



City of Ketchum
Planning & Building

IN RE:)
)
220 Lava St SFR (Biddle Residence)) KETCHUM PLANNING AND ZONING COMMISSION
Mountain Overlay Design Review) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: September 9, 2019) DECISION
)
File Number: 19-084)

PROJECT: 220 Lava Street Single-Family Residence
FILE NUMBER: P19-085
APPLICATION TYPE: Mountain Overlay Design Review
REPRESENTATIVE: McLaughlin & Associates Architects
OWNER: George and Leslie Biddle (220 Lava Street LLC per Blaine County Assessor’s Office Data as of 9/3/19)
REQUEST: Mountain Overlay Design Review
LOCATION: 220 Lava Street (Lava Street Subdivision: Block 1: Lot 1A)
ZONING: Limited Residential (LR)
OVERLAY: Mountain Overlay (MO) & Avalanche Overlay (A)
NOTICE: A public hearing notice was mailed to adjacent property owners on August 30th, 2019.

Findings Regarding Applications Filed

The subject Mountain Overlay (MO) Design Review is for the development of a new 8,982 sq ft single-family residence located at 220 Lava Street (Lava Street Subdivision: Block 1: Lot 1A). The site is located in the Limited Residential (LR) Zoning District and also within both the Mountain Overlay and Avalanche Overlay. Pursuant to Ketchum Municipal Code (KMC) §17.104.050.A, the construction or placement of structures within the MO District is subject to all applicable Design Review improvements and standards (KMC §17.96.060) as well as subject to the Mountain Overlay Design Review requirements set forth in KMC §17.104.070. Building in the Avalanche Zone must meet the standards and comply with certain restrictions specified in KMC §17.92.010. Prior to issuance of a Building Permit, new construction in the Avalanche Zone must be certified by an engineer licensed in the State of Idaho certifying that the proposed construction as designed will withstand the avalanche forces specific to the subject site (KMC §17.02.010.D.3).

Findings Regarding Public Hearings

At the June 10th, 2019 meeting, the Planning & Zoning Commission held a site visit and considered the Pre-Application Mountain Overlay Design Review submittal as well as Staff analysis, the applicant’s presentation, and public comment. After providing feedback to the applicant, the Commission unanimously moved to

advance the project to final Design Review. At the September 9th, 2019 meeting, the Planning & Zoning Commission held a site visit and considered the final Mountain Overlay Design Review submittal as well as Staff analysis, the applicant's presentation, and public comment and unanimously approved the application.

Findings Regarding Subject Property

In addition to the Mountain Overlay design criteria and standards as specified Ketchum Municipal Code §17.104.070, development on the property is also subject to plat notes with additional parameters pertaining to the placement of structures on the site. The subject 9.83 acre property is currently undeveloped and is characterized by significant grade change from Lava Street to the rear property line. The recorded building envelope slopes uphill gaining approximately 65 ft of elevation.

Lava Street Subdivision: Block 1: Lot 1A Plat Notes

Plat notes affecting the subject property include easements for ingress, egress, and utilities (plat notes #1-#6 and #18). Descriptions regarding the red and blue avalanche zones present on the site are included in plat notes #8 and #11. Plat notes #10 and #17 highlight City Department standards including Fire Department requirements regarding heating the driveway and providing a turnaround. Standards pertaining to site drainage are included in plat note #20. The following plat notes pertain to Mountain Overlay standards as well as the bulk, mass, and scale of development:

#12: The maximum building height for that portion of building on Lot 1A which is visible from the centerline intersection of East Avenue and Fourth Street shall not exceed an elevation of 5921 feet (or 16 ft above the base of the lower story pole location as identified on the plat), or as determined by Mountain Overlay Design Review. Story pole shown on plat is to show location only, actual story pole will need to be reset in field if required for Design Review.

Commission Findings: No portion of the proposed single-family residence exceeds an elevation of 5921' except for portions of three chimneys. Pursuant to KMC §17.08.020, chimneys are excluded from maximum building height regulations. The applicant has included a reference to the 5921' elevation on the renderings included on Sheet A-4.1 as well as the building sections indicated on Sheets A-3.1 and A-3.2.

#13: In the event that any portion of the Lot 1A building is visible from the centerline intersection of East Avenue and Fourth Street landscaping shall be installed to minimize visibility pursuant to Ketchum Mountain Overlay Design Review.

Commission Findings: With the Pre-Application MO Design Review submittal, the applicant included a conceptual perspective from the intersection of 4th Street and East Avenue. The perspective image included landscaping with healthy green foliage, which serves to enhance screening. During review of the Pre-Application, the Commission commented that the proposed Swedish Aspens will not provide the same degree of screening during the fall and winter seasons when the trees lose their foliage. The Commission recommended installing Douglas Fir trees instead of Swedish Aspen to enhance screening the single-family residence on the hillside from this view corridor. As indicated on Sheet L2 of the MO Design Review submittal, the applicant modified the landscape plan and has proposed installing ten Evergreen trees to screen the building from the intersection of East Avenue and Fourth Street.

#14: The maximum building square footage for Lot 1A shall be no larger than 12,000 square feet. The maximum building footprint shall be no larger than 8,000 square feet.

