

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
MEETING OF July 16, 2026**

PROJECT: Guyer Hot Springs Subdivision, Phase 1

FILE NUMBER: P25-065, P25-066, P25-067

APPLICATION(S): Preliminary Plat; Rezone Development Agreement;
Floodplain Development Permit

**PROPERTY OWNER:
REPRESENTATIVE:** Carbon Hill Hot Springs Inc.
Bruce Smith PLS, Alpine Enterprises Inc.

LOCATION: Warm Springs Road, Tax Lots 3500, 3502, & 6048

ZONING: Agricultural Forestry (AF) and Tourist 4000 (T-4000)

OVERLAY: Floodplain Management Overlay District (FP)

REVIEWER: Allison Kennedy – Senior Planner

NOTICE: A courtesy notice for the public meeting on the project was mailed to all property owners within 300 feet of the project site on June 24, 2026. The notice was published in the Idaho Mountain Express on July 1, 2026 and materials were posted on the City website on June 24, 2026. A notice was posted on premises July 9, 2026.

EXECUTIVE SUMMARY

The application is for an 8.92-acre proposed subdivision entitled Guyer Hot Springs Subdivision. It is located to the south of Warm Springs Road at the City of Ketchum boundary within Tax Lots 3500, 3502, and 6048 and is divided into two phases.

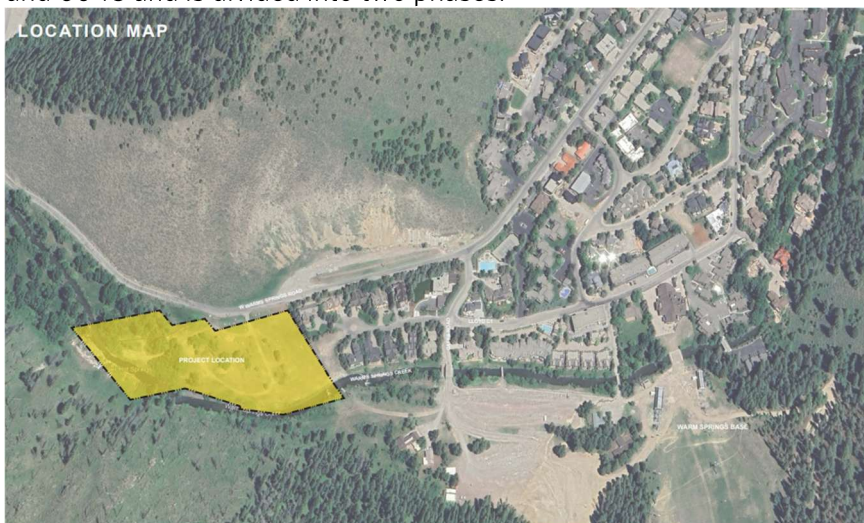


Figure 1: Vicinity Map; p. 3 Att. VI

The first phase preliminary plat is included within this application packet, proposing 5 lots and 1 common lot on the upper bench area encompassing a total of 3.36 acres referenced as Block 1. The second phase proposes up to 15 units including 4 community housing units within 3 acres referenced as Block 2. Block 3 is 2.56 acres of wetland and floodplain area the applicant is referring to as the *preserved area* which also includes the hot springs and the conveyance piping of the resource, this third block is proposed to remain undeveloped. The subdivision layout was determined after the applicant removed the wetlands, floodplain, and avalanche land uses and therefore is proposing to develop within the remaining 3.48 acres of land unencumbered by overlay districts or resource areas. The applicant has simultaneously submitted a Rezone Development Agreement Permit and Floodplain Development Permit in conjunction with the Phase I Preliminary Plat application. (Refer to Attachment III. Preliminary Plat, Attachment IV. Water and Sewer Improvements, Attachment V. Landscaping, & Attachment VI. Project Overview for full illustrative project details.) The rezone application will request that the AF zoning district abutting the road be changed to T-3000 on staff's recommendation that this zone would best meet the intended future land use of medium density within the 2026 Comprehensive Plan. In addition, staff recommended that the existing T-4000 zoning district be changed to T-3000 to better meet the lower density proposed. This component of the subdivision will be referenced in the Rezone Development Agreement analysis within this report. The community housing (referred to as *workforce housing*) proposed is the requested public benefit offered in order to grant the rezone application and will be tied to security agreements to ensure its fruition after Phase 1 is complete.

