
FW: Wednesday's P&Z Meeting

From Participate <participate@ketchumidaho.org>

Date Fri 5/9/2025 3:25 PM

To Genoa Beiser <gbeiser@ketchumidaho.org>

Her you go Genoa!

From: D Bruce Johnsen <dbjohnsen@5bgazette.com>

Sent: Friday, May 9, 2025 2:59 PM

To: Neil Morrow <nmorrow@ketchumidaho.org>; Brenda Moczygemba <BMoczygemba@ketchumidaho.org>; Susan Passovoy <spassovoy@ketchumidaho.org>; Tim Carter <tcarter@ketchumidaho.org>; Mathew McGraw <tcartere@ketchumidaho.org>; Participate <participate@ketchumidaho.org>

Subject: Wednesday's P&Z Meeting

Dear Commissioners,

I was at the 5/7 P&Z meeting Wednesday evening but was called home, where I began watching online. I had hoped to make a public comment. I raised my hand, but, as it turned out, public comment had ended by that time. My bad. Please accept my op-ed appearing in the 5bGazette today (pasted below) as my public comment, specifically regarding discussion of the Comprehensive Plan.

I might also add for the record that the staff's language characterizing P&Z's deliberations at the 4/22 meeting (which P&Z approved by unanimous consent) creates far clearer reasoning for denying PEG's extension application than what I heard during the meeting or that appears in my transcript. Had an objective observer listened to the meeting or read the transcript before knowing how the vote turned out, he or she never would have predicted the 3-1-1 outcome; more like 1-2-2.

Ketchum at a crossroads

D. Bruce Johnsen
Political Economy Editor

Ketchum is at a crossroads. Two anti-development forces threaten to stifle its vitality, risking a future as a museum for baby boomers rather than a thriving, churning, vibrant community.

One force is vocal dissent by a local minority — let's affectionately call them "vocals" — opposed to any large-scale, for-profit development. The other is a push for historic preservation. After designating 24 buildings in the downtown core as historic, City Hall now wants to make all buildings over 50 years-old available for the [same treatment](#).

Both of these forces raise a critical question, no doubt driven by boomers' well-intended but misplaced desire to preserve Ketchum's past through municipal mandates. Which road should Ketchum take? As always, the choice involves difficult trade-offs between respect for private property rights and local government police powers.

Vocals both drive and amplify the preservationist agenda. They argue Ketchum must retain its dusty western charm, a vague notion suggesting everything is best left unchanged.

Their influence was evident at the April 22 Planning & Zoning Commission meeting. There, bending to their voice, the Commission denied — [by a 3-1-1 vote](#) — a second one-year extension for PEG LLC's permit to build the gateway Prologue Hotel at Main and River Streets. The City Council will likely hear an appeal.

Many vocals referred to Kevin Livingston's 2020 online petition collecting [3000 signatures](#) in opposition. As it turns out, only about 600 of those were Ketchum residents. In a town with over 2000 registered voters, that's a substantial minority — but still a minority.

What policy change were Bradshaw & Co. supposed to have fashioned based on 600 opposing voices? The ballot box — not a committee of the whole — is where Ketchum residents shape policy. Electing representatives empowers them to act on the City's behalf, subject to the municipal code. Vocals can express their disapproval, but they shouldn't seek to disavow contracts or undermine private property rights.

More to the point, all such surveys suffer crippling biases and are notoriously unreliable. Livingston's survey asked people to sign if they opposed the project, but it offered no alternative for how the real estate would be used. It's all too easy for people to oppose a development if they have no frame of reference to imagine what will replace it.

The draft [2025 Comprehensive Plan](#) seeks to preserve Ketchum's history by encouraging "adaptive reuse" — as opposed to demolition — of buildings more than 50 years old. Outside the already-historicized downtown core, the vast majority of these buildings are residences in some form.