Commission Findings: The total proposed floor area of the single-family residence is 8,982 sq ft, which is 3,018 sq ft less than the maximum building square footage permitted pursuant to Plat Note #14. The total proposed

building coverage is 5,995 sq ft, which is 2,005 sq ft less than the maximum permitted pursuant to Plat Note #14.

#15: The maximum building height for any portion of Lot 1A not visible from the centerline intersection of East Avenue and Fourth Street shall not exceed 25 feet above existing grade, and/or elevation 5950 feet, at the highest point of the building envelope, or as determined by Ketchum Mountain Overlay Design Review.

Commission Findings: The proposed single-family residence is contained below the 5921' elevation as prescribed by Plat Note #12 and within the lower portion of the recorded building envelope. While the recorded building envelope extends to an elevation of 5925', the proposed limits of disturbance do not extend beyond 5910' in elevation.

#16: The Lot 1A building height for any portion of the building below 5921 feet shall be subject to Ketchum Mountain Overlay Design Review.

Commission Findings: As measured pursuant to KMC §17.08.020, the maximum building height of the proposed single-family residence is 31'-1". As indicated on Sheet A-4.1, the greatest vertical distance as measured from the lowest exposed finished grade at the garage (5889.89') to the roof ridge (5921') is 31'-1". While the 5921' elevation is referenced as a threshold maximum building height, the plat notes give the Planning & Zoning Commission discretion to further restrict building height through Mountain Overlay Design Review. Minimizing visual impact on the hillside through the use of natural materials and colors as well as the low-profile design, the proposed single-family residence exemplifies the intent of Mountain Overlay Design standards as the project complements the natural land features and preserves the hillside and ridgeline.

#19: Building materials and colors may be required to be natural to meet the standards of Ketchum Mountain Overlay Design Review.

Commission Findings: The proposed material palette is included on Sheet A-4.5 of the MO Design Review submittal. Exterior materials include a charcoal standing seam metal roof, stone veneer, exposed cedar rafter tails and beams, finished cedar vertical planking and soffits, wood clad windows, steel lift and slide glass doors, as well as transparent glass connectors. Providing relief to each façade, the proposed fenestration celebrates the surrounding hillside as the window, door, and connector openings fully immerse the building within the landscape. Balancing this openness, the stone veneer, cedar siding, and charcoal metal roof articulate the facades and ground the building within the hillside. The natural materials and colors harmonize with the surrounding landscape.

Easements: Water Right No. 37-7787 and Grant of Irrigation Pipeline Easement

As indicated on Sheet L3.0 of the Pre-Application MO Design Review submittal, portions of the building and hardscape improvements were proposed to encroach outside of the recorded building envelope. Pursuant to KMC §16.04.020, building envelopes are defined as the site for location of a structure delineated on a preliminary plat and final plat within which the entire building must be constructed. The encroachment outside of the recorded building envelope was over a knoll. Pursuant to KMC §17.104.070.A5, significant rock outcroppings within the Mountain Overlay District shall not be disturbed. With the final Design Review submittal (Sheet L2), the applicant has modified the design to contain the entirety of the residence and associated site improvements within the recorded building envelope. The Grading Plan (Sheet L3) specifies that the existing knoll will be preserved. While the knoll is proposed to be preserved, associated site grading may impact the flow of water into the existing cistern and pipeline system associated with water right no. 37-7787.

Easements: Pedestrian Access

Existing Lot 1a is encumbered by a 10 ft wide pedestrian and non-motorized access easement for access through Lava Street Subdivision through to Sun Valley Company Land. The easement connects to an existing trail system that links to Dollar Mountain. The existing easement borders the southern property line. As indicated on Sheet L5 of the MO Design Review submittal, the applicant has proposed an alternative trail that meanders through this area of the property.

Table 1: Findings Regarding City Department Comments

City Department Comments
<p><i>Note: City Department comments are preliminary and based on the project concept as proposed with the subject Design Review application. All City Departments shall review and approve the project through the Building Permit application process. All comments pertaining to the Design Review drawings are subject to change. All right-of-way improvements shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. All City Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</i></p>
<p>Fire Department:</p> <ul style="list-style-type: none">• It is the General Contractor’s responsibility to understand and adhere to all Fire Protection Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties.• The above project shall meet all 2012 International Fire Code requirements in addition to specific City Building and Fire Ordinances.• Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade.• Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.• An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the National Fire Protection Association Standard 13. An approved fire sprinkler flow bell, Knox box and Fire Department Connection shall be installed in an approved location visible to approaching firefighters. Water service lines to structures shall be hydraulically calculated for size to meet fire sprinkler flow requirements. Fire sprinkler systems shall be annually tested and maintained per NFPA 25. An approved fire department connection and flow bell shall be installed in a location approved by the fire department and the system shall be supervised by an approved alarm system.<ul style="list-style-type: none">○ NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshal’s office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems. Inspections of fire sprinkler systems by the Fire Chief or an appointee are required. Inspections must be scheduled at least 48 hours in advance.• An approved fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1125 (ww.ketchumfire.org) and the requirements of NFPA 12. Two (2) sets of alarm system plans shall be submitted to the Ketchum Fire Department for approval and a permit is required prior to installation of alarm systems. Inspections of fire detection systems by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance.• An approved access roadway per 2012 International Fire Code Appendix D (www.ketchumfire.org) shall be installed prior to any combustible construction on the site. The road shall be a minimum of twenty (20) feet

in width and capable of supporting an imposed load of at least 75,000 pounds. The road must be an all-weather driving surface maintained free, clear, and unobstructed at all times. Grades shall not exceed 7%. Dead end access roadways exceeding 150 feet in length shall be provided with an approved turnaround. Gates, if installed, are required to be siren activated for emergency vehicle access. **NOTE: This driveway shall be heated in its entirety to include the approved turnaround.**

- Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.
- Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.
- **A fifty (50) foot Defensible Space shall be provided due to this property's urban interface high hazards,** as defined by Blaine County Ordinance 2019-08 (www.ketchumfire.org), is required to be maintained at all times around all structures. Information on Defensible Space can be found at www.firewise.org. **Exterior walls shall be covered with non-combustible and fire resistive products.**
- A Class "A" rated roof covering shall be installed on the entire building per Ketchum Ordinance 1125 (www.ketchumfire.org). Proof of installation of Class "A" rated roof covering materials, such as product packaging, shall be kept available on-site for inspection at all times during construction.
- An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department. The key box shall be a Knox box brand and sized to accommodate keys to every door of the project.
- Final inspections of all fire department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org.
- An 8 ½ by 11 color coded site map of this project shall be provided on paper and electronically to the Fire Department. This site map shall show the locations of gas shut-off, fire sprinkler riser rooms, fire department connections, alarm panels, Knox boxes, access doors, egress windows, stairways, and any additional fire department requirements. Exact details of color coded "On-Sites" can be found at www.ketchumfire.org.
- Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

City Engineer & Streets Department:

- The design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code including design criteria for private driveways (KMC §12.04.030.L), ballast thickness design (KMC §12.04.030.H), cut and fill slopes (KMC §12.04.030.I), drainage plans (KMC §12.04.030.J), and erosion protection (KMC §12.04.030.K).
- Prior to issuance of a Building Permit, the applicant shall submit civil plans stamped by an Idaho licensed engineer for review and approval by the City Engineer and Streets Department. The civil plans shall include a driveway profile due to the slope and length of the proposed access.
- Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site.
- All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities including excavation, material storage and deliveries, screening, and site clean-up (KMC §15.06.030) to be reviewed and approved by the Building Department prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor's contact information to all neighbors with properties adjacent to the project site.
- The public right-of-way adjacent to the subject property shall be improved to the City's right-of-way standards for local-residential street right-of-ways. Material within the first eight (8) feet from the edge of asphalt shall be (1) distinct from the driveway in order to visually appear to be available for parking, (2) pervious and permeable to enhance drainage, and (3) the surface must allow for vehicle parking and be

<p>consistent along the entire property frontage. No live plant materials or obstructions, such as boulder or berms, are permitted within the first 8 ft from the edge of asphalt.</p> <ul style="list-style-type: none"> The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”). City Engineer & Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Utilities:</p> <ul style="list-style-type: none"> The applicant will be responsible for installing connections to the municipal water and sewer system at Lava Street. Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project. Pursuant to KMC §17.92.010.D, all utilities providing services to the building shall be installed underground in order to minimize possible avalanche damage to such utilities and injury to persons or property.
<p>Building:</p> <ul style="list-style-type: none"> The building must meet the 2012 International Building Code and Title 15 Buildings and Construction of Ketchum Municipal Code. Building Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Planning and Zoning: Comments are denoted throughout Tables 2, 3, and 4.</p>

Table 2: Findings Regarding Zoning and Dimensional Standards

Compliance with Zoning and Dimensional Standards				
Compliant			Standards and Commission Findings	
Yes	No	N/A	Ketchum Municipal Code Standard	City Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area
			Commission Finding	Required: 9,000 square feet minimum Existing: 428,370 square feet (9.83 acres)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Coverage
			Commission Finding	Permitted: 35% Proposed: 2% (5,995 square feet/ 428,370 square feet lot area)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks
			Commission Finding	Minimum Required Setbacks: Front: 15' Side: > of 1' for every 2' in building height, or 10' (15'-7" required) Rear: 20' Proposed: The proposed single-family residence and associated site improvements are sited within the building envelope recorded to the Lava Street Subdivision: Block 1: Lot 1A plat. Front (W): > 15' The single-family residence is setback 26'-3" from the front property line, but the retaining wall and driveway pad extend into the front setback area. Side (N): >15'-7" Side (S): >15'-7" Rear (E): >20'

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height
			Commission Finding	Maximum Permitted: 35' Proposed: 31'-1". As indicated on Sheet A-4.1, the greatest vertical distance as measured from the lowest exposed finished grade at the garage (5889.89') to the roof ridge (5921') is 31'-1".
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.125.030.H	Curb Cut
			Commission Finding	Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. Proposed: This standard does not apply as Lava Street is a private road with ingress and egress easements to benefit Lots 1A, 2, and 3 of Lava Street Subdivision as well as Tax Lots 3595 and 7318 (Instrument No. 99644). Lava Street is accessed from Leadville Avenue S. As indicated on Sheet L2, the proposed width of the driveway access from Lava Street is 20 feet, which complies with the minimum width permitted for Fire Department apparatus access roadways. Pursuant to Fire Department requirements, the driveway shall include a snowmelt system and an approved turnaround. Fire Department comments and conditions are attached as Exhibit B1 to the Staff Report.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A.2 & 17.125.050	Parking Spaces
			Commission Finding	Off-street parking standards of this chapter apply to any new development and to any new established uses. Required: One-Family Dwelling Units in all Zoning Districts: 2 parking spaces per dwelling unit. Proposed: The applicant is proposing two parking spaces within the enclosed garage.