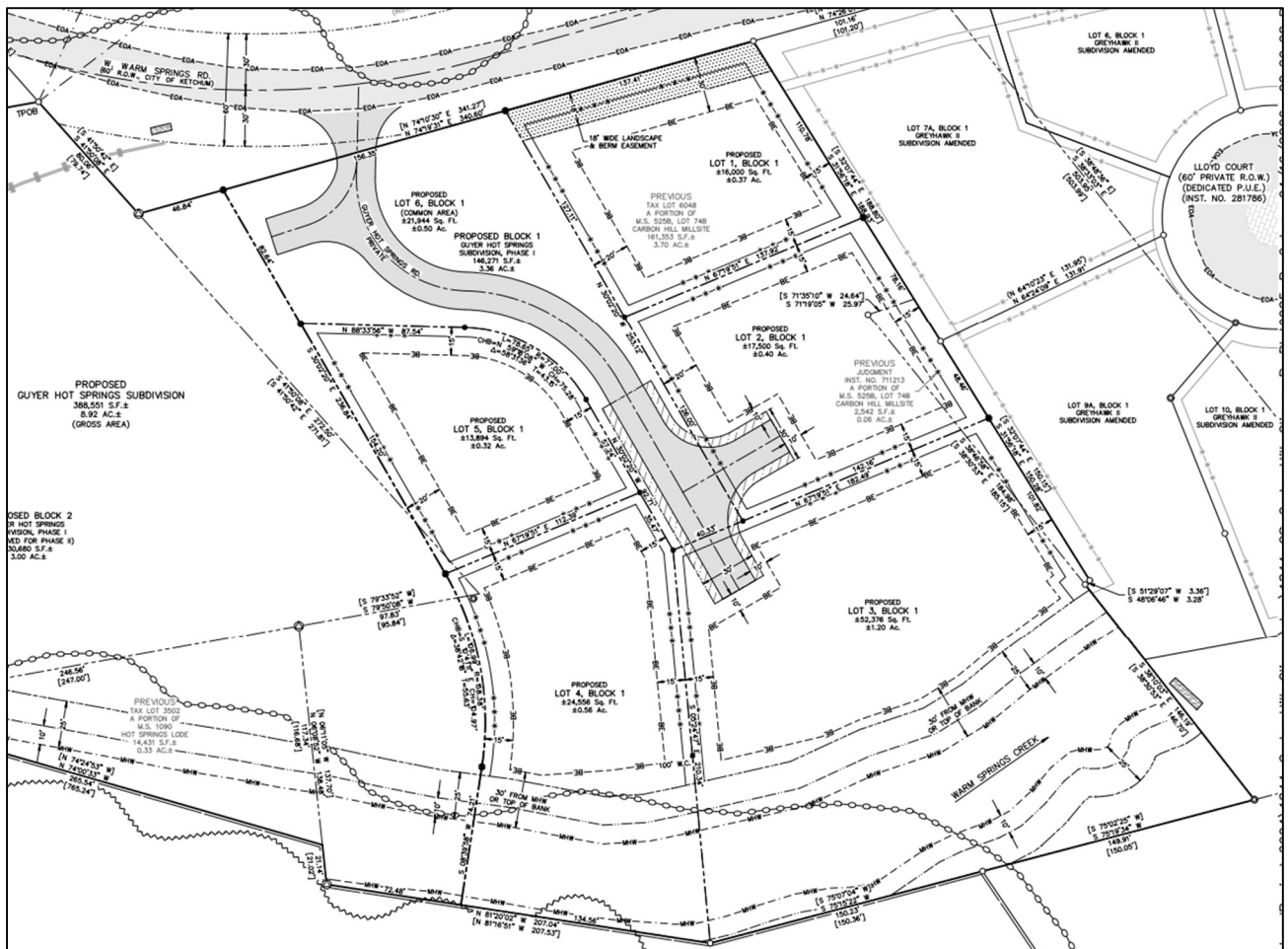


Fig. 2 Phase 1; See Preliminary Plat Attachment III for full details.