No matter how you package it, the euphemism "adaptive reuse" ultimately unravels to historic designation. This means a homeowner, who has preserved the building for 50-plus years, will be rewarded by having to continue preserving it at his own expense until the City says otherwise.

Make no mistake, historic designation amounts to compulsion by a majority (acting through City officials) to force the minority (the property owner) to pick up the tab for the majority's aesthetic sensibilities.

This says nothing about what "historic" can possibly mean when applied to a 50-year-old house? This cutoff seems arbitrary, untethered as it is to any meaningful historical milestone.

Ketchum's modern era began in 1964, when the Union Pacific Railroad sold Sun Valley to the Janss brothers, sparking a construction boom. Much of what followed was junk, now gone by the wayside. Wouldn't 1964 be a more appropriate demarcation for historic preservation?

For young families eyeing Ketchum as a place to settle, the prospect of at-will historic designation signals a city more concerned with freezing the past for nostalgic baby boomers than fostering a vibrant future.

The City Council's May 5 refusal to tweak the municipal code to [allow two young entrepreneurs to open a small cigar bar](#) in a mixed-use zone is a pitiful example. During the 1970s, when many boomers arrived here, no one would have bothered to ask. Restaurants served food until midnight, bars stayed open into the wee hours, and at every Wagon Days parade a cowboy rode his horse into the Pio to order a beer. Ketchum risks becoming a moribund shadow of its former self.

At the May 7 P&Z meeting, one commissioner mistakenly assumed the City would compensate homeowners for historic designation — a revealing misunderstanding. This is no doubt because City Hall has consistently touted historic designation as a fantastic opportunity for property owners by using soothing words like "encourage" rather than "compel" and overselling the benefits.

If the city believes an historic home warrants preservation, it should buy the property at a freely-negotiated market price, insert preservationist deed restrictions, and resell. Otherwise, the burden falls unfairly on the

property owner to provide a public good at personal expense.

If historic designation is so advantageous, as many in City Hall would have us believe, the price on the back end would be higher than on the front end. This voluntary approach to historic preservation should turn a profit while respecting private property rights.

Vocals' disproportionate influence over City policy raises another question: In Ketchum, who is "we"? "We" don't want a hotel canyon at the entrance to town. "We" don't want parking meters, no matter how much sense they make. "We" want our City government to spend taxpayer dollars on a futile attempt to address global climate change.

"We" implies a unified community. But vocals are a shifting, unelected group of boomers, many of whom claim special authority based on tenure in the Valley. Although they may have a bully-pulpit, they have no authority to speak for the body politic of Ketchum. Like everyone else, they have only a single vote at election time.

Ketchum's dusty western charm emerged from times past when owners built freely, unencumbered by heavy-handed regulations. Tiny log cabins by the river, old skis nailed to the fence, inexpensive A-frames, and other eclectic homes defined the city's character.

Some were junk, but through a Darwinian process the best survived, shaped by market prices and property owners' choices, not planners' dictates. Today's preservationists risk stifling this organic evolution.

Cities thrive on creative destruction, where old gives way to new, and what endures has been selected by the competitive process for survival. Freezing Ketchum in time risks killing its vitality as a living, working community.

Ketchum's past is a process, not a collection of baby boomer artifacts.

D. Bruce Johnsen is Professor Emeritus of Law at Antonin Scalia Law School, George Mason University. He earned his PhD in Economics from the University of Washington and his JD from Emory University. He writes about the economics of property rights, from the 18th century Pacific Northwest Coast tribes to modern Wall Street investment bankers.

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Hello Commissioners,

Many questions have been raised since the draft comprehensive plan was released to the public. While some have been addressed, many are still looming.

The community asked for visuals and studies to understand the impact of the proposed policies of the Future Land Use Map. These were never delivered.

Since that information was never presented, Tory Canfield's analysis inspired me. I did some hypothetical evaluations of density comparisons on a couple of the properties in mid-Warm Springs; Short Swing Lane Neighborhood and the Schernthanner properties.