Table 3: Findings Regarding Mountain Overlay Design Review Standards

Mountain Overlay Design Review Standards (KMC §17.107.070.A)				
Compliant			Standards and Commission Findings	
Yes	No	N/A	Reference	City Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.1	There is no building on ridges or knolls which would have a material visual impact on a significant skyline visible from a public vantage point entering the City or within the City. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
			Commission Findings	As the subject property is characterized by a prominent ridge visible from the intersection of 4 th Street and East Avenue, the plat notes affecting Lot 1A include restrictions related to the height as well as the bulk, mass, and scale of development. Plat Note #13 specifically addresses this public vantage point. <i>#13: In the event that any portion of the Lot 1A building is visible from the centerline intersection of East Avenue and Fourth Street landscaping shall be installed to minimize visibility pursuant to Ketchum Mountain Overlay Design Review.</i> With the Pre-Application MO Design Review submittal, the applicant included a conceptual perspective from the intersection of 4th Street and East Avenue. The perspective image included landscaping with healthy green foliage, which serves to enhance screening. During review of the Pre-Application, the Commission commented that the proposed Swedish Aspens will not provide the same degree of screening during the winter season when the existing trees lose their foliage. The Commission recommended installing Douglas Fir trees instead of Swedish Aspen to enhance screening the single-family residence on the hillside from this view corridor. As indicated on Sheet L2 of the MO Design Review submittal, the applicant modified the landscape plan and has proposed installing ten Evergreen trees to screen the building from the intersection of East Avenue and Fourth Street.

				The proposed single-family residence is sited at the lower elevation of the property and the entirety of the building and associated site improvements are sited within the building envelope recorded to subject Lot 1A.
			17.104.070.A.2	Building, excavating, filling and vegetation disturbance on hillsides which would have a material visual impact visible from a public vantage point entering the City or within the City is minimized. Material, as the term is used herein, shall be construed in light of the magnitude of the negative impact on the objectives of this Ordinance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Commission Findings	<p>The applicant has minimized visual impact by siting the building footprint at the lower elevation of the hillside, limiting the height and footprint of the building, and installing a landscape buffer to enhance screening.</p> <p>The following Lava Street Subdivision: Block 1: Lot 1A plat notes limit the height, bulk, mass, and scale of development on the subject site:</p> <p><i>#12: The maximum building height for that portion of building on Lot 1A which is visible from the centerline intersection of East Avenue and Fourth Street shall not exceed an elevation of 5921 feet (or 16 ft above the base of the lower story pole location as identified on the plat), or as determined by Mountain Overlay Design Review. Story pole shown on plat is to show location only, actual story pole will need to be reset in field if required for Design Review.</i></p> <p>Commission Finding: No portion of the proposed single-family residence exceeds an elevation of 5921' except for portions of three chimneys. Pursuant to KMC §17.08.020, chimneys are excluded from maximum building height regulations. The applicant has included a reference to the 5921' elevation on the renderings included on Sheet A-4.1 as well as the building sections indicated on Sheets A-3.1 and A-3.2.</p> <p><i>#14: The maximum building square footage for Lot 1A shall be no larger than 12,000 square feet. The maximum building footprint shall be no larger than 8,000 square feet.</i></p> <p>Commission Finding: The total proposed floor area of the single-family residence is 8,982 sq ft, which is 3,018 sq ft less than the maximum building square footage permitted pursuant to Plat Note #14. The total proposed building coverage is 5,995 sq ft, which is 2,005 sq ft less than the maximum permitted pursuant to Plat Note #14.</p> <p><i>#15: The maximum building height for any portion of Lot 1A not visible from the centerline intersection of East Avenue and Fourth Street shall not exceed 25 feet above existing grade, and/or elevation 5950 feet, at the highest point of the building envelope, or as determined by Ketchum Mountain Overlay Design Review.</i></p> <p>Commission Finding: The proposed single-family residence is contained below the 5921' elevation as prescribed by Plat Note #12.</p> <p><i>#16: The Lot 1A building height for any portion of the building below 5921 feet shall be subject to Ketchum Mountain Overlay Design Review.</i></p> <p>Commission Finding: As measured pursuant to KMC §17.08.020, the maximum building height of the proposed single-family residence is 31'-1". As indicated on Sheet A-4.1, the greatest vertical distance as measured from the lowest exposed finished grade at the garage (5889.89') to the roof ridge (5921') is 31'-1". While the 5921' elevation is referenced as a threshold maximum building height, the plat notes give the Planning & Zoning Commission discretion to further restrict building height through Mountain Overlay Design Review.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.3	Driveway standards as well as other applicable standards contained in Street Standards Chapter 12.04 are met.