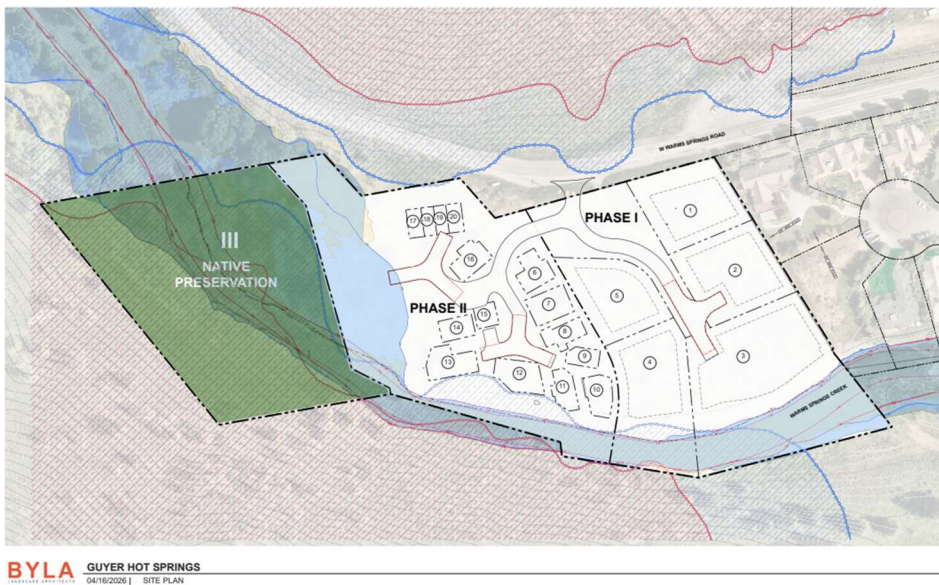


Figure 3: Attachment VI; p.9

Process

The application was submitted in 2025 and therefore is reviewed against Ketchum Municipal Code, Title 16 & 17 from the previously adopted code and the current 2025 Comprehensive Plan. This preliminary plat application is for Phase I only (Blocks 1 & 3). Block 2 will return to the Planning and Zoning Commission for preliminary plat review after Phase 1 is built out. Final plat for Phase 1 will be recorded after site grading, shared preliminary landscaping, road infrastructure and utility mains and stubs are installed. Other conditions may be added within the Preliminary Plat, the Rezone Development Agreement and Floodplain Development Permit applications that will be heard simultaneously, but will be voted on through separate motions and findings of fact to reflect the three applications required to be submitted.

I. Preliminary Plat

The following analysis was reviewed for the Phase 1 Preliminary Plat through Title 16 Subdivision Regulations and Title 17 Zoning Regulations. The review encompasses the applicable sections of: 16.040.030 Procedures for Subdivision Approval and 16.04.040 Development and Design Standards. All Code Sections are *italicized* and staff comments in bold seen in full within Attachment XII: Code Analysis. An Impact Statement (16.04.130) is not required for Phase 1 but may be required for Phase 2 when ten or more lots are requested. All standards are met within 16.04.030 Procedure for Subdivision Approval and 16.04.040 Development and Design with conditions suggested at the end of this report.

II. Development Agreement Zoning

Refer to: Ketchum Municipal Code 17.154

Background Summary:

The property is currently zoned Agricultural Forestry(AF) and Tourist -4000(T-4000). The applicant met city staff to understand their best path forward. It was staff's recommendation that they apply for a rezone development agreement in order to request a change in zoning that better conforms with the Comprehensive Plan's Future Land Use Map of Medium Density Residential zoning. The closest zone to the Medium Density Residential area anticipated for this property is Tourist -3000. The applicant is requesting the wetland and large floodplain portion referred to as Block 3 in their Preliminary Plat be rezoned Agricultural Forestry (AF). The existing AF zone adjacent to Warm Springs Rd. reflected an outdated avalanche study that has been updated.