Short Swing Lane neighborhood

Current Status	Proposed w/housing benefits
• 5 acres	same
• GR-L Zone	same
• 60 ft. Right of Way	same
• 18 lots (approx. 8,000 sq. ft each)	tbd
• 6 single family homes	n/a
• 2 ADU's	n/a
• 8 duplex buildings – 16 dwelling units	n/a
• 3 vacant lots	n/a
• 24 current total dwelling units	n/a
• 2 max. dwelling units per lot	5 max. dwelling units per lot
• 36 max. dwelling units allowed	90 max. dwelling unit allowed

POTENTIAL INFILL: 3 ADJACENT VACANT LOTS = 15 UNITS (6 UNITS CURRENTLY ALLOWED)

Schernthanner Properties

Current Status	Proposed w/housing benefits
• 33.231 acres	same
• LR	approx. 20 acres LR approx. 7 acres MDR approx. 6 acres HDR
• 3.5 dwelling units per acre	mixed densities

- approx. 117 dwelling units
- approx. 117 ADU's
- approx. 234 total dwelling units

approx. 376 dwelling units
approx. 70 ADU's
approx. 446 total dwelling units

This is a guestimate of the latest proposal for the density designation for the Schernthanner property. I had no way to know the exact amount of land in each category and truly guessed at the acreage for MDR, HDR and LR.

I invite the staff to check my interpretation and math.

That said, I find the increases in density over what is currently allowed in the MDR and HDR throughout the residential zones in Ketchum shockingly significant.

We do not know how much deed restricted housing it will provide or how many more market rate units beyond the current zoning it will create. Even after codes are written, the terms of housing benefits will likely be negotiated at the time of development applications. It's just throwing spaghetti at the wall and hoping it sticks, and we get some deed-restricted housing. But we do know this approach is definitely not in sync with the proposed comprehensive plan :

GOAL BNE-1: MANAGE GROWTH TO PROTECT AND ENHANCE KETCHUM'S ECLECTIC CHARACTER, DISTINCT NEIGHBORHOODS, AND QUALITY OF LIFE.

The comprehensive plan is a unique document. It is the only one that is truly designed to give voice to the people to guide the government in planning, policy making and the direction of growth and development of Ketchum. Feedback from the community since the FLUM was introduced in January has not been supportive. This proposed comprehensive plan clearly does not represent the vision of the people.

I strongly suggest you hold back on sending this up to the council for approval until the due diligence is done to make sure the public understands and supports the policies and impact this proposed comprehensive plan will have on the future of Ketchum.

It's the People's Plan.

Anne Corrock

Dawn Hofheimer

From: Robert Siri <rpsiri5@gmail.com>
Sent: Friday, May 9, 2025 9:33 PM
To: Participate
Subject: Upzoning

I've attended the P&Z meetings on this and the feedback has been quite clear. Ketchum residents don't like the new comp plan. Please don't pretend otherwise Just using warmsprings as an example. It's one way in and one way out. You want more people living out there? Why? Isn't there cheaper and more available land in the valley? We don't need more cars and stop signs and dogshit. Warmsprings will be destroyed and then all of us who have been here for most of our lives will be forced to move while those that never made sacrifices slide right in.

I could go on but you get the idea. But I'd like to add some constructive criticism to help your relationship with tax payers. The meetings are a bit painful. Abby seems to love her job but is terrified of public speaking and has difficulty in this area. With today's technology can't we do a better job explaining different areas of the comp plan? You should be able to take us on a virtual tour through the neighborhoods that you are planning to change. And lastly, almost everyone at Tuesdays meeting was there for the comp plan. You knew this. Taking a pizza break before discussing the comp plan and making everyone wait even longer sends the wrong message to the community. I know people in that room that have lived in Ketchum longer and all p&z members combined. I get it, you're hungry. We're all hungry. Please show us some respect.

Sent from my iPhone