			<p>Commission Findings</p> <p>The driveway design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code including design criteria for private driveways (KMC §12.04.030.L), ballast thickness design (KMC §12.04.030.H), cut and fill slopes (KMC §12.04.030.I), drainage plans (KMC §12.04.030.J), and erosion protection (KMC §12.04.030.K).</p> <p>Pursuant to Fire Department requirements, the driveway must include a snowmelt system as well as an emergency turnaround.</p> <p>Prior to issuance of a Building Permit for the project, the applicant shall submit civil drawings stamped by an Idaho licensed engineer as well as a driveway profile for review and approval by the City Engineer and Streets Department. The public right-of-way adjacent to the Lava Street shall be improved to the City's right-of-way standards for local-residential street right-of-ways. Material within the first eight (8) feet from the edge of asphalt shall be (1) distinct from the driveway in order to visually appear to be available for parking, (2) pervious and permeable to enhance drainage, and (3) the surface must allow for vehicle parking and be consistent along the entire property frontage. No live plant materials or obstructions, such as boulder or berms, are permitted within the first 8 ft from the edge of asphalt.</p> <p>See Exhibit B1 for City Department comments including Fire Department, City Engineer, and Streets Department conditions. Fire Department, City Engineer, and Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.104.070.A.4 All development shall have access for fire and other emergency vehicles to within one hundred fifty feet (150') of the furthest exterior wall of any building.</p> <p>Commission Findings</p> <p>Fire Department comments and conditions have been included with Exhibit B1 to the Staff Report. In addition to the requirements referenced in plat note #17, the Fire Department requires that all portions of the single-family residence be protected with a fire sprinkler system, the driveway must be heated and include an emergency turnaround, the roof covering and exterior of the structure must be covered in non-combustible material, and 50 ft of defensible space is required to be maintained around the residence. In addition to the 50 ft defensible space requirement, KMC §17.104.070.A9 recommends that revegetation of hillsides maintain a 30 ft clear zone around all structures in order to serve as defensible space to reduce the potential for damage to homes from wildfires. In this zone, plant species should be low-growing and fire-resistant. The proposed landscape plan shall meet NFPA Firewise standards including utilizing hardscape to minimize continuous fuels, utilizing low-growing and fire-resistant plants, reducing plant density by spacing trees and shrubs, and minimizing overlapping branches between trees and shrubs.</p> <p>Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.104.070.A.5 Significant rock outcroppings are not disturbed.</p> <p>Commission Findings</p> <p>As indicated on Sheet L3.0 of the Pre-Application MO Design Review submittal, portions of the building and hardscape improvements were proposed to encroach outside of the recorded building envelope. Pursuant to KMC §16.04.020, building envelopes are defined as the site for location of a structure delineated on a preliminary plat and final plat within which the entire building must be constructed. The encroachment outside of the recorded building envelope was over a knoll. With the final Design Review application, the entirety of the residence and associated site improvements are contained within the recorded building envelope. The Grading Plan (Sheet L3) specifies that the existing knoll will be preserved.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.104.070.A.6 International Building Code (IBC) and International Fire Code (IFC) and Ketchum Fire Department requirements shall be met.</p> <p>Commission Findings</p> <p>The project must comply with the 2012 International Building Code, the 2012 International Fire Code and Ketchum Fire Department requirements, as well as Title 15 of Ketchum</p>

				Municipal Code. All IBC, IFC, Building Department, and Fire Department requirements shall be verified and met prior to issuance of a Building Permit for the project. See City Department comments attached as Exhibit B1 to the Staff Report.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.7	Public water and sewer service comply with the requirements of the City.
			Commission Findings	As indicated on Sheet C-1 of the submittal, the applicant has proposed connecting to the municipal water and sewer systems from existing lines within Lava Street. Requirements and specification for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.8	Drainage is controlled and maintained to not adversely affect other properties.
			Commission Findings	As indicated on Sheet L3 of the MO Design Review submittal, the applicant has proposed a system drywells and catch basins to control drainage on site. Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Prior to issuance of a Building Permit, the applicant shall submit a final drainage and grading plan stamped by an Idaho licensed engineer with associated specifications and details for the proposed drywells and catch basins. All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.9	Cuts and fills allowed for roadways shall be minimized; lengths of driveways allowed shall be minimized; all cuts and fills shall be concealed with landscaping, revegetation and/or natural stone materials.
			Commission Findings	<p>Revegetation on hillsides with a clear zone of thirty feet (30') around all structures is recommended. Said clear zone shall include low combustible irrigated vegetation with appropriate species, on file with the Ketchum planning department. Revegetation outside of this clear zone should be harmonious with the surrounding hillsides.</p> <p>As described by the applicant in the submitted Mountain Overlay District (MOD) and Design Review Ordinance/Regulations Narrative (Exhibit A4), "the proposed driveway follows the existing grade to the lowest possible portion of the allowable building envelope which is suitable for construction. The design eliminates any required cuts and/or fill in order to construct the driveway." Pursuant to Fire Department requirements, the driveway must be heated and include an emergency turnaround. Native willows, native trees, and aspens are proposed to be installed in order to conceal the driveway.</p> <p>Due to the subject property's urban interface high hazard, 50 ft of defensible space is required to be maintained around the residence pursuant to Fire Department requirements. The proposed landscape plan shall meet NFPA Firewise standards including utilizing hardscape to minimize continuous fuels, utilizing low-growing and fire-resistant plants, reducing plant density by spacing trees and shrubs, and minimizing overlapping branches between trees and shrubs.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.104.070.A.10	There are not other sites on the parcel more suitable for the proposed development in order to carry out the purposes of this Ordinance.
			Commission Findings	The subject 9.83 acre property is currently undeveloped and is characterized by significant grade change from Lava Street to the rear property line. The recorded building envelope slopes uphill gaining approximately 65 ft of elevation. In addition to the Mountain Overlay design criteria and standards as specified Ketchum Municipal Code §17.104.070, development on the subject property is also subject to plat notes with additional parameters pertaining to the placement of structures on the site. No portion of the proposed single-family residence exceeds an elevation of 5921' except for portions of three chimneys. Pursuant to KMC §17.08.020, chimneys are excluded from maximum building height regulations. While Plat Note #15 extends the maximum building height for any portion of Lot 1A not visible from the centerline intersection of Ease Avenue and Fourth Street to a maximum elevation of 5950', the entirety of the proposed single-family residence is contained below the 5921' elevation as prescribed by Plat Note #12. The applicant has utilized the area of the property most suitable for development at the lower elevation of the property.