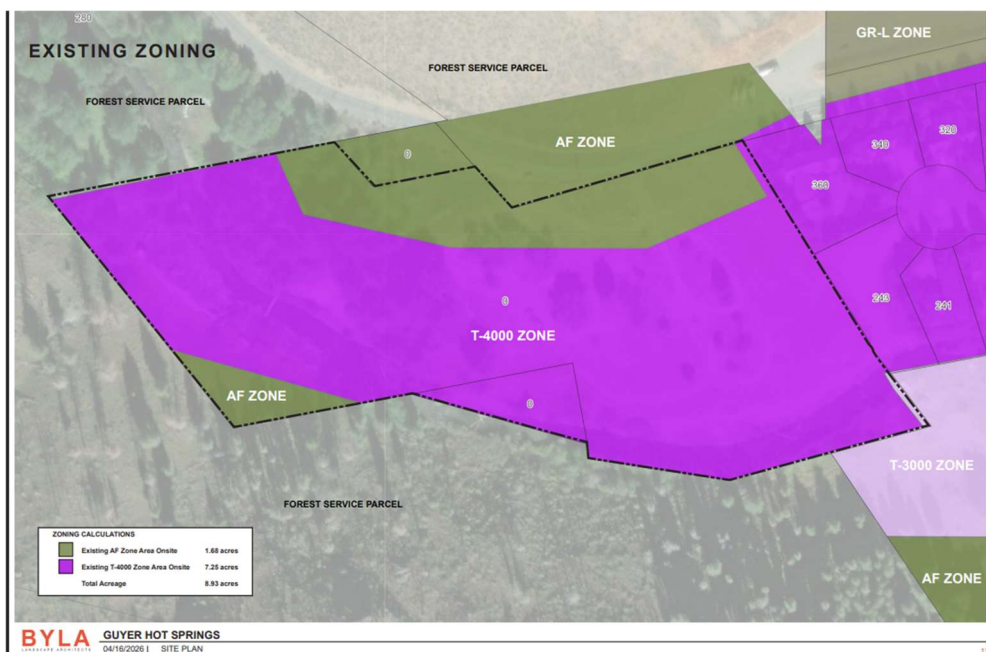


Figure 4: Attachment VI; p.13; Existing Zoning

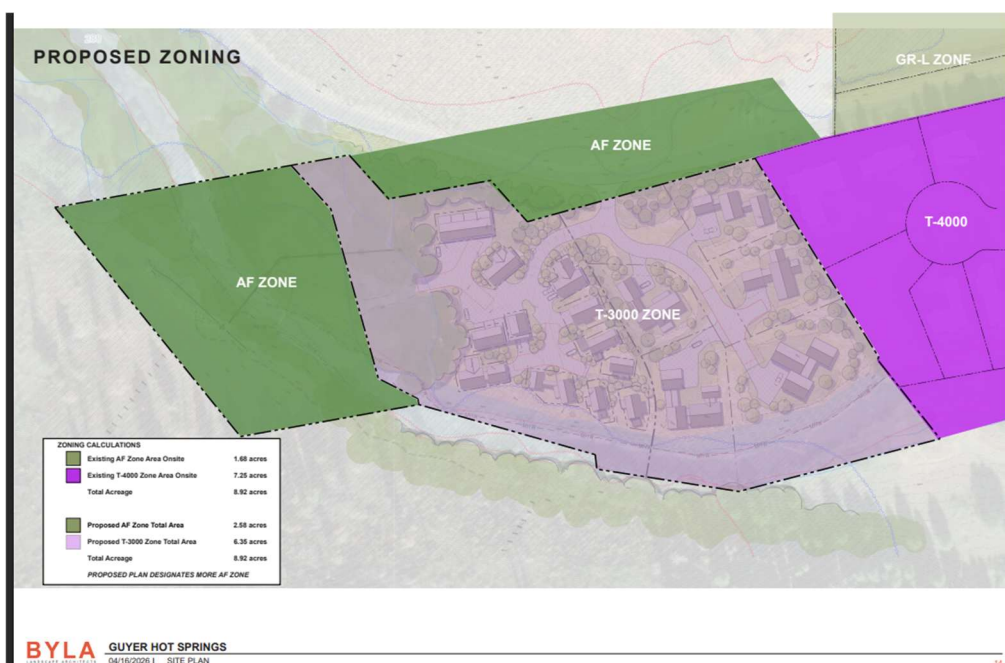


Figure 5: Attachment VI; p.14; Proposed Zoning

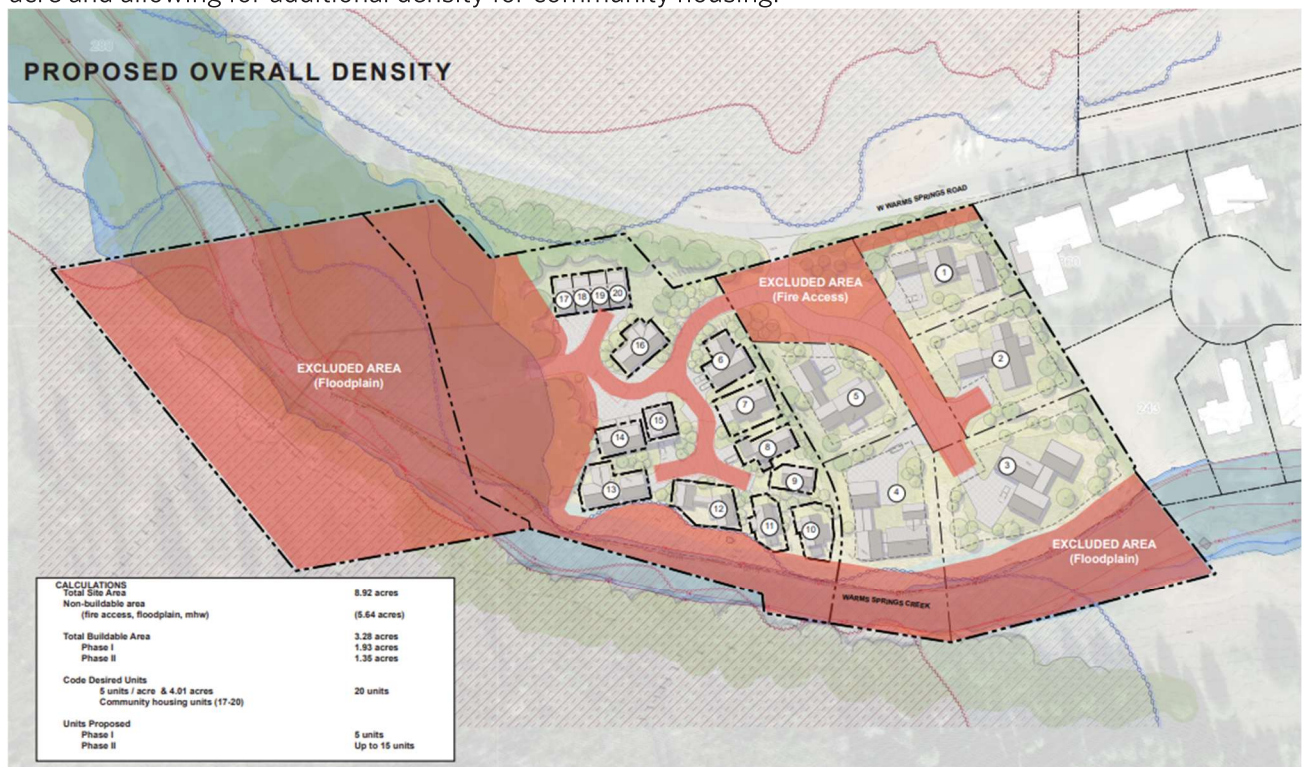
A development agreement typically includes a development phasing plan, security bonding to ensure build out is analogous to the approved plans, infrastructure is built appropriately, on schedule, and a public benefit is carried forward as a trade off for requesting zoning changes. The public benefit proposed by the applicant are the four community housing units and the Block 3 (and the western portion of Block 2 outside of the proposed lots) ~2.56 acre wetland and floodplain resource area labeled "Nature Preservation" area protected through the plat and change in zoning to AF. The Commission will review Attachment X: Draft DA Rezone Memo which is a list of development agreement components department staff and legal have compiled for this specific application. In addition, Attachment IX: Development Agreement Application as provided by the applicant. The Commission will make recommendations on what to add or delete before it is drafted for city council review. After the Planning and Zoning recommendations the Zoning Department Administrator and City Attorney review and create a

draft agreement with the applicant, the city council will review and adopt the development agreement and an ordinance establishing the zoning map amendment. Preliminary Plat Note 5 refers to the DA on the Plat after it is recorded.

