION 8 – FENCES, HEDGES AND WALLS.**

### **17.124.130: FENCES, HEDGES AND WALLS:**

Fences, hedges and walls may be permitted in the various districts as accessory uses in accordance with the following limitations:

- A. In the LR, LR-2, GR-L and GR-H districts, fences, hedges and walls shall not exceed four feet (4') in height when located less than thirty feet (30') from the front lot line;
- B. In the LR, LR-2, GR-L and GR-H districts, fences, hedges and walls shall not exceed six feet (6') in height when located more than thirty feet (30') from the front lot line;
- C. In all other districts, except the Light Industrial District, fences, hedges and walls shall not exceed four feet (4') in height when located less than thirty feet (30') from the front lot line and shall not exceed six feet (6') in height when located more than thirty feet (30') from the front lot line;
- D. In the LI-1, LI-2, LI-3 districts fences shall not exceed seven feet (7') in height;
- DE. In all districts, fences, hedges and walls, or any other obstruction to clear vision, shall not be located within seventy five feet (75') of the centerline intersection of two (2) streets unless determined otherwise by the city engineer; and
- EF. No barbed wire or other sharp pointed metal fence and no electrically charged fence shall be permitted in any district.

**EXHIBIT B TO ORDINANCE 1192**

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 1192  
CITY OF KETCHUM, IDAHO**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, THE ZONING ORDINANCE, OF THE KETCHUM MUNICIPAL CODE BY AMENDING: SECTION 17.08.020: TERMS DEFINED; SECTION 17.18.140 THROUGH 17.18.160: PURPOSE OF THE LIGHT INDUSTRIAL DISTRICTS NUMBER 1, 2, AND 3; SECTION 17.12.010: ZONING AND OVERLAY DISTRICTS AND MAP; SECTION 17.12.020: DISTRICT USE MATRIX; SECTION 17.12.030: DIMENSIONAL STANDARDS, DISTRICTS MATRIX; SECTION 17.12.050: LI-1, LI-2, AND LI-3 DIMENSIONAL STANDARDS, DISTRICT MATRIX; SECTION 17.124.090: RESIDENTIAL: LIGHT INDUSTRIAL DISTRICTS; SECTION 17.124.130: FENCES, HEDGES AND WALLS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.**

A summary of the principal provisions of Ordinance No. 1192 of the City of Ketchum, Blaine County, Idaho, adopted on June 17, 2019, is as follows:

**Section 1: AMENDMENTS TO SECTION 17.08.020, TERMS DEFINED.** That Title 17 of the Ketchum Municipal Code be amended to add new and revise and clarify existing definitions of uses and terms relevant to the Light Industrial zoning districts.

**Section 2: AMENDMENTS TO SECTION 17.18.140 THROUGH 17.18.160, PURPOSE OF THE LIGHT INDUSTRIAL DISTRICTS NUMBER 1, 2, AND 3.** That Title 17 of the Ketchum Municipal Code be amended to revise the purpose statements for the Light Industrial zoning districts 1, 2, and 3 to align with the Comprehensive Plan and amended permitted uses and development standards for each district.

**Section 3: AMENDMENTS TO SECTION 17.12.010, ZONING AND OVERLAY DISTRICTS AND MAP.** That Title 17 of the Ketchum Municipal Code be amended to illustrate the areas where 48' and 58' building heights are permitted.

**Section 4: AMENDMENTS TO SECTION 17.12.020, DISTRICT USE MATRIX.** That Title 17 of the Ketchum Municipal Code be amended to provide for new and revised uses and add clarifying language through footnotes.

**Section 5: AMENDMENTS TO SECTION 17.12.030, DIMENSIONAL STANDARDS, DISTRICTS MATRIX.** That Title 17 of the Ketchum Municipal Code be amended to strike regulations for the Light Industrial zoning districts 1, 2, and 3 from the dimensional standards matrix that applies to other zoning districts in the city.

**Section 6: AMENDMENTS TO SECTION 17.12.050: LI-1, LI-2, AND LI-3 DIMENSIONAL STANDARDS, DISTRICT MATRIX.** That Title 17 of the Ketchum

Municipal Code be amended to create a new dimensional standards matrix for the LI-2, LI-2, and LI-3 zoning districts.

**Section 7: AMENDMENTS TO SECTION 17.124.090: RESIDENTIAL: LIGHT INDUSTRIAL DISTRICTS.** That Title 17 of the Ketchum Municipal Code be amended to allow deed restricted housing on the ground floor in the LI-3 zoning district, to include development standards for work-live units, and to provide for the sale of residential dwelling units in mixed-use and multiple family buildings and to describe conditions of approval that may be imposed in order to reduce conflict between residential and light industrial uses.

**Section 8: AMENDMENTS TO SECTION 17.124.130: FENCES, HEDGES AND WALLS.** That Title 17 of the Ketchum Municipal Code be amended to allow fences, hedges, and walls to be up to seven (7) feet in height.

**Section 9: 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 10: REPEALER CLAUSE.** All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

**Section 11: PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit C, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 13: EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication, according to law.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

APPROVED:

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Neil Bradshaw, Mayor

ATTEST:

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Robin Crotty, City Clerk