☒	☐	☐	17.104.070.A.11	Access traversing 25% or greater slopes does not have significant impact on drainage, snow and earth slide potential and erosion as it relates to the subject property and to adjacent properties.
			Commission Findings	The proposed driveway access does not traverse 25% or greater slopes. The applicant has chosen to site the driveway at the lowest elevation of the site, which minimizes required cuts or fills.
☒	☐	☐	17.104.070.A.12	Utilities shall be underground.
			Commission Findings	All on-site utilities shall be located underground. The project will connect to municipal water and sewer services with Lava Street.
☒	☐	☐	17.104.070.A.13	Limits of disturbance shall be established on the plans and protected by fencing on the site for the duration of construction.
			Commission Findings	The limits of disturbance are indicated on Sheet L3 of the MO Design Review submittal. The limits of disturbance must be established on the construction activity plan submitted with the Building Permit application to be reviewed and approved by the Planning & Building Department prior to issuance of a Building Permit for the project. The silt and construction fencing demarcating the limits of disturbance shall be installed along the entire perimeter of the construction area and shall remain in place for the duration of construction.
☒	☐	☐	17.104.070.A.14	Excavations, fills and vegetation disturbance on hillsides not associated with the building construction shall be minimized.
			Commission Findings	Excavation, fill, and vegetation disturbances that are not associated with building construction have been minimized - all excavation, fill and vegetation disturbance is associated with construction of the single-family residence, driveway, and associated site improvements.
☒	☐	☐	17.104.070.A.15	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			Commission Findings	No significant landmarks have been identified on the subject property.

Table 4: Findings Regarding Design Review Standards

Design Review Requirements				
IMPROVEMENTS AND STANDARDS: 17.96.060				
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
☒	☐	☐	17.96.060(A)(1) Streets	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.
			Commission Findings	<i>The driveway access connects to Lava Street, an existing private road.</i>
☐	☐	☒	17.96.060(A)(2) Streets	All street designs shall be approved by the City Engineer.
			Commission Findings	<i>No changes to the lanes of travel in the street are proposed at this time. However, should improvements be deemed necessary by the Streets Department, such designs shall be approved by the City Engineer.</i>
☐	☐	☒	17.96.060(B)(1)	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.
			Commission Findings	<i>N/A as sidewalks are not required or existing in the subject low density residential area.</i>
☐	☐	☒	17.96.060 (B)(2)c	Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.
			Commission Findings	<i>N/A</i>
			17.96.060 (B)(3)	Sidewalks may be waived if one of the following criteria is met:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>a. The project comprises an addition of less than 250 square feet of conditioned space.</p> <p>b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.</p>
			Commission Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(4)	The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
			Commission Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(5)	New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
			Commission Findings	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060 (B)(6)	The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.
			Commission Findings	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(1)	All storm water shall be retained on site.
			Commission Findings	As indicated on Sheet L3 of the MO Design Review submittal, the applicant has proposed a system drywells and catch basins to control drainage on site. Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Prior to issuance of a Building Permit, the applicant shall submit a final drainage and grading plan stamped by an Idaho licensed engineer with associated specifications and details for the proposed drywells and catch basins. All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(2)	Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
			Commission Findings	The proposed shall drainage improvements span the width of the subject lot. See above analysis for KMC §17.96.060(C)(1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(3)	The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
			Commission Findings	The final drainage plan shall be submitted with the Building Permit to be verified, reviewed, and approved by the City Engineer and the Streets Department prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(C)(4)	Drainage facilities shall be constructed per City standards.
			Commission Findings	Drainage facilities shall be constructed per City standards. All drainage improvements shall be verified, reviewed, and approved by the City Engineer prior to issuance of a Building Permit for the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(1)	All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
			Commission Findings	The applicant is aware that any service connections to utilities are the sole responsibility of the applicant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(D)(2)	Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.