Rezone Request:

1.68 acres AF to 2.58 acres AF
 7.25 acres T-4000 to 6.35 acres T-3000
 8.92 total acres

The applicant has identified 3.28 acres they feel is appropriate for building after they excluded sensitive resource areas and their common ownership access. The T-3000 rezone area is 6.35 acres however excluding resource areas and roads the applicant has proposed close to 5 units per acre using 4 acres and has included 4 community housing units for a total of up to 20 units on 8.92 total acres. The Comprehensive Plan's Future Land Use Map has this area labeled as Mid Density Residential this area indicates a density desire at generally, 5-11 dwelling units per acre and allowing for additional density for community housing.



III. Floodplain Development Permit

Background

The Subdivision contains areas within the Mapped FEMA Floodplain and therefore requires a Floodplain Permit. 17.88.040. D. 4 states ; *Prior to issuance of a building permit for a structure located on a parcel that contains SFHA, whether or not the structure is partially or wholly located in the SFHA, a floodplain development permit is required if development will occur in the SFHA.*

The applicant, however, has not located any structures within the 100-year Floodplain or has proposed disturbing the 25' riparian setback and therefore most of the requirements are not applicable. See Preliminary Plat Attachment III. The Floodplain Manager has reviewed (See Review: Attachment VIII; p. 7) the application and had no comments excepting the inclusion of plat notes 17.88.040 General Provisions; D, 3. Special requirements for subdivision plats. The applicant included most of these within the plat notes 9-15. See the applicants proposed Plat notes copied on subsequent Analysis section.

Analysis

Please see Attachments VI the Floodplain Manager suggests approval of the Floodplain Development Permit with the condition of the added plat notes. The applicant has included a 10' fisherman's and nature study easement within plat note 10 with the caveat that the access is only open after sunrise and before sunset in order to both allow fishing access and also discourage the public from trespassing on their private hot springs source further downstream in the evening. Staff suggests editing proposed Plat note 15 (see plat note 15 below) to omit the following language, "Ketchum shall not unreasonably withhold, condition, or delay approval of such plan". Added as Suggested Condition number 2. This would restrict the City of Ketchum to enforce the floodplain and riparian setback code. In addition, Staff suggest adding a condition stating that the riparian maintenance and protection easement the applicant is referring to, in which the HOA would collectively manage the riparian area, be recorded and the easement number listed on the plat. See suggested Condition 1.g. Staff also added suggested Conditions 1. a-f noting the code requirements within the riparian zone of no use of pesticides and chemical fertilizers.

- 9) Ordinary High Water delineation per Alpine Enterprises Inc., July 2024. Permits may be required from local, state, or federal agencies prior to construction, excavation, or fill activities.
- 10) A Fisherman's/Sportman's and Nature Study Easement, ten (10) feet in width, is hereby dedicated along the mean (ordinary) high water mark of Warm Springs Creek within the subject property and shall be open to the public after sunrise and before sunset in accordance with applicable regulations of the Idaho Department of Fish & Game. Location of said easement shall shift in accordance with the location of the mean high water mark.
- 11) A Scenic Easement and Riparian Setback, twenty-five (25) feet in width, measured horizontally from the mean (ordinary) high water mark of Warm Springs Creek, is granted as shown hereon. No permanent structures, development, formal landscaping, or hardscape improvements shall be permitted within this easement in order to protect natural vegetation and wildlife along the riverbank and to reduce the risk of damage to structures from riverbank erosion, unless expressly permitted by the City of Ketchum zoning regulations. Location of said easement shall shift in accordance with the location of the mean high water mark.
- 12) Floodplain: The 1% Chance of Annual Flood Line (FP), as designated on this map is considered reasonable for regulatory purposes. However, Alpine Enterprises Inc. does not represent, guarantee, warrant, nor imply that areas outside the designated floodplain are safe and free from floods or flood danger. Flood Zones are subject to change by FEMA and all lands within the Special Flood Hazard Area are regulated by City of Ketchum Municipal Code.

Effective Flood Information is from the November 26th, 2010 FEMA Study; NFIP FIRM Panel No. 0441, Map No. 16013C0441E; City of Ketchum Community Number 160023; Blaine County Community No. 165167.
- 13) Floodplain Lines, Ordinary High Water, and their associated setbacks are subject to change with updated flood studies conducted by FEMA and changes in course of the waterway over time. This Plat reflects the current conditions, but should not be relied upon as the definitive source for this information.
- 14) Flood Warning: Sheet Flooding can and will occur on the property shown hereon, and flooding may extend beyond the Floodway and Floodplain boundary lines identified.
- 15) The riparian zone identified within the Subdivision shall be designated as an easement governed and managed by an Owners Association (HOA) to ensure future modifications to the riparian zone and stream bank do not occur individually, but rather in a comprehensive and coordinated manner. Prior to any modification to the riparian zone or stream bank, an overall plan shall be developed and approved by the City of Ketchum. Ketchum shall not unreasonably withhold, condition, or delay approval of such plan. Any riparian and streambank alterations shall conform to the approved plan. The HOA shall be responsible for coordination, review, and oversight of all such work and shall determine responsibility for the costs of any improvements or modifications.

Figure 7: Att. III. Preliminary Plat, p.1

V. STAFF RECOMMENDATION

Staff recommends approval with conditions suggested and that all standards appear to be met.

The Commission has the following options:

- Approve the application
- Approve the application with conditions
- Deny the application

The Commission may delete, revise, or add to the conditions of approval based on the discussion.
Suggested Conditions of approval.

Attachments:

- I. Vicinity Map
- II. Subdivision Application Guyer Hot Springs Preliminary Plat Phase I
- III. Preliminary Plat Phase I
- IV. Water and Sewer Improvements
- V. Landscape Plan
- VI. P&Z Presentation Project Overview
- VII. Applicants Responses to Department Round #1 Review
- VIII. Draft CC&R's
- IX. Development Agreement Application & Narrative
- X. Draft Development Agreement Memo
- XI. Floodplain Development Permit Application
- XII. Code Analysis

Suggested Conditions:

1. Add to Preliminary Plat the following plat notes:

- a. No use of restricted use chemicals or soil sterilant will be allowed within 100 feet of the
a. mean high-water mark on any property within the City limits at any time.
- b. No use of pesticides, herbicides, or fertilizers will be allowed within 25 feet of the mean
a. high-water mark on any property within the City limits unless approved by the
City arborist.
- c. All applications of herbicides and/or pesticides within
100 feet of the mean high-water mark, but not within 25
feet of the mean high water mark, must be done by a
licensed applicator and applied at the minimum
application rates.
- d. Application times for herbicides and/or pesticides will be
limited to two times a year; once in the spring and fall,
unless otherwise approved by the City arborist.
- e. The application of dormant oil sprays and insecticidal soap within the riparian zone may
be used throughout the growing season as needed.
- f. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or
other material to be placed in any stream, channel, ditch, pond, or basin that regularly or
periodically carries or stores water.
- g. Easement Record No. _____; Geyer Hot Springs HOA Riparian Maintenance & Preservation
Easement Lots 3 & 4.

2. Plat note 15 to omit the following language, "Ketchum shall not unreasonably withhold, condition, or delay approval of such plan"

3. Draft Development Agreement finalized prior to City Council Hearing including: 1) security and phasing schedule for infrastructure, utilities & 2) community housing phasing & security agreement language.

4. Add language to Construction Note 21 to call out signage along Warm Springs Road specifically.

5. Warm Springs Road water line sawcut and asphalt replacement should be extended a full lane width to the double yellow center line of the roadway to prevent asphalt cut/joint from being placed in travel lane/wheel path.

6. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City.

7. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.

8. All utilities including, but not limited to: electricity, natural gas, telephone , and cable services shall be installed underground as required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.