			Commission Findings	<i>All on-site utilities shall be located underground. The project will connect to existing water and sewer lines within Lava Street and the associated existing infrastructure is underground.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(D)(3)	When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.
			Commission Findings	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(E)(1)	The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.
			Commission Findings	<i>Plat Note #19 of Lava Street Subdivision: Block 1: Lot 1A requires development to utilize natural materials and colors. The proposed material palate is included on Sheet A-4.5 of the MO Design Review submittal. Exterior materials include a charcoal standing seam metal roof, stone veneer, exposed cedar rafter tails and beams, finished cedar vertical planking and soffits, wood clad windows, steel lift and slide glass doors, as well as transparent glass connectors. Providing relief to each façade, the proposed fenestration celebrates the surrounding hillside as the window, door, and connector openings fully immerse the building within the landscape. Balancing this openness, the stone veneer, cedar, and charcoal metal roof articulate and ground the building within the hillside. The natural materials and colors harmonize with the surrounding landscape.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(2)	Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.
			Commission Findings	N/A. There are no identified landmarks on the property.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(E)(3)	Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.
			Commission Findings	N/A. The subject property is currently undeveloped.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(1)	Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
			Commission Findings	<i>N/A. No sidewalks are located in the neighborhood. The proposed site plan includes concrete walkways, which provide unobstructed pedestrian access to the patio areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(2)	The building character shall be clearly defined by use of architectural features.
			Commission Findings	<i>Building renderings included on Sheet A-4.1 as well as the building sections indicated on Sheets A-3.1 and A-3.2. The proposed single-family residence is comprised of three masses separated by glass connectors.. Uniquely angled on the hillside, each mass is characterized by a low-profile design to minimize visual impact on the hillside. The building is characterized by significant fenestration, including the transparent glass connectors.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(3)	There shall be continuity of materials, colors and signing within the project.
			Commission Findings	<i>The proposed material palate is included on Sheet A-4.5 of the MO Design Review submittal. Exterior materials include a charcoal standing seam metal roof, stone veneer, exposed cedar rafter tails and beams, finished cedar vertical planking and soffits, wood clad windows, steel lift and slide glass doors, as well as transparent glass connectors. Providing relief to each façade, the proposed fenestration celebrates the surrounding hillside as the window, door, and connector openings fully immerse the building within the landscape. Balancing this openness, the stone veneer, cedar, and charcoal metal roof articulate and ground the building within the hillside. The natural materials and colors harmonize with the surrounding landscape.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(4)	Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.
			Commission Findings	<i>No accessory structures have been proposed with this project. The landscape features include paver patios, balconies, and spa areas. The boulder retaining walls and</i>

				<i>landscape plantings including native trees and shrubs complement the principal building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(5)	Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
			Commission Findings	<i>The design incorporates variation in architectural features and materials across all facades. The proposed elevation views provided by the applicant show that all building walls provide undulation and relief, serving to reduce the appearance of flatness at all facades.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(6)	Building(s) shall orient towards their primary street frontage.
			Commission Findings	<i>The building orients toward Lava Street.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(F)(7)	Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.
			Commission Findings	<i>No satellite receivers are proposed. This is a residential project that will not have an exterior commercial garbage receptacle that requires screening.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(F)(8)	Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.
			Commission Findings	<i>As conditioned, the single-family residence will meet this standard. The applicant shall install a snow fence or clips as well gutters and downspouts in order to enhance weather protection to the satisfaction of the Building Official.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(1)	Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
			Commission Findings	<i>Existing Lot 1a is encumbered by a 10 ft wide pedestrian and non-motorized access easement for access through Lava Street Subdivision through to Sun Valley Company Land. The existing easement directly borders the southern property line. As indicated on Sheet L5 of the MO Design Review submittal, the applicant has proposed an alternative trail that meanders through this area of the property. Staff has added the following recommended condition of approval regarding the proposed trail: 13. Prior to issuance of a Building Permit, the applicant shall install a public access sign at the intersection of Lava Street with subject Lot 1A to demarcate the pedestrian easement. The trail circulation as proposed by the applicant on Sheet L5 of the Design Review submittal shall be cleared of brush, shrubs, and other obstructions to a width of 5 ft in width and 8 ft in height and the tread width shall be surfaced with gravel, decomposed gravel, wood chips, or similar material.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(G)(2)	Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.
			Commission Findings	<i>N/A.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(3)	Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.
			Commission Findings	<i>Lava Street is located in a low-traffic residential and traffic is anticipated to flow safely within the project and onto adjacent streets.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(4)	Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
			Commission Findings	<i>The driveway entrances are located over 150 ft from the nearest intersection located at Lava Street and S Leadville Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(G)(5)	Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.

			Commission Findings	<p>Unobstructed access to the site is provided by Lava Street. The driveway design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code including design criteria for private driveways (KMC §12.04.030.L), ballast thickness design (KMC §12.04.030.H), cut and fill slopes (KMC §12.04.030.I), drainage plans (KMC §12.04.030.J), and erosion protection (KMC §12.04.030.K).</p> <p>Pursuant to Fire Department requirements, the driveway must include a snowmelt system as well as an emergency turnaround.</p> <p>See Exhibit B1 for City Department comments including Fire Department, City Engineer, and Streets Department conditions. Fire Department, City Engineer, and Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(1)	Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
			Commission Findings	Pursuant to Fire Department requirements, the driveway shall be heated. As indicated on Sheet L2, the applicant has also provided 2,300 sq ft of snow storage on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(2)	Snow storage areas shall be provided on-site.
			Commission Findings	The applicant has proposed both a snowmelt system and 2,300 sq ft of snow storage on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(3)	A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty five (25) square feet.
			Commission Findings	The designated snow storage exceed these dimensions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(H)(4)	In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.
			Commission Findings	The applicant has proposed a snow melt system for all vehicular circulation areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(1)	Landscaping is required for all projects.
			Commission Findings	Landscape plans have been submitted with this proposal.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(2)	Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.
			Commission Findings	Pursuant to Fire Department requirements, 50 ft of defensible space is required to be maintained around the residence. In addition to the 50 ft defensible space requirement, KMC §17.104.070.A9 recommends that revegetation of hillsides maintain a 30 ft clear zone around all structures in order to serve as defensible space to reduce the potential for damage to homes from wildfires. In this zone, plant species should be low-growing and fire-resistant. The proposed landscape plan shall meet NFPA Firewise standards including utilizing hardscape to minimize continuous fuels, utilizing low-growing and fire-resistant plants, reducing plant density by spacing trees and shrubs, and minimizing overlapping branches between trees and shrubs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(3)	All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.
			Commission Findings	As noted on Sheet L2, the applicant has indicated that the proposed landscape materials include native trees and shrubs. The applicant has incorporated an irrigated area into the landscape design in order to serve as a defensible space buffer.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060(I)(4)	Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.
			Commission Findings	The landscaping proposed for this residential project in the Mountain Overlay is appropriate. With the Pre-Application MO Design Review submittal, the applicant

				<i>included a conceptual perspective from the intersection of 4th Street and East Avenue. The perspective image included landscaping with healthy green foliage, which serves to enhance screening. During review of the Pre-Application, the Commission commented that the proposed Swedish Aspens will not provide the same degree of screening during the winter season when the existing trees lose their foliage. The Commission recommended installing Douglas Fir trees instead of Swedish Aspen to enhance screening the single-family residence on the hillside from this view corridor. As indicated on Sheet L2 of the MO Design Review submittal, the applicant modified the landscape plan and has proposed installing ten Evergreen trees to screen the building from the intersection of East Avenue and Fourth Street.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060(J)(1)	Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.
			Commission Findings	<i>N/A. Sidewalks are not required for the project.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations, which Ordinances are codified in the Ketchum City Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the Applicant’s Mountain Overlay Design Review Application for the development and use of the project site.
2. The Commission has authority to hear the applicant’s Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
2. The Mountain Overlay Design Review Application is governed under Ketchum Municipal Code Chapters 17.96, 17.104, 17.92, 17.124, and 17.128.
3. The proposed Mountain Overlay Design Review for the development of a new single-family residence meets the standards of approval under Title 17 of KMC subject to conditions of approval.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Design Review application this Monday, September 9th, 2019 subject to the following conditions

CONDITIONS OF APPROVAL

1. The applicant shall comply with all City Department conditions in Exhibit B1 and all Planning & Zoning Conditions as specified in Exhibits B2, B3, and B4.
2. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to the issuance of a Certificate of Occupancy for the project.

3. As the property is located within the Avalanche Zone, the project shall comply with all applicable standards specified in Chapter 17.92 Avalanche Zone District prior to issuance of a Building Permit for the project.
4. Prior to issuance of a Building Permit, the applicant shall submit final civil drawings stamped by an Idaho licensed engineer including a driveway profile as well as a final drainage and grading plan for review and approval by the City Engineer and Streets Department.
5. The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DiG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”).
6. The silt and construction fencing demarcating the limits of disturbance shall be installed along the entire perimeter of the construction area and shall remain in place for the duration of construction.
7. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
8. All new exterior lighting on the property shall be in compliance with Ketchum Municipal Code, Chapter 17.132, Dark Skies. Exterior lighting shall be inspected by Planning Staff and conformity shall occur prior to issuance of Certificate of Occupancy for the project.
9. Design Review approval shall expire one year from the date the Findings of Fact, Conclusions of Law, and Decision are adopted by the Planning & Zoning Commission, unless an extension is requested and granted consistent with KMC §17.96.090.
10. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.
11. The proposed retaining and site walls as indicated on Sheets L2 and L3 of the MO Design Review submittal shall not exceed 4 feet when located less than 30 ft from the front property line and shall not exceed 6 ft when located more 30 ft from the front property line.
12. The existing cistern associated with the Grant of Irrigation Pipeline Easement (Instrument #478786) and the existing pipeline from the spring source of Water Right 37-7787 to the cistern shall be protected and preserved throughout the duration of construction and any damage to the cistern or pipeline associated with construction activity shall be repaired and replaced at the sole expense of the applicant. As offered by the applicant, the proposed water line shall include a stub to Tax Lot 7318 in the vicinity of the associated Grant of Access Easement recorded as Instrument #478787.
13. No permanent encroachment including landscaping, structure, or use shall be permitted within the Grant of Access Easement dated February 17, 2003 and recorded as Instrument No. 478787. The access easement shall be indicated on the site plans submitted with the Building Permit application. If temporary encroachment for vehicle parking or material storage within the access easement is proposed as part of the construction management plan, then the applicant shall submit written consent from the easement beneficiary prior to issuance of a Building Permit for the project.
14. Prior to issuance of a Building Permit, the applicant shall install a public access sign at the intersection of Lava Street with subject Lot 1A to demarcate the pedestrian easement. The trail circulation design as proposed by the applicant on Sheet L5 of the Design Review submittal shall be finalized and approved by the Planning & Building Department prior to installation. The applicant shall amend the 10 ft wide pedestrian and non-motorized access easement to reflect the new trail circulation and record the amended easement prior to issuance of a Certificate of Occupancy for the project.
15. In accordance of Plat Note #13 of Lava Street Subdivision: Block 1: Lot 1A, the applicant shall incorporate three (3) Douglass Fir trees to the proposed landscape plan.

Findings of Fact **adopted** this 12th day of November, 2019.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission