



City of Ketchum

November 21, 2022

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Hold a Public Hearing and Approve a Lot Line Shift Final Plat, Townhouse Preliminary Plat & Phased Development Agreement 22812 for the Sapp Townhomes located at 780 N 4th Ave.

Recommendation and Summary

Staff recommends the Ketchum City Council hold a public hearing and approve the Lot Line Shift Final Plat submitted by Galena Engineering on behalf of the property owner, Sapp Family Holdings LLC, to consolidate the lots by eliminate the lot line between Lot 5 and the north ½ of Lot 6.

Recommended Motion: "I move to approve the Lot Line Shift Final Plat for the consolidation of Lot 5 and the north ½ of Lot 6, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision."

Recommended Motion: "I move to approve the townhouse preliminary plat for the Sapp Townhomes at 780 N 4th Ave, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision, and approve the associated Phased Development Agreement 22812."

The reasons for the recommendation are as follows:

- The consolidation of lots (lot line shift) is not subject to the interim ordinance requirements as the application was deemed complete prior to the effective date of the ordinance.
- The two lots consist of one Ketchum townsite lot and half of another Ketchum townsite lot. The partial Ketchum townsite lot does not meet minimum lot size requirements and would be difficult to develop independently.
- The consolidation of the lots allows for a townhouse subdivision of the lot for the construction of two detached townhomes.
- The Planning and Zoning Commission ("Commission") approved the design review application and recommended approval of the townhouse subdivision prelim plat and phased development agreement on November 8, 2022.
- All applications, as conditioned, meet all applicable standards contained in Ketchum Municipal Code's Subdivision (Title 16) regulations and all Zoning requirements and standards (Title 17).

Analysis

The Applicant is proposing two new 3,655 square foot two-story detached townhomes with attached two-car garages (the "project"), located at 780 N 4th Ave (the "subject property"). The subject property is zoned General Residential – Low Density (GR-L) and currently contains one single-family dwelling unit. Detached townhomes are a permitted use within the GR-L zone district provided that all dimensional standards are met. The project proposes to demolish the existing single-family dwelling unit, vacate the lot line between Lots 5 and 6, subdivide the property into two townhouse sublots, and construct a new detached dwelling unit on each of the newly created sublots.

The existing single-family residence was constructed in 1961 making it more than 50 years old. However, the building is not listed on the city's adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required, however, a demolition permit cannot be issued for the existing residence until a 60 day waiting period has concluded.

The project will construct improvements to the right-of-way and alley per the City of Ketchum improvement standards. The project proposes access to one subplot from N 4th Ave and access to the other subplot from 8th Street. The project proposes paver driveways and sidewalk with no snowmelt for both driveways. All improvements to the right-of-way and alley have been preliminarily reviewed by the Streets Department and City Engineer with no comments on the proposed access and right-of-way improvements. Final review of the proposed improvements will be conducted by the City Engineer and Streets Department prior to issuance of a building permit. See Exhibit B of Attachment E for the proposed right-of-way improvements.

As mentioned above the existing property consists of one Ketchum townsite lot and half of another. To affect the townhouse preliminary plat, the common lot line between Lot 5 and Lot 6 must be removed. The lot line shift request is not subject to the provisions of the interim ordinance as the application was submitted and deemed complete prior to the effective date of the ordinance. The partial lot (Lot 6) does not meet the minimum lot size requirements for the GR-L zone district and would be difficult to develop independently.

Staff supports the lot line shift request to allow for the redevelopment of the property for additional housing units consistent with the surrounding neighborhood. The lot line shift request meets all subdivision requirements as outlined in the draft findings of fact included as Attachment F. Additionally, the townhouse preliminary plat meets all the requirements of preliminary plat subdivision applications and townhouse subdivisions as outlined in Attachment G. Recommended conditions of approval for the lot line shift and townhouse preliminary plat are included in Attachments F and G respectively.

As of the date of this report, no public comment has been received.

Financial Impact

There is no request for financial assistance from the city for this application.

Sustainability

The proposed development does not include any snowmelt within the right-of-way. Additionally, the new detached townhomes are required to meet the standards of the Ketchum Green Building Code

Attachments

- A. Lot Line Shift – Application and supporting documents
- B. Lot Line Shift – Final Plat plan set
- C. Townhouse Preliminary Plat – application and supporting documents
- D. Townhouse Preliminary Plat plan set
- E. Phased Development Agreement #22812
- F. DRAFT Findings of Fact, Conclusions of Law, and Decision – Lot Line Shift
- G. DRAFT Findings of Fact, Conclusions of Law, and Decision – TH Preliminary Plat



City of Ketchum
Planning & Building

OFFICIAL USE ONLY	
File No:	P22-052B
Date Received:	9-23-22
By:	SMC/Colleen
Fee Paid:	950.
Approved Date:	
Denied Date:	
By:	

Lot Line Shift Application

OWNER INFORMATION	
Owner Name: Sapp Family Holdings LLC	
Mailing Address: 1100 Bellevue Way, NE Suite 8A, Box 551, Bellevue, WA 98004	
Phone: 208-726-0020 (Caleb Spangenberg - Owner's Representative)	
Email: Caleb@williams-partners.com (Caleb Spangenberg - Owner's Representative)	
PROJECT INFORMATION	
Name of Proposed Plat: Lot 5A, Block 72, Ketchum Townsite	
Representative of Owner: Matt Smithman	
Phone: 205-209-9969	
Mailing Address: 317 North River St., Hailey, ID 83333	
Email: matt@galena-engineering.com	
Legal Land Description: Lot 5A, Block 72, Ketchum Townsite	
Project Address: 780 N 4th Ave., Ketchum, ID 83340	
Number of Lots: 2	Number of Units: 0
Total Land Area in Square Feet: 12,413	Current Zoning District: GR-L (General Residential - Low)
Overlay District: <input type="checkbox"/> Flood <input type="checkbox"/> Mountain <input type="checkbox"/> Avalanche	
Easements to be Dedicated on the Final Plat (Describe Briefly):	
Mutual Reciprocal Easements	
ATTACHMENTS	
Attachments Necessary to Complete Application:	
1. A copy of a current lot book guarantee and recorded deed to the subject property;	
2. One (1) copy of preliminary plat; and,	
3. A CD or email of an electronic (.pdf) of the plat.	

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Lot Line Shift Application, in which the City of Ketchum is the prevailing party, to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

Signature of Owner/Representative

09/16/2022

Date

Once your application has been received, we will review it and contact you with next steps. No further action is required at this time.


191 5th St. West | P.O. Box 2315 | Ketchum, ID 83340 | main 208.726.7801 | fax 208.726.7812

Facebook/CityofKetchum | twitter.com/Ketchum_Idaho | www.ketchumidaho.org

Instrument # 684667

HAILEY, BLAINE, IDAHO
07-20-2021 1:45:21 PM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Sun Valley Title

 A TitleOne Company

Order Number: 21418772

Warranty Deed

For value received,

Mary Helen Terra-Berns, as Personal Representative of the Estate of Jean M. Terra, deceased

the grantor, does hereby grant, bargain, sell, and convey unto

Sapp Family Holdings, LLC, an Idaho limited liability company

whose current address is 1100 Bellevue Way NE Suite 8A, Box 551 Bellevue, WA 98004

the grantee, the following described premises, in Blaine County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: July 13, 2021

Estate of Jean M. Terra, deceased

Mary Helen Terra-Berns PR.
By: Mary Helen Terra-Berns, Personal Representative

State of Idaho, County of Kootenai, ss.

On this 15th day of July, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Mary Helen Terra-Berns known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of the estate of Jean M. Terra and acknowledged to me that he/she executed the same as such personal representative of the estate of Jean M. Terra

- [Signature]

Notary Public
Residing In: Coeur d'Alene
My Commission Expires: 01-29-2027
(seal)

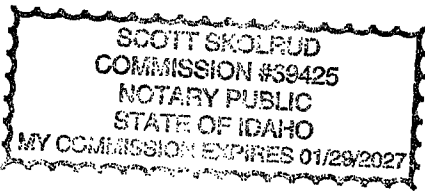


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Lot 5 and the North 1/2 of Lot 6, Block 72 of the VILLAGE OF KETCHUM, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 302967, records of Blaine County, Idaho.



Sun Valley Title
Authorized Agent for:
Title Resources Guaranty Company

SCHEDULE A

Name and Address of Title Insurance Company: Title Resources Guaranty Company
8111 LBJ Freeway, Ste. 1200
Dallas, TX 75251

File Number: 21418772

Policy Number: 2470-O-21418772

Date of Policy: July 20, 2021 at 1:45PM

Amount of Insurance: \$1,400,000.00

Premium: \$3,855.00

Property Address Reference: 780 N 4th Ave, Ketchum, ID 83340

1. **Name of Insured:**
Sapp Family Holdings, LLC
2. **The estate or interest in the land that is insured by this policy is:**
Fee Simple
3. **Title is vested in:**
Sapp Family Holdings, LLC, an Idaho limited liability company
4. **The Land referred to in this policy is described as follows:**
See Attached Schedule C

Sun Valley Title
By:

Nick Busdon, Authorized Signatory

SCHEDULE B
Exceptions from Coverage

File Number: 21418772
Policy Number: 2470-O-21418772

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2021 which are a lien not yet due and payable.
8. Water and sewer charges, if any, for the City of Ketchum. Paid Current.
9. Easements, reservations, restrictions, and dedications as shown on the official plat of Ketchum Townsite.
10. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded January 23, 1953 as Instrument No. [101927](#).
11. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded May 9, 1953 as Instrument No. [102348](#).
12. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
13. Terms, conditions, easements and, obligations, if any, contained in an Agreement for a Well by and between George Castle and Annette Castle, husband and wife, James Terra and Jean Terra, husband and wife, Clayton Stewart and Bernice Stewart, husband and wife and Ronald F. Johnson and Janette Johnson, husband and wife.
Recorded: November 1, 1957
Instrument No: [110151](#)
14. A Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby:
Amount: \$840,000.00
Trustor/Grantor: Sapp Family Holdings, LLC, an Idaho limited liability company
Trustee: Kevin P Moran, Attorney at Law
Beneficiary: Seattle Funding Group, Ltd., a Washington corporation
Dated: July 15, 2021
Recorded: July 20, 2021
Instrument No.: 684668

File Number: 21418772
Policy Number: 2470-O-21418772

ALTA Owner's Policy (6/17/06)

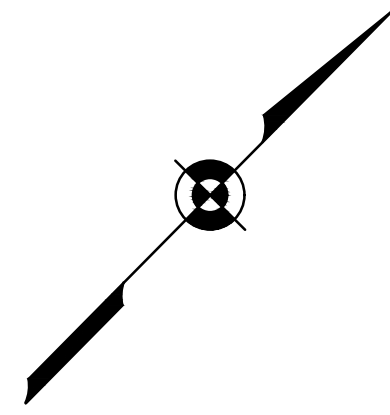
SCHEDULE C
Legal Description

Lot 5 and the North 1/2 of Lot 6, Block 72 of the VILLAGE OF KETCHUM, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 302967, records of Blaine County, Idaho.

A PLAT SHOWING LOT 5A, BLOCK 72, KETCHUM TOWNSITE

WHERE IN THE INTERIOR LOT LINES OF LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, ARE VACATED AS SHOWN HEREON
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

OCTOBER 2022



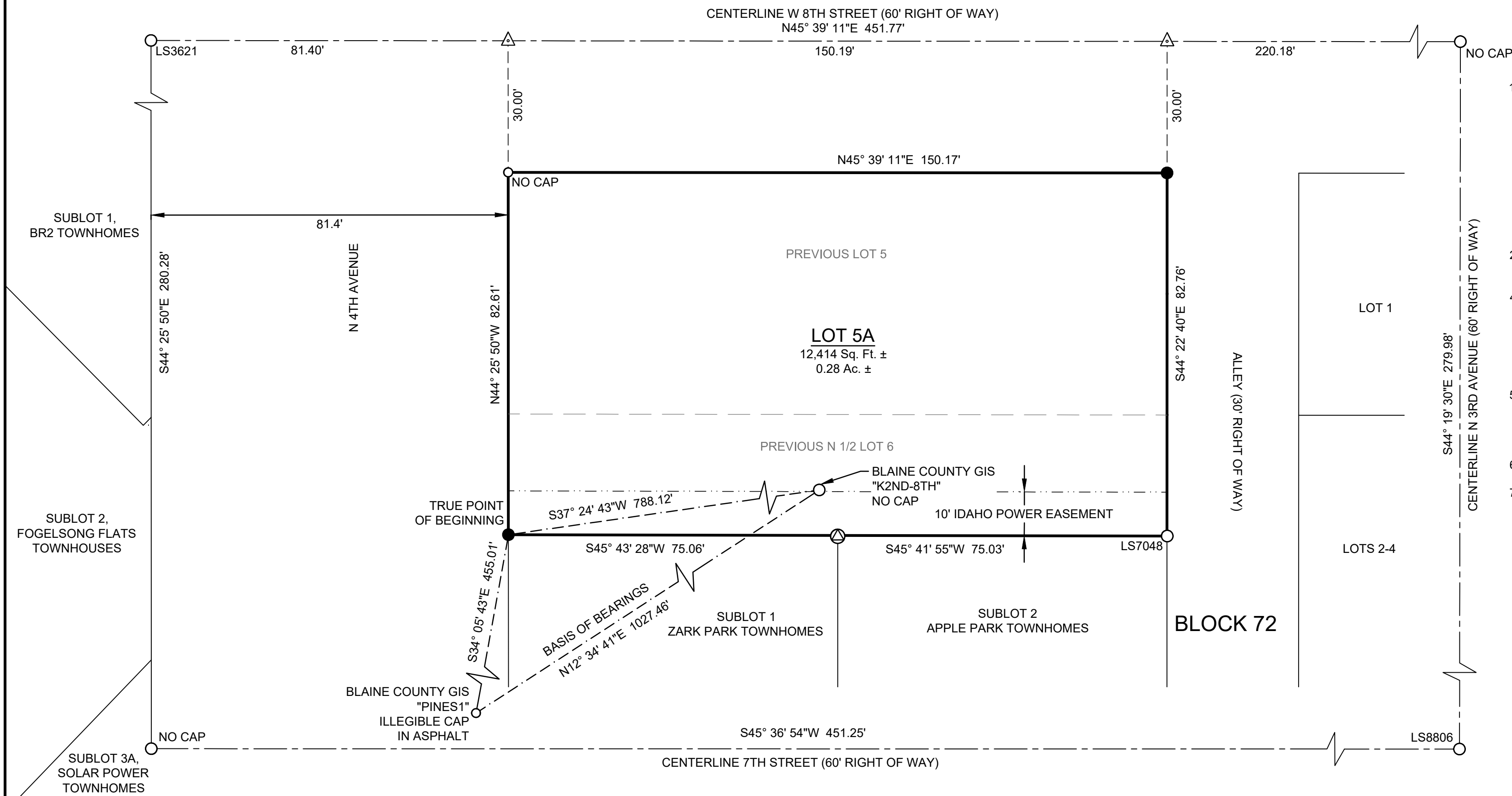
SCALE: 1" = 20'

LEGEND

- Property Line
- Previous Lot Line
- Adjoiner's Lot Line
- Centerline of Right of Way
- Survey Tie Line
- GIS Tie Line
- Easement Line, Type & Width as Shown
- Found Aluminum Cap on 5/8" Rebar by LS3432
- Found 5/8" Rebar
- Found 1/2" Rebar
- Set 5/8" Rebar, P.L.S. 16670
- Calculated Point, Nothing Set

SURVEY NARRATIVE & NOTES

1. The purpose of this survey is to show the monuments found and set during the boundary retracement of Lot 5 & the N1/2 of Lot 6, Block 72, Ketchum Townsite, and vacate the interior lot line, to create Lot 5A, Block 72, Ketchum Townsite, as shown hereon. The boundary shown is based on found centerline and lot corner monuments and the Official Map of the Village of Ketchum, Instrument No. 302967, records of Blaine County, Idaho. All found monuments have been accepted. Additional documents used in the course of this survey include the Plat of Zark Park Townhomes, Instrument Number 425489, the Plat showing BR2 Townhomes, Instrument Number 440458, the Plat showing Apple Park Townhomes, Instrument Number 663014, the Plat showing Zark Park Subdivision, Instrument Number 348073, and the Plat showing Apple Park Subdivision, Instrument Number 355698, all records of Blaine County, Idaho.
2. The distances shown are measured. Refer to the above referenced documents for previous record data.
4. A Title Report for the property shown hereon has been issued by Title Resources Guaranty Company. File Number 21418772, with a Commitment Date of July 20, 2021. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the owner or owner's agent to review said title policy. Some of the encumbrances and easements listed in the title report are NOT plotted hereon. Review of specific documents is required, if further information is desired.
5. Unless otherwise shown hereon, this survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations.
6. All utilities shall be installed underground.
7. An easement along the southerly property boundary exists for Idaho Power Company for the installation, erection, continued operation, maintenance, repair, alteration, inspection, and/or replacement of Underground Facilities. Said easement is recorded under Instrument # 697063, records of Blaine County, Idaho.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670

LOT 5A, BLOCK 72, KETCHUM TOWNSITE

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2
Job No. 8237-01

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned is the owner in fee simple of the following described parcel of land:

A parcel of land located within Section 13, T.4N., R.17E., B.M., City of Ketchum, Blaine County, Idaho, more particularly described as follows:

LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, KETCHUM TOWNSITE

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements.

I do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of units shown within this plat.

It is the intent of the owner to hereby include said land in this plat.

Sapp Family Holdings, LLC, an Idaho Limited Liability Company
BY: Layne Sapp, Manager

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 2022, before me, a Notary Public in and for said State, personally appeared Layne Sapp, known or identified to me to be the manager of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for said State
Residing in _____
My Commission Expires _____

PROJECT ENGINEER'S CERTIFICATE

I, the undersigned, project engineer for Lot 5A, Block 72, Ketchum Townsite, certify that the subdivision is in accordance with the City of Ketchum Subdivision standards.

Jeff Loomis, PE 7986, Galena Engineering, INC

SURVEYOR'S CERTIFICATE

I, Mark E. Phillips, a duly Licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a true and accurate map of the land and points surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to Plats, Surveys, and Condominiums and the Corner Perpetuation and Filing Act, 55-1601 through 55-1612.



MARK E. PHILLIPS, P.L.S. 16670

BLAINE COUNTY SURVEYOR'S APPROVAL

I, Sam Young County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys.

Sam Young, P.L.S. 11577
Blaine County Surveyor

KETCHUM CITY COUNCIL CERTIFICATE

I, the undersigned, City Clerk, in and for the City of Ketchum, Blaine County, Idaho, do hereby certify that at a regular meeting of the City Council held on the ____ day of _____, 2022, this plat was duly accepted and approved.

Trent Donat, City Clerk, City of Ketchum

KETCHUM CITY ENGINEER CERTIFICATE

I, the undersigned, City Engineer in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ____ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Robyn Mattison, City Engineer, City of Ketchum

KETCHUM CITY PLANNER CERTIFICATE

I, the undersigned, Planner in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ____ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Morgan Landers, City of Ketchum

BLAINE COUNTY TREASURER'S APPROVAL

I, the undersigned County Treasurer in and for Blaine County, State of Idaho per the requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Blaine County Treasurer

Date

BLAINE COUNTY RECORDER'S CERTIFICATE

LOT 5A, BLOCK 72, KETCHUM TOWNSITE

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 2 OF 2
Job No. 8237-01



City of Ketchum
Planning & Building

OFFICIAL USE ONLY	
Application Number:	P22 052A
Date Received:	7/28/22
By:	<i>[Signature]</i>
Fee:	\$525 per v 2 \$1050
Approved Date:	
By:	

Subdivision Application

Submit completed application to the Planning and Building Department electronically to planningandzoning@ketchumidaho.org. Once your application has been received, we will review it and contact you with the next steps. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the city website at: www.ketchumidaho.org and click on Municipal Code.

APPLICANT INFORMATION			
Name of Proposed Subdivision: Sapp Townhomes			
Owner of Record: Sapp Family Holdings LLC			
Address of Owner: 1100 Bellevue Way, NE Suite 8A, Box 551, Bellevue, WA 98004			
Representative of Owner: Sean Flynn			
Legal Description: Lots 5 & the N1/2 of Lot 6, Block 72, Ketchum Townsite			
Street Address: 780 N 4th Ave., Ketchum, ID 83340			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 2			
Total Land Area: 12,413 Sq. Ft.			
Current Zoning District: GR-L (General Residential - Low)			
Proposed Zoning District: GR-L (General Residential - Low)			
Overlay District: N/A			
TYPE OF SUBDIVISION			
Condominium <input type="checkbox"/>	Land <input type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input checked="" type="checkbox"/>
Adjacent land in same ownership in acres or square feet: N/A			
Easements to be dedicated on the final plat: Mutual Reciprocal Easements			
Briefly describe the improvements to be installed prior to final plat approval:			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance			
One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations ✓			
One (1) copy of current title report and owner's recorded deed to the subject property ✓			
One (1) copy of the preliminary plat ✓			
All files should be submitted in an electronic format to planningandzoning@ketchumidaho.org			

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Sean Flynn

07/22/2022


Applicant Signature

Date

Instrument # 684667

HAILEY, BLAINE, IDAHO
07-20-2021 1:45:21 PM No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Sun Valley Title

 A TitleOne Company

Order Number: 21418772

Warranty Deed

For value received,

Mary Helen Terra-Berns, as Personal Representative of the Estate of Jean M. Terra, deceased

the grantor, does hereby grant, bargain, sell, and convey unto

Sapp Family Holdings, LLC, an Idaho limited liability company

whose current address is 1100 Bellevue Way NE Suite 8A, Box 551 Bellevue, WA 98004

the grantee, the following described premises, in Blaine County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: July 13, 2021

Estate of Jean M. Terra, deceased

Mary Helen Terra-Berns PR.
By: Mary Helen Terra-Berns, Personal Representative

State of Idaho, County of Kootenai, ss.

On this 15th day of July, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Mary Helen Terra-Berns known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of the estate of Jean M. Terra and acknowledged to me that he/she executed the same as such personal representative of the estate of Jean M. Terra

- [Signature]

Notary Public
Residing In: Coeur d'Alene
My Commission Expires: 01-29-2027
(seal)

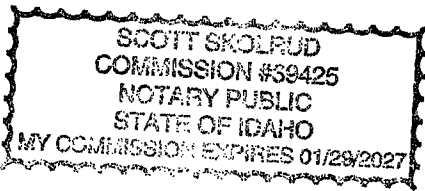


EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Lot 5 and the North 1/2 of Lot 6, Block 72 of the VILLAGE OF KETCHUM, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 302967, records of Blaine County, Idaho.



Sun Valley Title
Authorized Agent for:
Title Resources Guaranty Company

SCHEDULE A

Name and Address of Title Insurance Company: Title Resources Guaranty Company
8111 LBJ Freeway, Ste. 1200
Dallas, TX 75251

File Number: 21418772

Policy Number: 2470-O-21418772

Date of Policy: July 20, 2021 at 1:45PM

Amount of Insurance: \$1,400,000.00

Premium: \$3,855.00

Property Address Reference: 780 N 4th Ave, Ketchum, ID 83340

1. **Name of Insured:**
Sapp Family Holdings, LLC
2. **The estate or interest in the land that is insured by this policy is:**
Fee Simple
3. **Title is vested in:**
Sapp Family Holdings, LLC, an Idaho limited liability company
4. **The Land referred to in this policy is described as follows:**
See Attached Schedule C

Sun Valley Title
By:

Nick Busdon, Authorized Signatory

SCHEDULE B
Exceptions from Coverage

File Number: 21418772
Policy Number: 2470-O-21418772

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2021 which are a lien not yet due and payable.
8. Water and sewer charges, if any, for the City of Ketchum. Paid Current.
9. Easements, reservations, restrictions, and dedications as shown on the official plat of Ketchum Townsite.
10. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded January 23, 1953 as Instrument No. [101927](#).
11. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded May 9, 1953 as Instrument No. [102348](#).
12. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
13. Terms, conditions, easements and, obligations, if any, contained in an Agreement for a Well by and between George Castle and Annette Castle, husband and wife, James Terra and Jean Terra, husband and wife, Clayton Stewart and Bernice Stewart, husband and wife and Ronald F. Johnson and Janette Johnson, husband and wife.
Recorded: November 1, 1957
Instrument No: [110151](#)
14. A Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby:
Amount: \$840,000.00
Trustor/Grantor: Sapp Family Holdings, LLC, an Idaho limited liability company
Trustee: Kevin P Moran, Attorney at Law
Beneficiary: Seattle Funding Group, Ltd., a Washington corporation
Dated: July 15, 2021
Recorded: July 20, 2021
Instrument No.: 684668

File Number: 21418772
Policy Number: 2470-O-21418772

ALTA Owner's Policy (6/17/06)

SCHEDULE C
Legal Description

Lot 5 and the North 1/2 of Lot 6, Block 72 of the VILLAGE OF KETCHUM, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 302967, records of Blaine County, Idaho.

TOWNHOME DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
SAPP TOWNHOMES

THIS DECLARATION is made this ____ day of _____ 2022, by SAPP FAMILY HOLDINGS, LLC, an Idaho limited liability company, hereinafter referred to as "Declarant".

RECITALS:

A. Property Covered. Declarant is the owner of certain real property described as Ketchum Lots 5 & N ½ of 6, Block 72, City of Ketchum, Blaine County, Idaho. The property is located at 780 N 4th Ave in the City of Ketchum, Blaine County, Idaho.

B. Intention of Declarant. The property has been approved by the City of Ketchum, State of Idaho, for a townhome subdivision, referred to as the "Sapp Townhomes", consisting of Ketchum Lots 5 & N ½ of 6, Block 72, City of Ketchum, Blaine County, Idaho, according to the official plat thereof, recorded as Instrument No. _____ records of Blaine County, Idaho, as converted into Sublot 1 and Sublot 2 (hereinafter "sublots"), as set forth on the plat attached hereto as Exhibit "A" and made a part hereof, which shall hereinafter be referred to collectively as the "townhome development project" or the "project". Declarant intends to provide for townhome ownership of the property, as improved, under Section 16.04 of the Subdivision Ordinance of the City of Ketchum, which provides for ownership of individual townhome sublots, and ownership and maintenance of the townhome sublots and townhome units by the individual Owners. It is the intention of Declarant to sell and convey each individual townhome subplot, together with the improvements thereon, in the townhome development project to various individuals or entities. The project consists of the sublots, the individual sublots and townhomes thereon. Such sales and conveyances of the individual townhome sublots and townhomes, shall be subject to the protective restrictions, covenants and conditions contained in this Declaration which are for the mutual benefit of the townhome development project and the present and future Owners of the individual townhome sublots and townhomes, and are intended to preserve the value, desirability and attractiveness of the townhome development project, to create and protect the highest quality development of the property and to ensure proper maintenance thereof.

C. Type of Ownership. The townhome development project will provide a means for ownership in fee simple of separate interests in townhome sublots and townhome units.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the townhome development project is, and shall hereafter be, held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the following covenants, conditions, restrictions and equitable servitudes, imposed in furtherance of a plan for the development, improvement and sale of the units in the townhome development project, and to enhance the value, desirability and attractiveness of the property. The restrictions set forth herein shall run with the property within the townhome development project, and shall be binding upon all persons having or acquiring any interest in such property, or any part thereof,

and inure to the benefit of every portion of such property and any interest therein; and shall inure to the benefit of and be binding upon Declarant, its successors in interest, and may be enforced by Declarant, by any Owner or its successors in interest.

The covenants, conditions and restrictions contained in this Declaration are IN ADDITION TO any other land use restrictions, zoning ordinances, laws, rules and decisions of other governmental authorities and governmental and judicial authorities, including the City of Ketchum and the County of Blaine, Idaho. This Declaration does not supplement any such land use restrictions which are enforced, and must be satisfied, independent of this Declaration.

ARTICLE I

Definitions

Unless the context requires otherwise, the following words and phrases when used in these Restrictions shall have the meanings hereinafter specified:

1.01 DECLARANT shall mean Sapp Family Holdings, an Idaho Limited Liability Company.

1.02 DECLARATION shall mean this instrument as it may be amended and supplemented from time to time.

1.03 IMPROVEMENT shall mean all structures and appurtenances thereof of every type and kind, including, but not limited to, buildings, outbuildings, garages, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, planted trees and shrubs, poles, signs, exterior air conditioning, utility meters, water softener fixtures or equipment, and fire suppression system.

1.04 OWNER shall mean, (1) the person or persons, or other legal entity or entities, including Declarant, holding individually or in the aggregate fee simple interest in a townhome; or, as the case may be (2) the purchaser of a townhome.

1.05 PERSON shall mean a natural individual or any entity with the legal right to hold title to real property.

1.06 PLAT shall mean the final Plat for the Sapp Townhomes.

1.07 RECORD, RECORDED AND RECORDATION shall mean, with respect to any documents, the recordation of such documents in the office of the County Recorder of the County of Blaine, State of Idaho (which may also be referred to herein as "file" or "filed").

1.08 RESTRICTIONS shall mean this Declaration, as it may be amended from time to time.

1.09 SUPPLEMENTAL DECLARATION shall mean a supplemental declaration of covenants, conditions and restrictions which shall be recorded for the purposes of setting forth additional covenants, conditions, and restrictions on the property.

1.10 TOWNHOME DEVELOPMENT PROJECT shall mean and refer to the real property described in Recital A above, and as further defined in Section 16.04, Subsection 16.04.020, of the Subdivision Ordinance of the City of Ketchum, Idaho.

1.11 TOWNHOME SUBLOT shall mean and refer to any one (1) of the parcels that constitute a portion of the townhome development project as defined in Section 16.04, Subsection 16.04.020, Townhouses, of the Subdivision Ordinance of the City of Ketchum, Idaho.

1.12 TOWNHOME UNIT shall mean a townhome unit as defined in Section 16.04 of the Subdivision Ordinance of the City of Ketchum, Idaho.

ARTICLE II

Nature and Incidents of Townhome Ownership

2.01 Estates of Owner. The townhome development project is hereby divided into Sublot 1 and Sublot 2 as set forth in Exhibit "A" attached hereto and made a part hereof.

The ownership interests of each Owner shall consist of fee simple interest in the townhome subplot and the townhome unit and all other improvements built upon the particular townhome subplot as described in the deed to the particular Owner.

2.02 Sublot Numbers, Location and Description. Each townhome subplot is identified by an assigned number as Townhome Sublot 1 and Townhome Sublot 2.

2.03 Title. Title to a townhome subplot may be held or owned by any entity and in any manner in which title to any other real property may be held or owned in the State of Idaho.

2.04 Inseparability. No part of a townhome subplot or of the legal rights comprising ownership of a townhome unit may be separated from any other part thereof during the period of townhome ownership prescribed herein, so that each townhome unit shall always be conveyed, devised, encumbered and otherwise affected only as a complete townhome. Every gift, devise, bequest, transfer, encumbrance, conveyance or other disposition of a townhome unit or any part thereof shall be presumed to be a gift, devise, bequest, transfer, encumbrance or conveyance, respectively, of the entire townhome unit and townhome subplot, together with all appurtenant rights created by law or by this Declaration and the inseparability restrictions set forth herein.

2.05 Partition Not Permitted. No Owner may bring any action for partition of the townhome sublots or townhome units.

2.06 Owner's Right to Sublots. Each Owner shall have the exclusive right to use and enjoy each respective subplot.

2.07 Taxes and Assessments. Each Owner shall execute such instruments and take such actions as may be reasonably required to obtain separate real property tax assessments of the interest of each Owner in each townhome subplot/townhome unit. Each Owner shall pay the taxes or assessments assessed against his respective townhome subplot/unit.

2.08 Utilities. Each subplot shall contain its own water and sewage under and across each respective subplot and, therefore, no reciprocal easement shall exist between the sublots for these utilities.

2.09 Encroachments. It is the intent of Declarant that each subplot and townhome thereon exists independently of each other. In the event, for any reason, it is necessary for an Owner of a

townhome/sublot to encroach on to the subplot of the other Owner for any reason, such encroachment can occur only upon written consent of the subplot Owner upon which the encroachment will occur. Such consent shall not be unreasonably withheld.

2.10 Alterations. No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Sublot or the improvements located thereon from its natural or improved state as of completion of the construction of the original improvements shall be made or done without the prior written consent of the Owner of the adjoining Sublot. No building, fence, wall, residence or other structure shall be constructed or erected, altered, made or done without the prior written consent of the Owner of the adjoining Sublot. Such consent shall not be unreasonably withheld. In the event an Owner fails to consent, modify or disapprove, in writing, an application submitted within thirty (30) days after plans and specifications in writing have been submitted to such Owner, approval will be deemed denied.

2.11 Roof Snow Loads. The Owners are informed and acknowledge, to maintain structural integrity in each unit, each unit's roof must be shoveled to remove snow when each unit's roof contains seventy (70) pounds per square foot, as determined by local agencies. The Owners of each unit specifically assume the responsibility to undertake removal of the snow from the roof when the above described snow conditions exist.

ARTICLE III

Description of a Townhome

Every contract for the sale of a townhome subplot/unit, and every other instrument affecting title to a townhome subplot/unit, may describe that townhome by the number shown on the townhome map and to this Declaration as such appears on the records of the County Recorder, Blaine County, Idaho, in the following fashion:

"Townhome subplot _____ and townhome unit _____ as shown on the townhome map for the Sapp Townhomes, appearing in the records of Blaine County, Idaho, as Instrument No. _____ as defined and described in the Declaration of Covenants, Conditions and Restrictions for the Sapp Townhomes, recorded in the records of Blaine County, Idaho, as Instrument No. _____."

ARTICLE IV

Mechanic's Lien Rights

No labor performed or services or materials furnished with the consent of or at the request of an Owner or his agent, or his contractor or subcontractor, shall be the basis for the filing of a lien against the townhome of any other Owner, or against any part thereof, or against any other property or any other Owner, unless such other Owner has expressly consented to or requested the performance of such labor or furnishings of such materials or services.

ARTICLE V

5.01 Insurance. Each Owner shall separately insure their respective townhome unit and other improvements on his or her townhome subplot, or any part of it, against loss by fire or other casualty

deemed appropriate by the Owner, in an amount as near as practical to the full insurable replacement value (without deduction for depreciation). Additionally, each Owner shall carry personal liability and property damage liability insurance with respect to his or her townhome unit in a minimum limit of \$650,000.00. No such policy shall lapse, be cancelled or the coverage reduced except after ten (10) days written notice to the other party. Each Owner may insure his or her personal property against loss.

Due to the close proximity of each townhome and respective subplot to the other, each Owner will indemnify and hold harmless the other Owner from any loss, damage or claim which may result from an Owner's failure to maintain adequate fire and casualty insurance on his or her townhome unit.

ARTICLE VI

General Restrictions

All real property within the townhome development project shall be held, used and enjoyed subject to the following limitation and restrictions:

6.01 External Fixtures. No television or radio poles, antennae, flag poles, clotheslines or other external fixtures other than those originally installed by Declarant shall be constructed, erected or maintained on or within the townhome development project.

6.02 Insurance Rates. Nothing shall be done or kept in the townhome development project which will increase the rate of insurance, nor shall anything be done or kept in the Sapp Townhomes which would result in the cancellation of insurance on the townhome development project, or which would be in violation of any law.

6.03 No Further Subdividing. No subplot or townhome may be further subdivided, nor may any easement or other interest therein less than the whole be conveyed by the Owner thereof; provided, however, that nothing herein shall be deemed to prevent or require approval for the transfer or sale of any townhome to more than one (1) person to be held by them as tenants in common, joint tenants, tenants by entirety or as community property.

6.04 Signs. After the sale of all sublots within the property, no sign of any kind shall be displayed to the public view, except such signs of customary and reasonable dimensions which may be displayed on or from a residence advertising that the residence is for sale or lease. "For sale" or "For Lease" signs shall not be more than one (1) foot by two (2) feet, with plain white and black block letters.

6.05 Animals. No animals of any kind shall be raised, bred or kept in any townhome for commercial purposes. Domestic cats and dogs may be kept in a townhome, provided that no cat or dog is a nuisance to the other townhome owners; they shall not be allowed to run at large, chase wild animals or bark/meow excessively. Dogs shall be kept within each townhome Owner's property at all times except when they are under the control of the Owner or on a leash.

6.06 Nuisance. No rubbish or debris of any kind shall be placed or permitted to accumulate upon any property within the townhome development project and no odors shall be permitted to arise therefrom so as to render any such property or any portion thereof unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants. No noise or other nuisance shall be permitted to exist or operate upon any such property so as to be offensive or detrimental to any other property in the vicinity thereof or to its occupants. Without limiting the generality of any of the

foregoing provisions, horns, whistles, bells or other sound devices (other than security devices used exclusively for security purposes) shall not be located, used or placed on any such property.

6.07 Permitted Uses. The townhome development project shall be used for residential purposes only.

6.08 Leases. Nothing in this Declaration shall prevent an Owner from leasing or renting his townhome; provided, however, any lease or rental agreement must be in writing and must specify that its terms shall be subject in all respects to the provisions of this Declaration. Any failure by the tenant to comply with the terms of this Declaration shall be a default under the lease or rental agreement. If any lease does not contain the foregoing provisions, such provisions shall nevertheless be deemed to be part of the lease and binding upon the unit Owner and the tenant by reason of their being stated in this Declaration. Other than as stated herein, there is no restriction on the right of any unit Owner to lease or otherwise rent his unit. Notwithstanding any agreement between the Owner and the prospective tenant to the contrary, the leasing or rental of a unit shall not operate to relieve the Owner of the primary responsibility for compliance with all provisions of this Declaration.

6.09 Repair of Buildings. No improvement upon any property within the townhome development project shall be permitted to fall into disrepair, and each such improvement shall at all times be kept in good condition and repair and adequately painted.

6.10 Improvements and Alterations. There shall be no excavation or construction or alteration which in any way alters the exterior appearance of any improvement within the townhome development project, nor removal of any improvement in the townhome development project (other than repair or rebuilding pursuant to Section 6.09 hereof), without the written consent of the other Owner, and any such improvements and alterations shall be subject to local building regulations.

6.11 Drainage. There shall be no interference with the established drainage pattern over any property within the townhome development project. For the purposes thereof, "established drainage" is defined as the drainage which exists at the time the Declaration is enacted, or upon the completion of the townhome development project.

6.12 No Hazardous Activities. No activities shall be conducted on any property and no improvements constructed on any property which are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged upon any property; and no open fires shall be lighted or permitted on any property except in a contained barbecue unit while attended and in use for cooking purposes.

6.13 Use of Driveway and Parking Spaces. No articles shall be stored or remain in the driveway area, including, but not limited to, automobiles, motorcycles, other vehicles of any kind, boats and bicycles, furniture and furnishings. Refuse, garbage, trash and recycling containers shall be kept at all times within the garage of each individual townhome. Parking spaces may be used only for the parking of operable passenger and business vehicles. Use of parking spaces for parking trailers or recreational vehicles shall not be permitted. Improperly parked vehicles may be removed at the risk and expense of the Owner thereof.

6.14 No Temporary Structures. No tent or shack or other temporary building, improvement or structure shall be placed upon any property.

6.15 No Mining and Drilling. No property shall be used for the purpose of mining, quarrying, drilling, boring or exploring for or removing water, oil, gas or other hydrocarbons, minerals, rocks, stones, gravel or earth.

ARTICLE VII

Miscellaneous

7.01 Amendment.

A. By Owners. The provisions of this Declaration may be amended by an instrument in writing signed and acknowledged by unanimous agreement of the Owners in the townhome development project, such an amendment shall be effective upon its recordation with the Blaine County Recorder.

B. Validity. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat and render invalid the rights of the beneficiary under any recorded deed of trust upon a townhome made in good faith and for value; provided that after the foreclosure of any such deed of trust such townhome shall remain subject to this Declaration, as amended.

7.02 Notices. Any notice permitted or required to be delivered as provided herein shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after a copy of the same has been deposited in the United States mail, postage prepaid, addressed to any person at the address given by such person to the Association for the purpose of service of such notice, or to the residence of such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing to the Association.

7.03 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate their purpose of creating a uniform plan for the operation and future development of the townhome development project. All provisions affecting any townhome project in the townhome development project shall be construed so as to be in conformance with the laws of the State of Idaho, City of Ketchum, and all other governmental regulatory agencies. This Declaration shall be construed and governed under the laws of the State of Idaho.

7.04 Enforcement and Non-Waiver.

A. Right of Enforcement. An Owner of any townhome within the townhome development project shall have the right to enforce any or all of the provisions of the Restrictions upon any property within the townhome development project and the Owners thereof.

B. Violations and Nuisance. Every act or omission whereby any provision of the townhome development project Restrictions is violated in whole or in part is hereby declared to be a nuisance and may be enjoined or abated, whether or not the relief sought is for negative or affirmative action by Declarant or an Owner of a townhome within the project.

C. Violation of the Law. Any violation of any state, municipal or local law, ordinance or regulation pertaining to the ownership, occupation or use of any property within the townhome development project is hereby declared to be a violation of the Restrictions thereof and subject to any or all of the enforcement procedures set forth in said Restrictions.

D. Remedies Cumulative. Each remedy provided by the townhome development project Restrictions is cumulative and non-exclusive.

E. Non-Waiver. The failure to enforce any of the provisions of the townhome development project Restrictions at any time shall not constitute a waiver of the right thereafter to enforce any such provisions or any other provisions of said Restrictions.

7.05 Construction.

A. Restrictions Construed Together. All of the provisions of the townhome development project Restrictions shall be liberally construed together to promote and effectuate the fundamental concepts of the townhome development project as set forth in the preamble of this Declaration.

B. Restrictions Severable. Notwithstanding the provisions of the foregoing paragraph A, each of the provisions of the townhome development project shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.

C. Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall include the masculine, feminine and neuter.

D. Captions. All captions and titles used in this Declaration are intended solely for convenience or reference and shall not affect that which is set forth in any of the provisions hereof.

7.06 Owner's Obligations Continue. All obligations of the Owner under and by virtue of the provisions of this Declaration shall continue, notwithstanding that he may have leased or rendered said interest as provided herein, but the Owner of a townhome shall have no obligation for expenses or other obligations accrued after he conveys such townhome.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written.

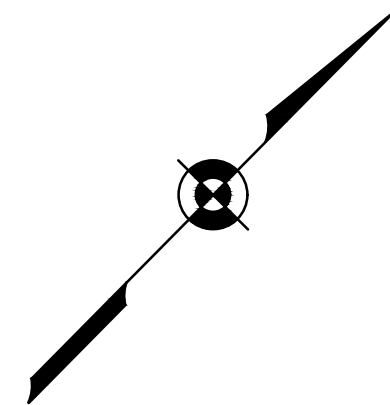
Sapp Family Holdings, LLC

By _____

Layne Sapp, Member

A PLAT SHOWING SAPP TOWNHOMES

WHERE IN LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, IS SUBDIVIDED INTO TOWNHOME SUBLOTS 1 & 2 AS SHOWN HEREON
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
JULY 2022



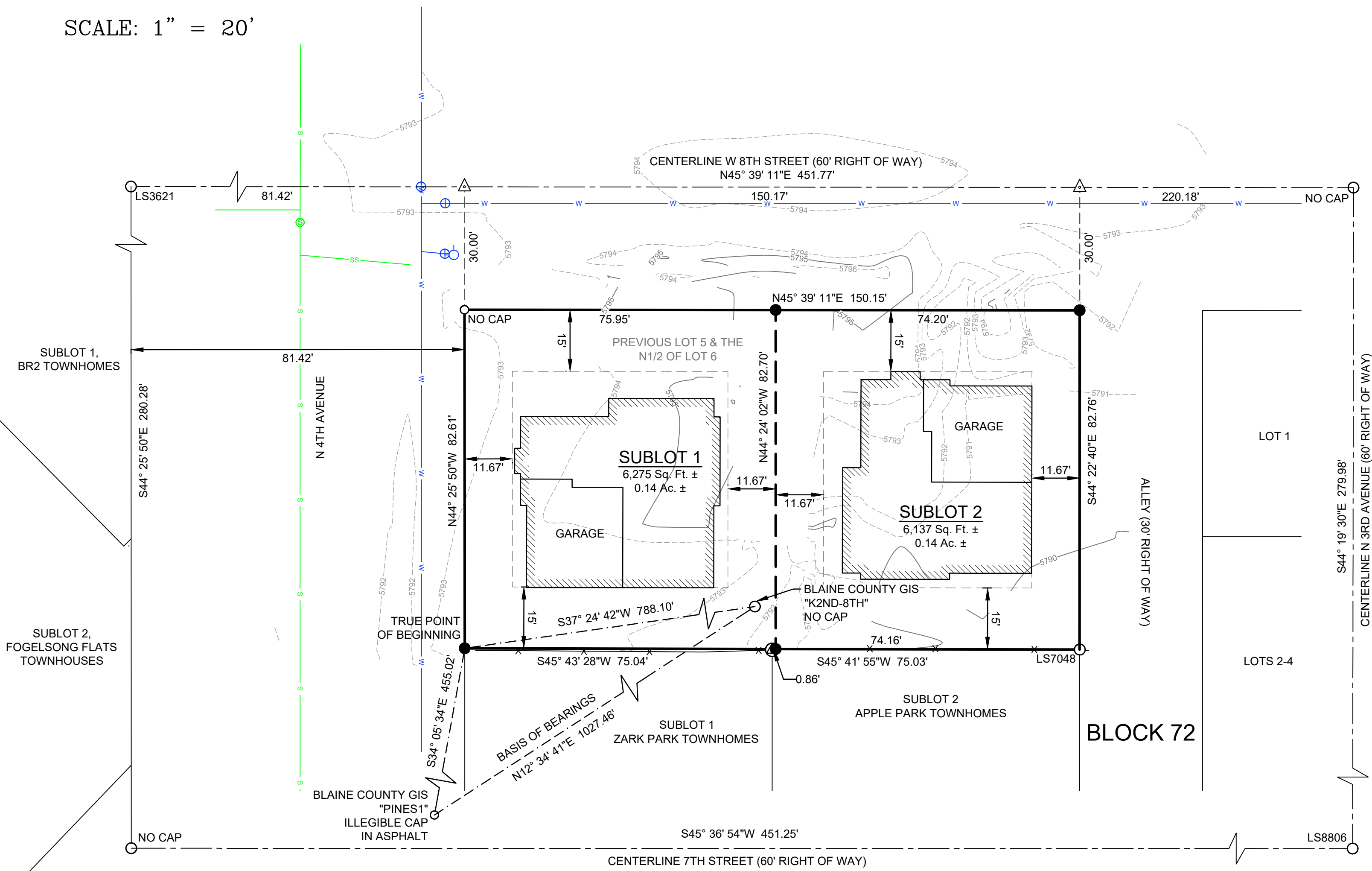
SCALE: 1" = 20'

LEGEND

- Property Line
- Proposed Lot Line
- Adjoiner's Lot Line
- Centerline of Right of Way
- Fence Line
- Survey Tie Line
- GIS Tie Line
- Building Setback, Width as Shown
- Water Main Line
- Sewer Main Line
- Sewer Service Line
- 5' Contour Interval
- 1' Contour Interval
- Proposed Building
- Found Aluminum Cap on 5/8" Rebar by LS3432
- Found 5/8" Rebar
- Found 1/2" Rebar
- Set 5/8" Rebar, P.L.S. 16670
- Calculated Point, Nothing Set
- Manhole
- Water Valve
- Fire Hydrant

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to show the monuments found and set during the boundary retracement of Lot 5 & the N1/2 of Lot 6, Block 72, Ketchum Townsite and subdivide it to create Sublots 1 & 2 of Sapp Townhomes, as shown hereon. The boundary shown is based on found centerline and lot corner monuments and the Official Map of the Village of Ketchum, Instrument No. 302967, records of Blaine County, Idaho. All found monuments have been accepted. Additional documents used in the course of this survey include the Plat of Zark Park Townhomes, Instrument Number 425489, the Plat showing BR2 Townhomes, Instrument Number 440458, the Plat showing Apple Park Townhomes, Instrument Number 663014, the Plat showing Zark Park Subdivision, Instrument Number 348073, and the Plat showing Apple Park Subdivision, Instrument Number 355698, all records of Blaine County, Idaho.
- The distances shown are measured. Refer to the above referenced documents for previous record data.
- Galena Engineering Inc. has not received a Title Policy from the client and has not been requested to obtain one. Relevant information that may be contained within a Title Policy may therefore not appear on this map and may affect items shown hereon. It is the responsibility of the client to determine the significance of the Title Policy information and determine whether it should be included. If the client desires this information to be included they must furnish said information to Galena Engineering, Inc. and request it be added to this map.
- Unless otherwise shown hereon, this survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations.
- All utilities shall be installed underground.
- All townhome unit owners shall have mutual reciprocal easements for existing and future water, cable tv, sewage, telephone, natural gas and electrical lines over, under, and across their townhomes and sublots for the repair, maintenance, and replacement thereof.
- Garage space shall not be converted to living space or uses other than parking of vehicles and household storage.
- The townhome sublots shown hereon are considered as one (1) land lot. coverage requirements and other bulk regulations per the City of Ketchum ordinances apply to the sublots as one parcel.
- The owner/subdivider is Sapp Family Holdings, LLC, 1100 Bellevue Way, NE Suite 8A, Box 551, Bellevue, Washington 98004. The surveyor/representative is Mark Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, ID 83333.
- The current zoning is GR-L. Refer to the City of Ketchum Zoning Ordinance for specific information about this zone.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670

SAPP TOWNHOMES
GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2
Job No. 8237-01

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned is the owner in fee simple of the following described parcel of land:

A parcel of land located within Section 13, T.4N., R.17E., B.M., City of Ketchum, Blaine County, Idaho, more particularly described as follows:

LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, KETCHUM TOWNSITE

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements.

I do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of units shown within this plat.

It is the intent of the owner to hereby include said land in this plat.

Sapp Family Holdings, LLC, an Idaho Limited Liability Company
BY: Rueben Ortega, Registered Agent

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 2022, before me, a Notary Public in and for said State, personally appeared Rueben Ortega, known or identified to me to be a Registered Agent of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for said State
Residing in _____
My Commission Expires _____

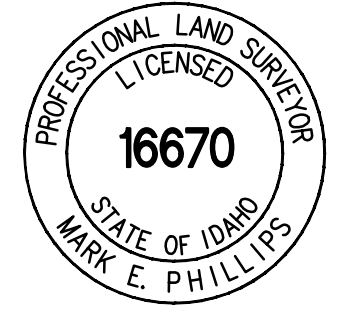
PROJECT ENGINEER'S CERTIFICATE

I, the undersigned, project engineer for Sapp Townhomes, certify that the subdivision is in accordance with the City of Ketchum Subdivision standards.

Sean M Flynn, PE 12497, Galena Engineering, INC

SURVEYOR'S CERTIFICATE

I, Mark E. Phillips, a duly Licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a true and accurate map of the land and points surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to Plats, Surveys, and Condominiums and the Corner Perpetuation and Filing Act, 55-1601 through 55-1612.



MARK E. PHILLIPS, P.L.S. 16670

BLAINE COUNTY SURVEYOR'S APPROVAL

I, Sam Young County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys.

Sam Young, P.L.S. 11577
Blaine County Surveyor

KETCHUM CITY COUNCIL CERTIFICATE

I, the undersigned, City Clerk, in and for the City of Ketchum, Blaine County, Idaho, do hereby certify that at a regular meeting of the City Council held on the ___ day of _____, 2022, this plat was duly accepted and approved.

Tara Fenwick, City Clerk, City of Ketchum

KETCHUM CITY ENGINEER CERTIFICATE

I, the undersigned, City Engineer in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ___ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Sherri Newland, City Engineer, City of Ketchum

KETCHUM CITY PLANNER CERTIFICATE

I, the undersigned, Planner in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ___ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Morgan Landers, City of Ketchum

BLAINE COUNTY TREASURER'S APPROVAL

I, the undersigned County Treasurer in and for Blaine County, State of Idaho per the requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Blaine County Treasurer

Date

BLAINE COUNTY RECORDER'S CERTIFICATE

SAPP TOWNHOMES
GALENA ENGINEERING, INC.
HAILEY, IDAHO
SHEET 2 OF 2
Job No. 8237-01

<p>RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:</p> <p>City Clerk, City of Ketchum PO Box 2315 Ketchum Idaho, 83340</p>	
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(Space Above Line For Recorder’s Use)

**SAPP TOWNHOMES
PHASED TOWNHOUSE SUBDIVISION AGREEMENT #22812**

THIS PHASED TOWNHOUSE SUBDIVISION AGREEMENT (“Agreement”) is made and entered into as of the __ day of _____ 2022, by and between the City of Ketchum, an Idaho municipal corporation (“City”) and Sapp Family Holdings, LLC, owner of real property (“Owner”).

RECITALS

WHEREAS, Owner owns certain real property located at 780 N 4th Ave, Ketchum, Idaho legally described as Lot 5 and N ½ of Lot 6, Block 72, Ketchum Townsite, according to the official plat recorded under Instrument Number 302967, on file in the office of the County Recorder of Blaine County, Idaho (the “Property”); and

WHEREAS, Owner has submitted a Design Review application for the development of the Property with two detached townhomes (the “Project”) and requests a phased development agreement for the development of the Project under the provisions of Section 16.04.110 – *Phased Development Projects* within Title 16 of the Ketchum Municipal Code.

WHEREAS, Owner has submitted an application for a townhouse preliminary plat to create two townhome sublots referred to as Sublot 1 and Sublot 2 (the “Townhouse Preliminary Plat”), included as Exhibit A.

WHEREAS, Owner proposes to construct all required right-of-way infrastructure improvements including paver driveways with no snowmelt, and water and sewer utility services for each subplot in one phase. All required improvements will be constructed to City standards and Owner assumes maintenance responsibilities of the paver driveway, water service lines, and sewer service lines to each subplot.

AGREEMENT

NOW THEREFORE, in consideration of the above recitals and the mutual covenants and agreements herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Maintenance Responsibilities.

A. *Owner.*

- (1) *Water Service Lines Serving Sublots 1 and 2.* Owner and all successors in interest are responsible for the installation, maintenance, repair, and other costs associated with the private water lines serving the Project. The private water line is from the point of the meter on N 4th Ave and 8th Streets to each detached townhouse unit.
- (2) *Sewer Service lines Serving Sublots 1 and 2.* Owner and all successors in interest are responsible for the installation, maintenance, repair, and other costs associated with the private sewer lines serving the Project. The private sewer line is from the point of the meter on N 4th Ave and 8th Streets to each detached townhouse unit.
- (3) *Paver Driveway.* Owner and all successors in interest are responsible for the installation, maintenance, repair, and other costs associated with the private driveways serving Sublots 1 and 2.

2. Construction and Completion Schedule.

- A. All townhouse units on Sublots 1 and 2 shall be completed no later than three years from the date of issuance of a building permit for the first townhouse unit, as evidenced by issuance of a Certificate of Occupancy for each townhouse unit.
- B. Prior to issuance of a Certificate of Occupancy for the first detached townhouse unit, each subplot shall be adequately served by both water and sewer services as generally depicted on Exhibit A, as affirmed in writing by the City. The City must approve the timing of water and sewer connections to the existing system.
- C. Prior to obtaining Certificate of Occupancy for the first townhouse unit, the following improvements as generally depicted on Exhibit B shall be completed and/or extended to each Sublot:
 - (1) Dry utility services (power, gas, cable, etc); and
 - (2) All hardscape pathways and access points for adequate and safe egress from the units; and
 - (3) N 4th Ave and 8th Street right of way improvements consistent with Ketchum Municipal Code, Title 12.04.030.H.1 and current right of way standards completed and installed to the satisfaction of the City Engineer; and

(4) Alley surfacing and drainage improvements; and

(5) Water and sewer mains and services serving sublots 1 and 2; and

D. Prior to obtaining a Certificate of Occupancy for the last detached townhouse unit, all landscaping as generally depicted in Exhibits A and B shall be installed.

3. Building Permits for Each Townhouse Unit. Owner shall apply for individual building permits for each townhouse unit to be constructed. Each townhouse unit shall obtain a separate Certificate of Occupancy. The first building permit shall include plans and improvements as identified in Sections 2A and B of this Agreement.

4. Townhouse Sublot Final Plat. The City agrees to accept and process a townhouse final plat application for approval by City Council provided a Certificate of Occupancy has been issued for the first townhouse unit on the Property should Owner comply with all above recitals.

5. Owners' Association Assumption of Responsibilities. Upon the recording of the Townhouse Sublot Final Plat, Owner may assign and transfer its maintenance responsibilities and obligations under this Agreement to the Sapp Townhomes Homeowner's Association.

6. General Provisions.

A. *Recitals and Construction.* The City and Owner incorporate the above recitals into this Agreement and affirm such recitals are true and correct.

B. *Effective Date.* This Agreement is effective as of the date on which the last of the City and Owner execute this Agreement. Neither party shall have any rights with respect to this Agreement until both have executed this Agreement.

C. *Owner Representations.* Owner represents and warrants to City that (a) Owner holds fee simple title to the Property, and (b) no joinder or approval of another person or entity is required with respect to Owner's authority to make and execute this Amendment.

D. *Neutral Interpretation.* City and Owner acknowledge they and, if they so choose, their respective counsel have reviewed this Agreement and the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party will not be employed in the interpretation of the Agreement, or any exhibits, attachments and addenda to the Agreement.

E. *Counterparts.* This Agreement may be executed in multiple counterparts, each of which taken together shall constitute one and the same agreement binding upon

the parties. Signatures transmitted by facsimile or via e-mail in a "PDF" format shall have the same force and effect as original signatures on this Amendment. The Original of this Amendment shall be recorded with the Blaine County Recorder.

IN WITNESS WHEREOF, the parties, having been duly authorized, have hereunder caused this Agreement to be executed, the same being done after public notice and statutory requirements having been fulfilled.

"CITY":

CITY OF KETCHUM,
an Idaho municipal corporation

"OWNER":

Sapp Family Holdings, LLC

By: _____

Neil Bradshaw, Mayor

By: _____

Print: _____

Member

ATTEST:

Trent Donat, City Clerk

ACKNOWLEDGEMENT FOR CITY

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this _____ day of _____, 2022, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified by me to be the Mayor of the City of Ketchum, Idaho, and the person who executed the foregoing instrument and acknowledged to me that he executed the same on behalf of such city.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written above.

Notary Public for the State of _____
Residing at _____
My Commission Expires _____

ACKNOWLEDGEMENT FOR OWNER

STATE OF _____)
) ss.
COUNTY OF _____)

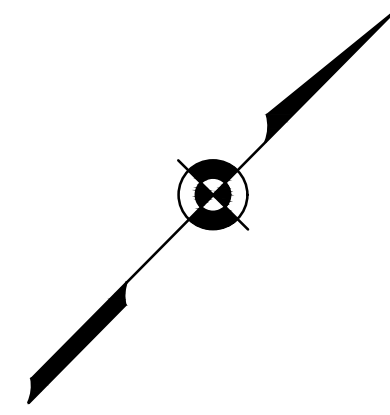
On this _____ day of _____, 2022, before me, a Notary Public in and for said State, personally appeared _____, known to me to be the owner of certain real property at 780 N 4th Ave, and known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of _____
Residing at _____
My Commission Expires _____

A PLAT SHOWING SAPP TOWNHOMES

WHERE IN LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, IS SUBDIVIDED INTO TOWNHOME SUBLOTS 1 & 2 AS SHOWN HEREON
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
JULY 2022



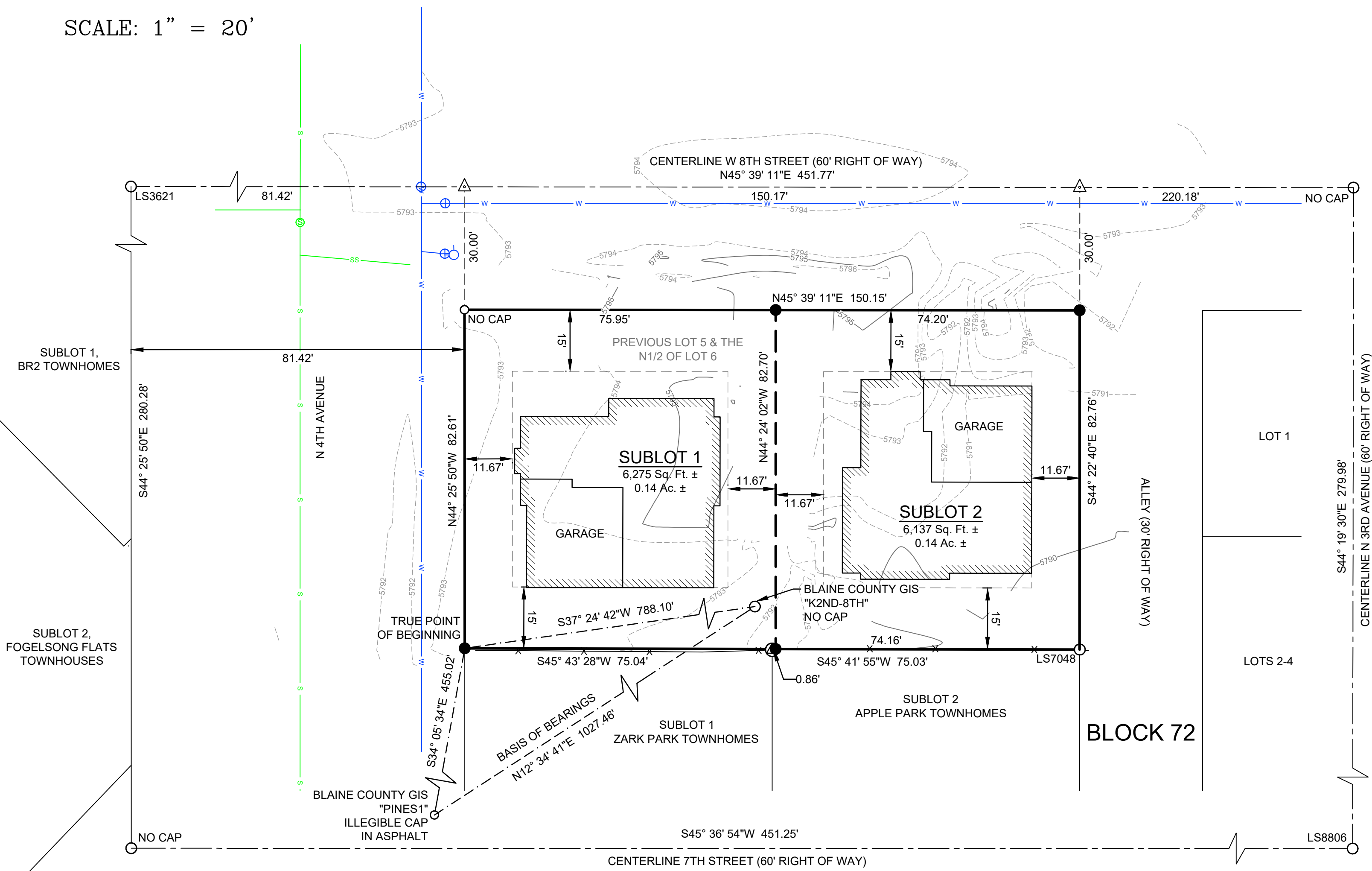
SCALE: 1" = 20'

LEGEND

- Property Line
- Proposed Lot Line
- Adjoiner's Lot Line
- Centerline of Right of Way
- Fence Line
- Survey Tie Line
- GIS Tie Line
- Building Setback, Width as Shown
- Water Main Line
- Sewer Main Line
- Sewer Service Line
- 5' Contour Interval
- 1' Contour Interval
- Proposed Building
- Found Aluminum Cap on 5/8" Rebar by LS3432
- Found 5/8" Rebar
- Found 1/2" Rebar
- Set 5/8" Rebar, P.L.S. 16670
- Calculated Point, Nothing Set
- Manhole
- Water Valve
- Fire Hydrant

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to show the monuments found and set during the boundary retracement of Lot 5 & the N1/2 of Lot 6, Block 72, Ketchum Townsite and subdivide it to create Sublots 1 & 2 of Sapp Townhomes, as shown hereon. The boundary shown is based on found centerline and lot corner monuments and the Official Map of the Village of Ketchum, Instrument No. 302967, records of Blaine County, Idaho. All found monuments have been accepted. Additional documents used in the course of this survey include the Plat of Zark Park Townhomes, Instrument Number 425489, the Plat showing BR2 Townhomes, Instrument Number 440458, the Plat showing Apple Park Townhomes, Instrument Number 663014, the Plat showing Zark Park Subdivision, Instrument Number 348073, and the Plat showing Apple Park Subdivision, Instrument Number 355698, all records of Blaine County, Idaho.
- The distances shown are measured. Refer to the above referenced documents for previous record data.
- Galena Engineering Inc. has not received a Title Policy from the client and has not been requested to obtain one. Relevant information that may be contained within a Title Policy may therefore not appear on this map and may affect items shown hereon. It is the responsibility of the client to determine the significance of the Title Policy information and determine whether it should be included. If the client desires this information to be included they must furnish said information to Galena Engineering, Inc. and request it be added to this map.
- Unless otherwise shown hereon, this survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations.
- All utilities shall be installed underground.
- All townhome unit owners shall have mutual reciprocal easements for existing and future water, cable tv, sewage, telephone, natural gas and electrical lines over, under, and across their townhomes and sublots for the repair, maintenance, and replacement thereof.
- Garage space shall not be converted to living space or uses other than parking of vehicles and household storage.
- The townhome sublots shown hereon are considered as one (1) land lot. coverage requirements and other bulk regulations per the City of Ketchum ordinances apply to the sublots as one parcel.
- The owner/subdivider is Sapp Family Holdings, LLC, 1100 Bellevue Way, NE Suite 8A, Box 551, Bellevue, Washington 98004. The surveyor/representative is Mark Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, ID 83333.
- The current zoning is GR-L. Refer to the City of Ketchum Zoning Ordinance for specific information about this zone.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central Public Health District



MARK E. PHILLIPS, P.L.S. 16670

SAPP TOWNHOMES
GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 2
Job No. 8237-01

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned is the owner in fee simple of the following described parcel of land:

A parcel of land located within Section 13, T.4N., R.17E., B.M., City of Ketchum, Blaine County, Idaho, more particularly described as follows:

LOT 5 & THE N1/2 OF LOT 6, BLOCK 72, KETCHUM TOWNSITE

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements.

I do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of units shown within this plat.

It is the intent of the owner to hereby include said land in this plat.

Sapp Family Holdings, LLC, an Idaho Limited Liability Company
BY: Rueben Ortega, Registered Agent

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 2022, before me, a Notary Public in and for said State, personally appeared Rueben Ortega, known or identified to me to be a Registered Agent of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for said State
Residing in _____
My Commission Expires _____

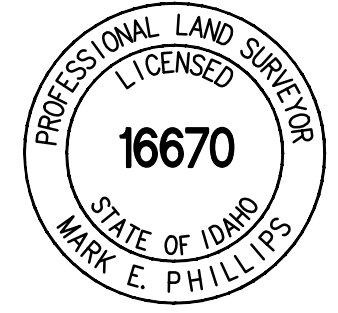
PROJECT ENGINEER'S CERTIFICATE

I, the undersigned, project engineer for Sapp Townhomes, certify that the subdivision is in accordance with the City of Ketchum Subdivision standards.

Sean M Flynn, PE 12497, Galena Engineering, INC

SURVEYOR'S CERTIFICATE

I, Mark E. Phillips, a duly Licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is a true and accurate map of the land and points surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to Plats, Surveys, and Condominiums and the Corner Perpetuation and Filing Act, 55-1601 through 55-1612.



MARK E. PHILLIPS, P.L.S. 16670

BLAINE COUNTY SURVEYOR'S APPROVAL

I, Sam Young County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys.

Sam Young, P.L.S. 11577
Blaine County Surveyor

KETCHUM CITY COUNCIL CERTIFICATE

I, the undersigned, City Clerk, in and for the City of Ketchum, Blaine County, Idaho, do hereby certify that at a regular meeting of the City Council held on the ___ day of _____, 2022, this plat was duly accepted and approved.

Tara Fenwick, City Clerk, City of Ketchum

KETCHUM CITY ENGINEER CERTIFICATE

I, the undersigned, City Engineer in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ___ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Sherri Newland, City Engineer, City of Ketchum

KETCHUM CITY PLANNER CERTIFICATE

I, the undersigned, Planner in and for the City of Ketchum, Blaine County, Idaho, do hereby approve this plat on this ___ day of _____, 2022, and certify that it is in accordance with the City of Ketchum subdivision ordinance.

Morgan Landers, City of Ketchum

BLAINE COUNTY TREASURER'S APPROVAL

I, the undersigned County Treasurer in and for Blaine County, State of Idaho per the requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Blaine County Treasurer

Date

BLAINE COUNTY RECORDER'S CERTIFICATE

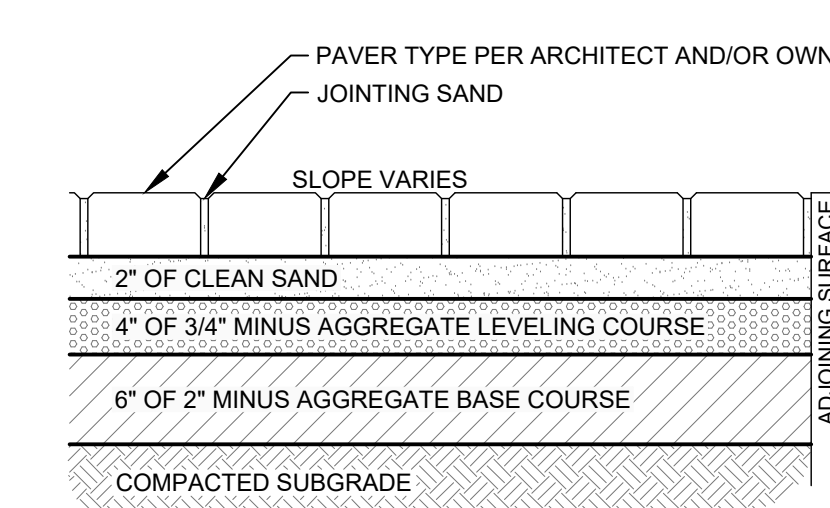
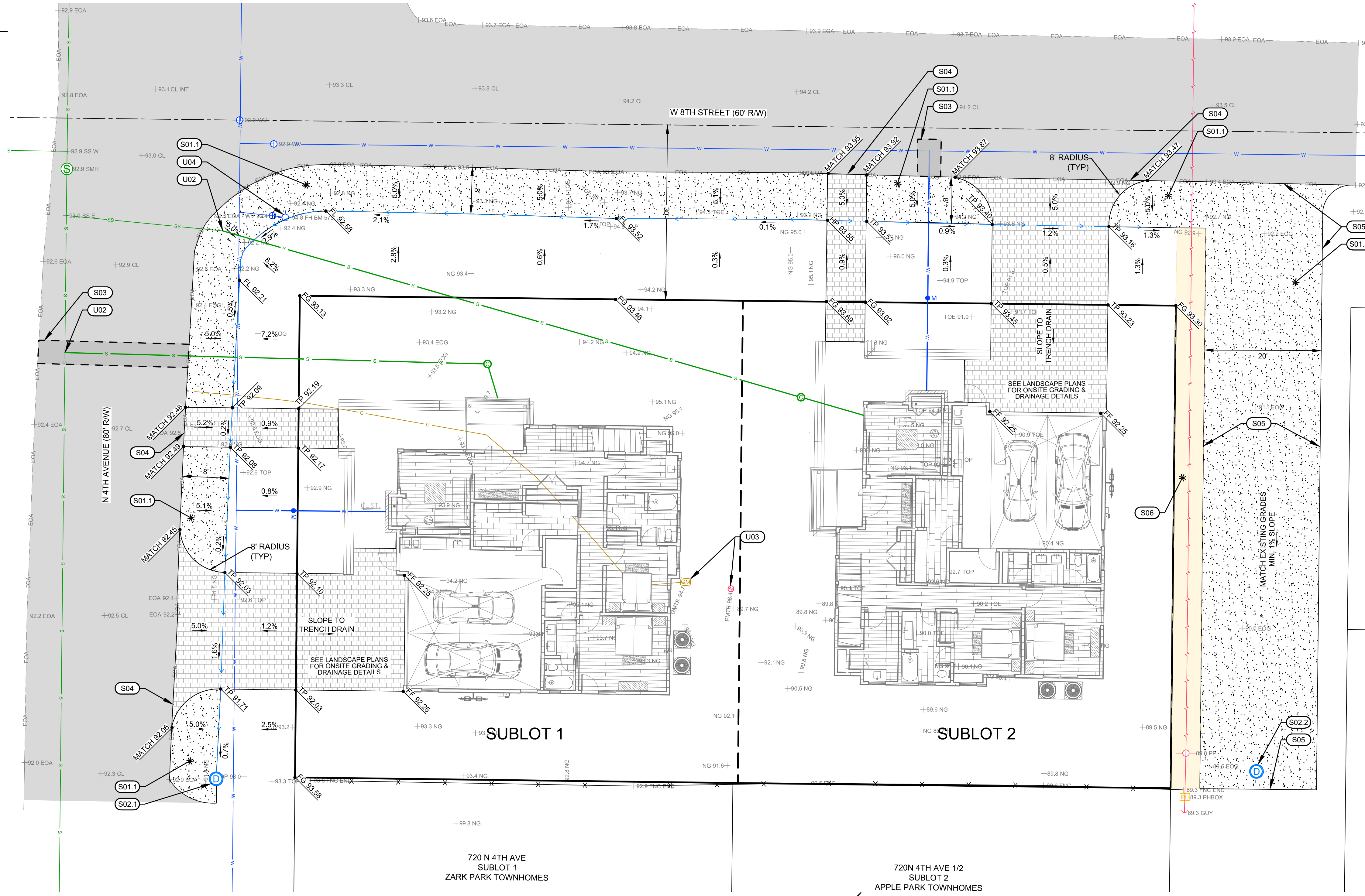
SAPP TOWNHOMES

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 2 OF 2
Job No. 8237-01

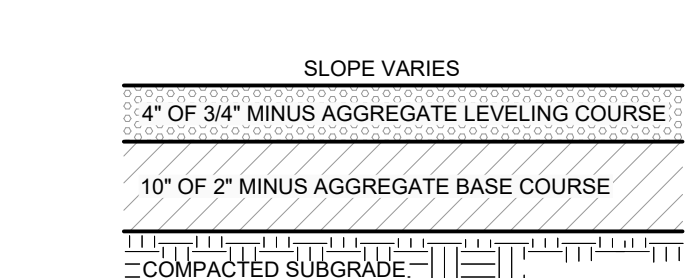
CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE MOST CURRENT EDITION OF THE "IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION" (ISPWC) AND CITY OF KETCHUM STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND KEEPING A COPY OF THE ISPWC AND CITY OF KETCHUM STANDARDS ON SITE DURING CONSTRUCTION.
2. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS IN AN APPROXIMATE WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING EXISTING UTILITIES PRIOR TO COMMENCING AND DURING THE CONSTRUCTION. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH RESULT FROM HIS FAILURE TO ACCURATELY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL CALL DIGLINE (1-800-342-1585) TO LOCATE ALL EXISTING UNDERGROUND UTILITIES A MINIMUM OF 48 HOURS IN ADVANCE OF EXCAVATION.
3. CONTRACTOR SHALL COORDINATE RELOCATIONS OF DRY UTILITY FACILITIES (POWER, CABLE, PHONE, TV) WITH THE APPROPRIATE UTILITY FRANCHISE.
4. THE CONTRACTOR SHALL CLEAN UP THE SITE AFTER CONSTRUCTION SO THAT IT IS IN A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION.
5. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION (THIS MAY INCLUDE ENCROACHMENT PERMITS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT (CGP) PERMIT COVERAGE).
6. ALL CLEARING & GRUBBING SHALL CONFORM TO ISPWC SECTION 201.
7. ALL EXCAVATION & EMBANKMENT SHALL CONFORM TO ISPWC SECTION 202. SUBGRADE SHALL BE EXCAVATED AND SHAPED TO LINE, GRADE, AND CROSS-SECTION SHOWN ON THE PLANS. THE SUBGRADE SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY ASTM D-698. THE CONTRACTOR SHALL WATER OR AERATE SUBGRADE AS NECESSARY TO OBTAIN OPTIMUM MOISTURE CONTENT. IN-LIEU OF DENSITY MEASUREMENTS, THE SUBGRADE MAY BE PROOF-ROLLED TO THE APPROVAL OF THE ENGINEER.
- PROOF-ROLLING: AFTER EXCAVATION TO THE SUBGRADE ELEVATION AND PRIOR TO PLACING COURSE GRAVEL, THE CONTRACTOR SHALL PROOF ROLL THE SUBGRADE WITH A 5-TON SMOOTH DRUM ROLLER, LOADED WATER TRUCK, OR LOADED DUMP TRUCK, AS ACCEPTED BY THE ENGINEER. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF UNSUITABLE SUBGRADE MATERIAL AREAS, AND/OR AREAS NOT CAPABLE OF COMPACTION ACCORDING TO THESE SPECIFICATIONS. UNSUITABLE OR DAMAGED SUBGRADE IS WHEN THE SOIL MOVES, PUMPS AND/OR DISPLACES UNDER ANY TYPE OF PRESSURE INCLUDING FOOT TRAFFIC LOADS.
- IF, IN THE OPINION OF THE ENGINEER, THE CONTRACTOR'S OPERATIONS RESULT IN DAMAGE TO, OR PROTECTION OF, THE SUBGRADE, THE CONTRACTOR SHALL, AT HIS OWN EXPENSE, REPAIR THE DAMAGED SUBGRADE BY OVER-EXCAVATION OF UNSUITABLE MATERIAL TO FIRM SUBSOIL, LINE EXCAVATION WITH GEOTEXTILE FABRIC, AND BACKFILL WITH PIT RUN GRAVEL.
8. ALL 2" MINUS GRAVEL SHALL CONFORM TO ISPWC 802, TYPE II (ITD STANDARD 703.04, 2"), SHALL BE PLACED IN CONFORMANCE WITH ISPWC SECTION 801 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 90% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99.
9. ALL 3/4" MINUS CRUSHED GRAVEL SHALL CONFORM TO ISPWC 802, TYPE I (ITD STANDARD 703.04, 3/4" B), SHALL BE PLACED IN CONFORMANCE WITH ISPWC SECTION 802 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
10. ALL ASPHALTIC CONCRETE PAVEMENT WORK SHALL CONFORM TO ISPWC SECTION(S) 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPWC SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPWC SECTION 805.
11. ASPHALT SAWCUTS SHALL BE AS INDICATED ON THE DRAWINGS, OR 24" INCHES FROM EDGE OF EXISTING ASPHALT, IF NOT INDICATED OTHERWISE SO AS TO PROVIDE A CLEAN PAVEMENT EDGE FOR MATCHING. NO WHEEL CUTTING SHALL BE ALLOWED.
12. CONSTRUCTION OF WATER SERVICES AND ALL OTHER RELATED APPURTENANCES SHALL BE IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPWC), IDAPA 58 01 08, IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS AND THE CITY OF KETCHUM UTILITIES DEPARTMENT STANDARDS.
13. CONTRACTOR SHALL PRESSURE TEST, DISINFECT, AND CONDUCT BIOLOGICAL TESTING IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPWC), AMERICAN WATER WORKS ASSOCIATION (AWWA) STANDARDS, AND THE PRESSURE TESTING, DISINFECTION, AND MICROBIOLOGICAL TESTING PROCEDURES.
14. CONTRACTOR TO COORDINATE SIZING AND INSTALLATION OF WATER METER DIRECTLY WITH THE CITY OF KETCHUM.
15. ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL BE ANSISNF STD. 61 COMPLIANT.
16. ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL COMPLY WITH THE LOW LEAD ACT REQUIRING ALL MATERIALS TO HAVE A LEAD CONTENT EQUAL TO OR LESS THAN 0.25%.
17. THE CONTRACTOR SHALL USE ANSISNF STANDARD 60 CHEMICALS AND COMPOUNDS DURING INSTALLATION & DISINFECTION OF POTABLE WATER LINES.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PER THE CURRENT EDITION OF THE US DEPARTMENT OF TRANSPORTATION MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PRIVATE PROPERTIES THROUGHOUT CONSTRUCTION, OR MUST OTHERWISE COORDINATE ACCESS WITH THE PROPERTY OWNER(S) THROUGH THE CITY ENGINEER.
19. PER IDAHO CODE § 55-1613, THE CONTRACTOR SHALL RETAIN AND PROTECT ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS; ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS THAT ARE LOST OR DISTURBED BY CONSTRUCTION SHALL BE REESTABLISHED AND RE-MONUMENTED, AT THE EXPENSE OF THE AGENCY OR PERSON CAUSING THEIR LOSS OR DISTURBANCE AT THEIR ORIGINAL LOCATION OR BY SETTING OF A WITNESS CORNER OR REFERENCE POINT OR A REPLACEMENT BENCHMARK OR CONTROL POINT, BY OR UNDER THE DIRECTION OF A PROFESSIONAL LAND SURVEYOR.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIRING A MATERIALS TESTING COMPANY DURING CONSTRUCTION TO VERIFY ALL COMPACTION AND MATERIAL PLAN AND SPECIFICATION REQUIREMENTS ARE MET. QUALITY CONTROL DOCUMENTATION OF TESTING FOR WORK IN RIGHT-OF-WAY MEETING CITY OF KETCHUM CODE SECTION 12.04.040 (CONCRETE, AGGREGATE BASE COMPACTION, ASPHALT COMPACTION) WILL BE NECESSARY FOR CERTIFICATE OF OCCUPANCY.
21. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IS BASED ON A SITE SURVEY BY GALENA ENGINEERING, DATED 10/26/2021.

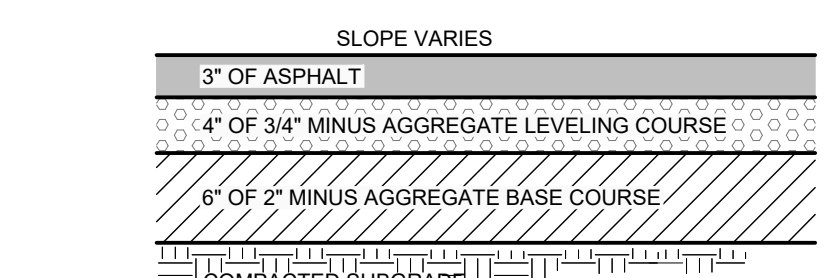


NOTES:
1. SUBBASE CAN BE 2\"/>

3 STANDARD PAVER DETAIL N.T.S.



1 TYPICAL GRAVEL SECTION N.T.S.



2 STREET ASPHALT SECTION N.T.S.



SITE IMPROVEMENT KEY NOTES

- S01.1 CONSTRUCT 8\"/>

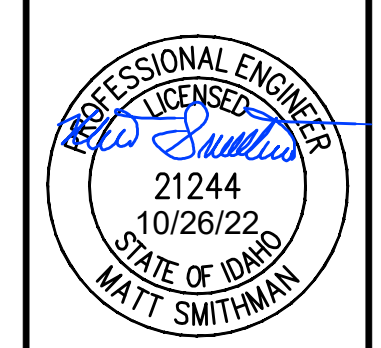
UTILITY CONSTRUCTION KEY NOTES

- U01 CONNECT NEW WATER SERVICE TO EXISTING CITY OF KETCHUM WATER MAIN.

LEGEND

Table with columns for EXISTING ITEMS, PROPOSED ITEMS, and symbols. Includes entries for Property Line, Adjoiner's Lot Line, Centerline, Fence Line, Asphalt, Gas Main, Gas Meter, Telephone Riser, Power Meter, Overhead Power Line, Guywire, Sewer Main, Sewer Service, Sewer Manhole, Water Main, Fire Hydrant, Water Valve, Proposed Lot Line, Gravel Shoulder & Roadway, Pavers, Flow Line of Ditch, Drywell, Waterline, Water Meter, Sewer Service Line, and Cleanout.

RIGHT OF WAY IMPROVEMENT PLAN
SAPP TOWNHOMES
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PREPARED FOR WILLIAMS PARTNERS ARCHITECTS, P.C.

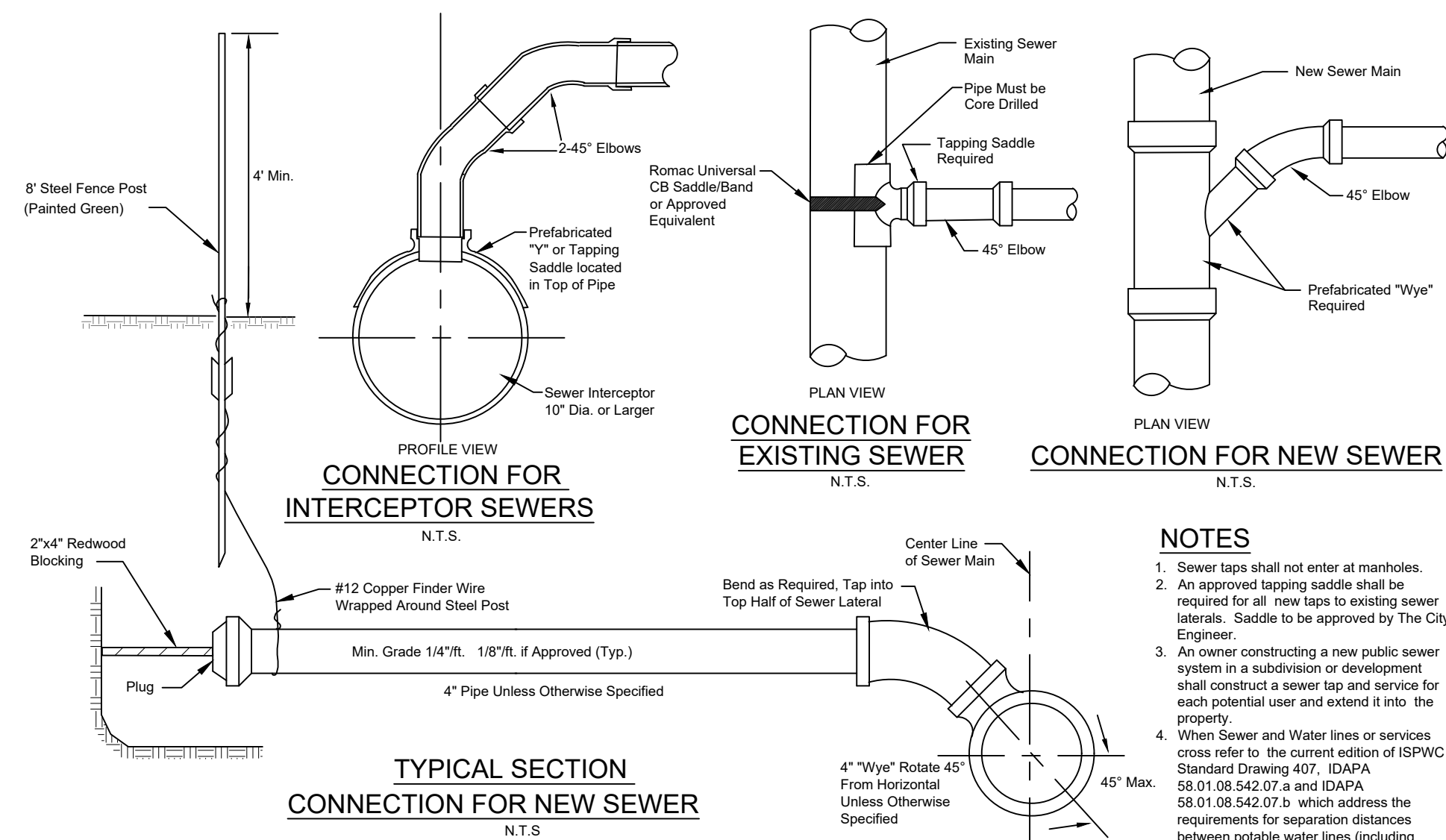


MS DESIGNED BY
MS DRAWN BY
CHECKED BY

GALENA ENGINEERING, INC.
Civil Engineers & Land Surveyors
317 N. River Street
Hailey, Idaho 83433
(208) 768-1705
email: galena@galena-engineering.com

Table with columns for REVISIONS, NO., DATE, and BY. Includes a large 'C1.00' at the bottom right.

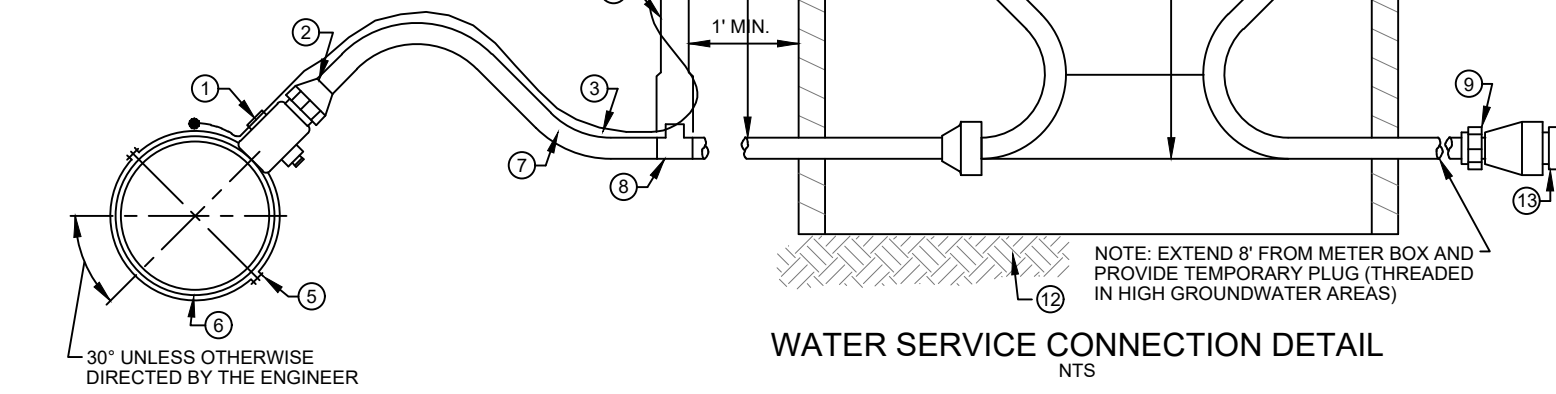
REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extension of this project except by agreement in writing with Galena Engineering, Inc.



1 SEWER SERVICE CONNECTION DETAIL
C2.00 N.T.S.

NOTES:

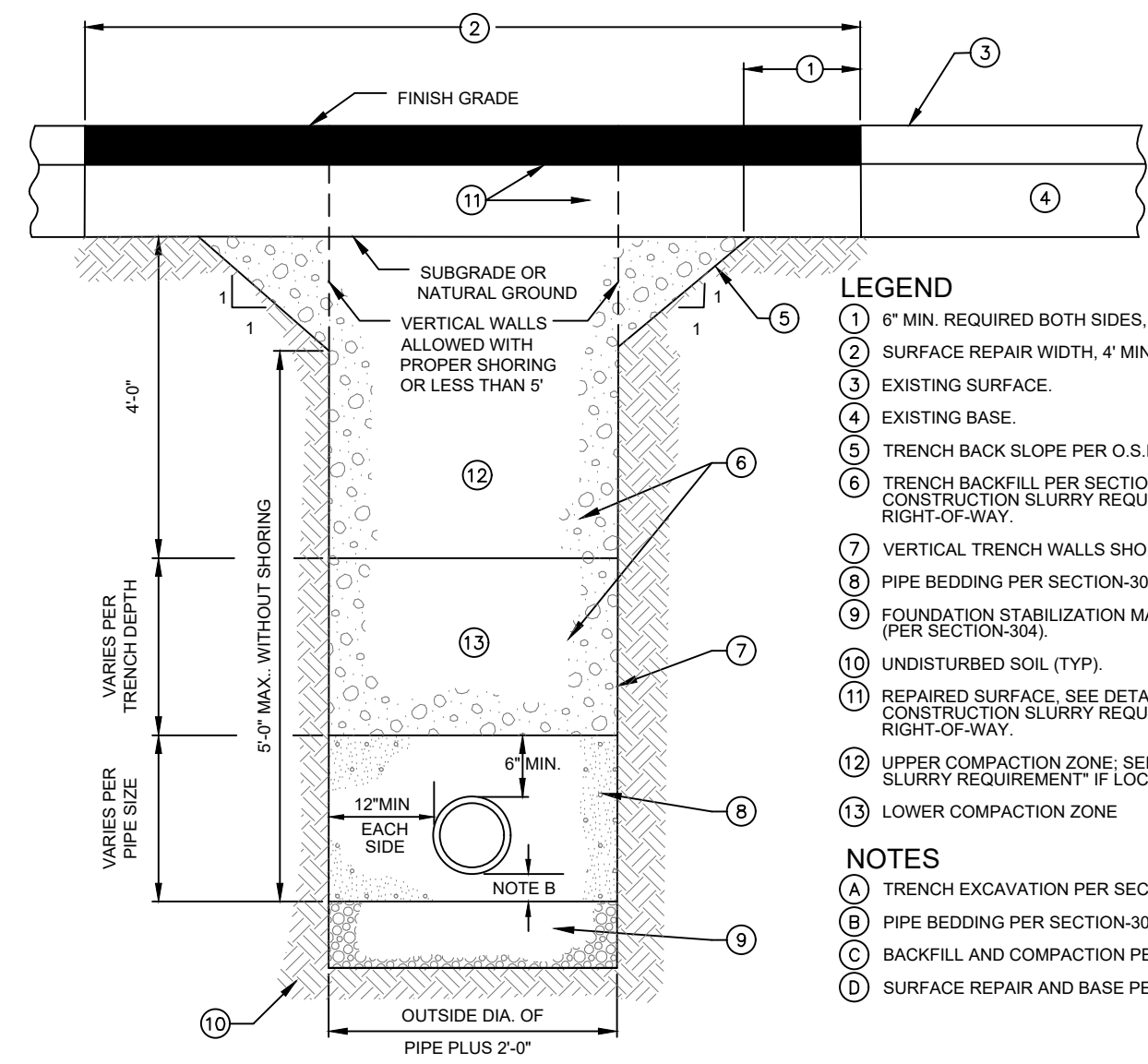
- A ALL PRODUCTS AS LISTED OR APPROVED SUBSTITUTIONS
- B NO GALVANIZED PIPE OR YELLOW BRASS FITTINGS TO BE USED
- C SERVICE PIPE: ULTRA HIGH MOLECULAR WEIGHT POLYETHYLENE PIPE SDR 9, CLASS 200 IN IRON PIPE SIZE (DRISCO PIPE 800 ULTRA LINE) 1"
- D SADDLE COUPLINGS: USED FOR CONNECTION OF ALL SERVICE LINES TO PVC MAIN. SERVICE SADDLES: EPOXY COATED STEEL WITH STAINLESS STEEL BAND AND MUELLER THREADS, TYPE IPS.
- E NO SERVICE CONNECTIONS WITHIN 18 INCHES OF THE PIPE ENDS. STAGGER MULTIPLE CONNECTIONS MADE ON THE SAME JOINT OF PIPE ALONG THE CIRCUMFERENCE AND SEPARATED BY A MINIMUM OF 18 INCHES OR 2.5X PIPE Ø. MAXIMUM TWO (2) SERVICE CONNECTIONS PER STRICK OF PIPE.
- F ELEVATION SET OF METER LID PER LOCAL REQUIREMENTS.



LEGEND

- 1 CORP STOP WITH COMPRESSION COUPLING FORD MODEL F-1100 OR APPROVED EQUAL
- 2 MUELLER H-15072
- 3 NO. 12 COPPER FINDER WIRE. SEE SD-514 FOR SPLICING
- 4 MUELLER 18" DIA OPENING LID OR APPROVED EQUAL. 2" DIA HOLE IN LID FOR RADIO READ UNIT. LIDS AND FRAMES LOCATED IN PAVED OR GRAVEL AREAS WHICH WILL RECEIVE VEHICULAR TRAFFIC SHALL BE H-20 RATED, D&L SUPPLY D-6016 RING WITH SOLID LID OR APPROVED EQUAL
- 5 STAINLESS STEEL SADDLE.
- 6 WATER MAIN.
- 7 1" SERVICE LINE, 200 PSI POLY PIPE WITH INSERTS (TYP.) NO SPLICING IS ALLOWED.
- 8 FORD MODEL B-111 RESILIENT SEAT, CURB BALL VALVE OR APPROVED EQUAL
- 9 DOUBLE PURPOSE COUPLING
- 10 STANDARD KETCHUM STYLE VALVE BOX WITH ERIE STYLE LID AND ATTACHED ROD
- 11 18" DIA. X 72" DEEP MUELLER THERMA COIL METER VAULT OR APPROVED EQUAL NOTCH FOR SERVICE LATERALS.
- 12 FIRM UNDISTURBED EARTH. (SET TILE ON 2" X 22" DIAMETER PRECAST CONCRETE BLOCK IF OVER EXCAVATION OCCURS)
- 13 PROVIDE TEMPORARY PLUG (THREADED IN HIGH WATER AREAS).

2 1" WATER SERVICE CONNECTION
C2.00 N.T.S.



LEGEND

- 1 6" MIN. REQUIRED BOTH SIDES. SAWCUT REQUIRED.
- 2 SURFACE REPAIR WIDTH 4' MINIMUM.
- 3 EXISTING SURFACE.
- 4 EXISTING BASE.
- 5 TRENCH BACK SLOPE PER O.S.H.A. OR SUITABLE SHORING.
- 6 TRENCH BACKFILL PER SECTION-305. OR SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.
- 7 VERTICAL TRENCH WALLS SHORING PER O.S.H.A.
- 8 PIPE BEDDING PER SECTION-305 (SEE SD-302).
- 9 FOUNDATION STABILIZATION MAY VARY PER SOIL TYPE AND STABILITY (PER SECTION-304).
- 10 UNDISTURBED SOIL, (TYP.)
- 11 REPAIRED SURFACE. SEE DETAILS 1 AND 2. SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.
- 12 UPPER COMPACTION ZONE. SEE "KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT" IF LOCATED WITHIN PUBLIC RIGHT-OF-WAY.
- 13 LOWER COMPACTION ZONE.

NOTES

- A TRENCH EXCAVATION PER SECTION-301.
- B PIPE BEDDING PER SECTION-305.
- C BACKFILL AND COMPACTION PER SECTION-306.
- D SURFACE REPAIR AND BASE PER DETAIL 3/C20

KETCHUM PUBLIC CONSTRUCTION SLURRY REQUIREMENT

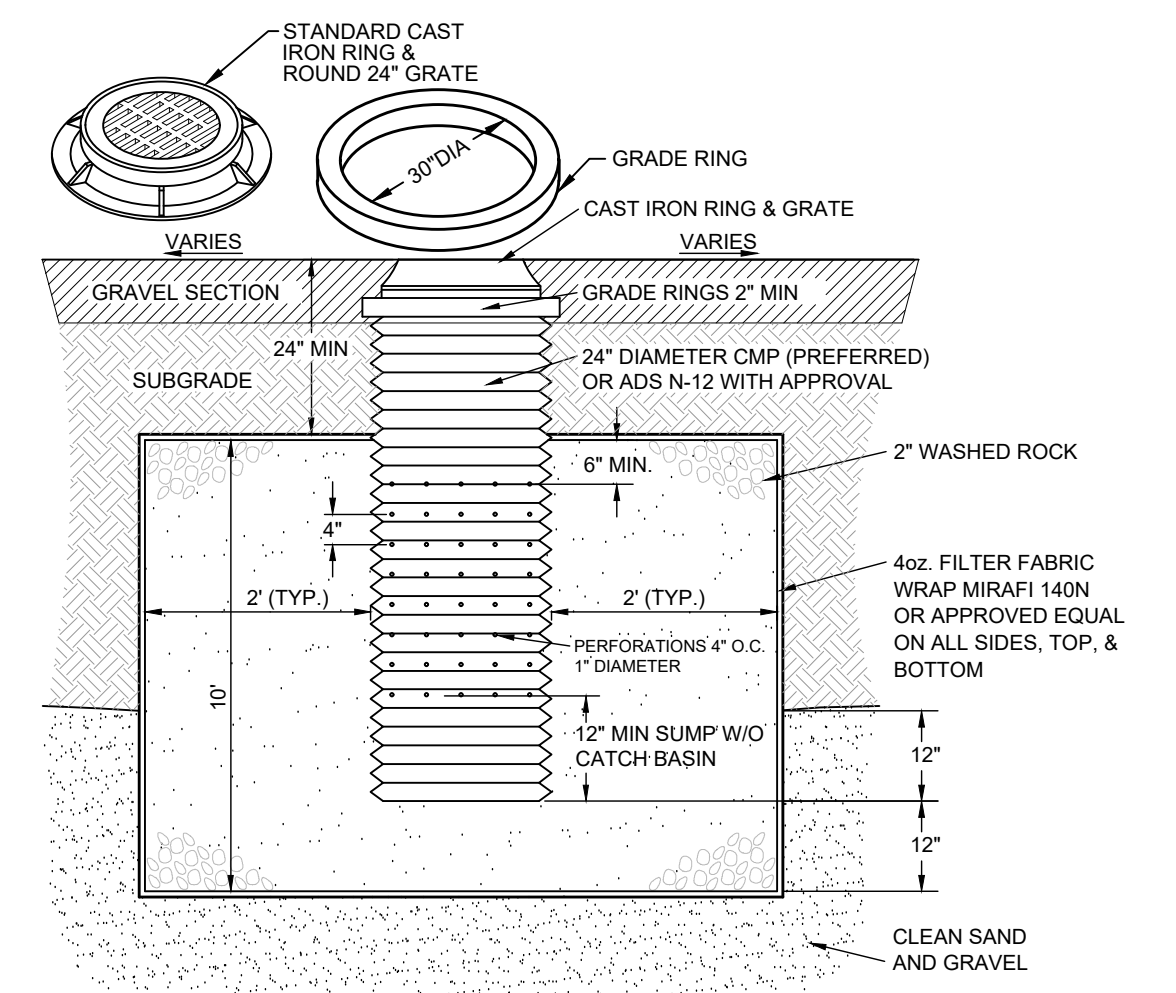
IN AREAS WHERE IT IS NECESSARY TO CUT THE ASPHALT PAVEMENT AND DIG A TRENCH FOR BURIAL OF CONDUIT CABLE OR OTHER CITY UTILITY, THE TRENCH SHALL BE BACKFILLED WITH A LEAN CONCRETE MIX TO THE BOTTOM OF FINISH SURFACE MATERIAL WITH THE FOLLOWING PROPORTIONS OF MATERIALS:

COARSE AGGREGATE (4" MINUS) 2600 LBS.
SAND 800 LBS.
PORTLAND CEMENT 94 LBS.
WATER 11 GAL. (MAX.)

WATER CONTENT IS MAXIMUM AND MAY BE REDUCING DOWNWARD. CARES SHALL BE TAKEN TO ASSURE THAT EXCESS WATER IS NOT PRESENT IN THE MIXING DRUM PRIOR TO CHARGING THE MIXER WITH MATERIALS. THOROUGH MIXING WILL BE REQUIRED PRIOR TO DISCHARGE.

NO COMPACTION, VIBRATION OR FINISHING IS REQUIRED. THE LEAN CONCRETE MIX SHALL BE STRUCK OFF AT OR BELOW THE ELEVATION OF THE PLANT MIX SURFACING WITH A SQUARE-NOSE SHOVEL OR SIMILAR HAND TOOL. THE BACKFILL MIX SHALL BE ALLOWED TO SET FOR A MINIMUM OF 2 HOURS BEFORE THE PERMANENT PLANT MIX SURFACING IS PLACED TO COMPLETE THE TRENCH REPAIR. TEMPORARY PLACEMENT OF ASPHALT COLD MIX SURFACING MAY BE NECESSARY TO ACCOMMODATE TRAFFIC WITHIN THE FIRST 2 HOURS OF BACKFILL PLACEMENT PRIOR TO COMPLETING THE PERMANENT REPAIR.

3 TYPICAL TRENCH SECTION
C2.00 N.T.S.

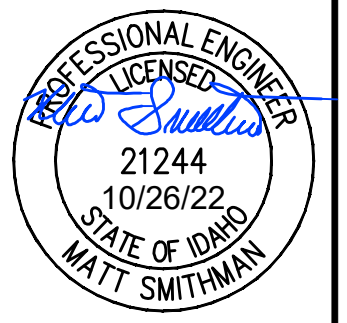


NOTE: THE BED SHALL BE EXCAVATED A MINIMUM OF 24" INTO CLEAN SAND AND GRAVEL. MAXIMUM DEPTH SHALL NOT EXCEED 12 FEET. IF CLEAN SAND AND GRAVEL IS NOT ENCOUNTERED WITHIN 12 FEET, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER.

4 DRYWELL DETAIL (6' Ø)
C2.00 N.T.S.

REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extensions of this project except by agreement in writing with Galena Engineering, Inc.

RIGHT OF WAY IMPROVEMENT DETAILS
SAPP TOWNHOMES
LOCATED WITHIN SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PREPARED FOR WILLIAMS PARTNERS ARCHITECTS, P.C.



MS DESIGNED BY
MS DRAWN BY
JL CHECKED BY

GALENA ENGINEERING, INC.
Civil Engineers & Land Surveyors
317 N. River Street
Halley, Idaho 83333
(208) 768-1705
email: galena@galena-engineering.com

NO.	DATE	BY	REVISIONS

PURPOSE: ISSUE FOR PERMIT
C2.00



City of Ketchum
Planning & Building

IN RE:)
)
 Sapp Townhomes) KETCHUM CITY COUNCIL
 Lot Line Shift) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
 Date: November 21, 2022) DECISION
)
 File Number: 22-052B)

PROJECT: Sapp Townhomes

APPLICATION TYPE: Lot Line Shift

FILE NUMBER: P22-052B

ASSOCIATED APPLICATIONS: Design Review (P22-052)
Townhouse Subdivision Preliminary Plat (P22-052A)

REPRESENTATIVE: Caleb Spangenberg, Williams Partners Architects (Architect)

OWNER: Sapp Family Holdings, LLC

LOCATION: 780 N 4th Ave (Lot 5 and N ½ of Lot 6, Block 72, Ketchum Townsite)

ZONING: General Residential Low Density (GR-L)

OVERLAY: None

RECORD OF PROCEEDINGS

The City of Ketchum received the application for a Lot Line Shift on September 22, 2022. Following receipt of the complete application, staff routed the application materials to all city departments for review. Department comments were provided to the applicant on October 10, 2022. As of the date of this letter, all department comments have been resolved or addressed through conditions of approval recommended below.

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on October 28, 2022. The public hearing notice was published in the Idaho Mountain Express the on November 2, 2022. A notice was posted on the project site and the city’s website on November 14, 2022.

FINDINGS OF FACT

The Ketchum City Council, having reviewed the entire project record, provided notice, and conducted the required public hearing, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

BACKGROUND

The Applicant is proposing two new 3,655 square foot two-story detached townhomes with attached two-car garages (the “project”), located at 780 N 4th Ave (the “subject property”). The subject property is zoned General Residential – Low Density (GR-L) and currently contains one single-family dwelling unit. Detached townhomes are a permitted use within the GR-L zone district provided that all dimensional standards are met. The project proposes to demolish the existing single-family dwelling unit, vacate the lot line between Lots 5 and 6, subdivide the property into two townhouse sublots, and construct a new detached dwelling unit on each of the newly created sublots.

The existing single-family residence was constructed in 1961 making it more than 50 years old. However, the building is not listed on the city’s adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required; however, a demolition permit cannot be issued for the existing residence until a 60-day waiting period has concluded.

The project will construct improvements to the right-of-way per the City of Ketchum improvement standards. The project proposes access to one subplot from N 4th Ave and access to the other subplot from 8th Street. The project proposes paver driveways with no snowmelt for both driveways. All improvements to the right-of-way have been preliminarily reviewed by the Streets Department and City Engineer with no comments on the proposed access and right-of-way improvements. Final review of the proposed improvements will be conducted by the City Engineer and Streets Department prior to issuance of a building permit.

FINDINGS REGARDING FINAL PLAT SUBDIVISION REQUIREMENTS

Findings Regarding Contents of Final Plat and Subdivision Design & Development Requirements			
Compliant			Standards and Council Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K Contents Of Final Plat: The final plat shall be drawn at such a scale and contain such lettering as to enable same to be placed upon sheets of eighteen inch by twenty four inch (18" x 24") Mylar paper with no part of the drawing nearer to the edge than one-half inch (1/2"), and shall be in conformance with the provisions of title 50, chapter 13, Idaho Code. The reverse side of such sheet shall not be used for any portion of the drawing, but may contain written matter as to dedications, certificates, signatures, and other information. The contents of the final plat shall include all items required under title 50, chapter 13, Idaho Code, and also shall include the following:</p> <p><i>Council Findings</i> <i>The mylar paper shall be prepared following Ketchum City Council review and approval of the Final Plat application and shall meet these standards.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.030.K .1 Point of beginning of subdivision description tied to at least two (2) governmental survey corners, or in lieu of government survey corners, to monuments recognized by the city engineer.</p> <p><i>Council Findings</i> <i>As shown on Sheet 1, this standard is met.</i></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .2	Location and description of monuments. <i>As shown on Sheet 1, this standard is met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .3	Tract boundary lines, property lines, lot lines, street right of way lines and centerlines, other rights of way and easement lines, building envelopes as required on the final plat, lot area of each lot, boundaries of floodplain and floodway and avalanche district, all with bearings, accurate dimensions in feet and decimals, in degrees and minutes and radii, arcs, central angles, tangents and chord lengths of all curves to the above accuracy. Council Findings <i>The plat indicates property lines and the centerline of N 4th Ave and 8th Street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .4	Names and locations of all adjoining subdivisions. Council Findings <i>The plat lists the adjacent townhouse developments to the south and Ketchum townsite lots to the east.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .5	Name and right of way width of each street and other public rights of way. Council Findings <i>This standard has been met. The plat indicates the N 4th Ave and 8th Street public rights-of-way as well as the alley at the rear of the property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .6	Location, dimension and purpose of all easements, public or private. Council Findings <i>A new 10 foot public utility easement is noted along the southern property boundary. No other easements apply to the property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .7	The blocks numbered consecutively throughout each block. Council Findings <i>No new blocks are being created with this plat. The legal description at the top of Sheet 1 notates the current block.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.K .8	The outline of any property, other than a street, alley or easement, which is offered for dedication to public use, fully dimensioned by distances and bearings with the area marked "Dedicated to the City of Ketchum for Public Use", together with any other descriptive language with regard to the precise nature of the use of the land so dedicated. Council Findings <i>N/A as no new dedication is being proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .9	The title, which shall include the name of the subdivision, the name of the city, if appropriate, county and state, and the location and description of the subdivision referenced to section, township, range. Council Findings <i>This standard has been met as the title on Sheet 1 includes all required components.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .10	Scale, north arrow and date. <i>This standard has been met as shown on Sheet 1.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .11	Location, width, and names of all existing or dedicated streets and other public ways within or adjacent to the proposed subdivision Council Findings <i>This standard has been met as all streets are shown on Sheet 1.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.K .12	A provision in the owner's certificate referencing the county recorder's instrument number where the condominium declaration(s) and/or articles of

				incorporation of homeowners' association governing the subdivision are recorded.
			Council Findings	<i>This standard is not applicable as this is not a townhouse or condominium plat. The subsequent townhouse preliminary plat includes this note as required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .13	Certificate by registered engineer or surveyor preparing the map certifying to the accuracy of surveying plat.
			Council Findings	<i>As shown on Sheet 2, the plat will be signed by the surveyor preparing the plat prior to recording.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .14	A current title report of all property contained within the plat.
			Council Findings	<i>This standard has been met. A title report was submitted with the initial application materials.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .15	Certification of owner(s) of record and all holders of security interest(s) of record with regard to such property.
			Council Findings	<i>As shown on Sheet 2, all owners of record will sign the plat prior to recording.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .16	Certification and signature of engineer (surveyor) verifying that the subdivision and design standards meet all city requirements.
			Council Findings	<i>As shown on Sheet 2, the Project Engineer will sign the plat prior to recording.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .17	Certification and signature of the city engineer verifying that the subdivision and design standards meet all city requirements.
			Council Findings	<i>As shown on Sheet 2, the City Engineer will sign the plat prior to recording.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.K .18	Certification and signature of the city clerk of the city of Ketchum verifying that the subdivision has been approved by the council.
			Council Findings	<i>As shown on Sheet 2, the City Clerk will sign the plat prior to recording.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.K .19	Notation of any additional restrictions imposed by the council on the development of such subdivision to provide for the public health, safety and welfare.
			Council Findings	<i>N/A. This standard is not applicable as no additional restrictions are necessary to provide for public health, safety, and welfare.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.L	Final Plat Copies: Both a hard copy and a digital copy of the final plat shall be filed with the administrator prior to being placed upon the Council's agenda. A digital copy of the final plat as approved by the council and signed by the city clerk shall be filed with the administrator and retained by the city. The applicant shall also provide the city with a digital copy of the recorded document with its assigned legal instrument number.
			Council Findings	<i>This standard has been met. All required copies of the final plat were filed appropriately with the administrator prior to placement on the council's agenda.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city.
			Council Findings	<i>This standard is not applicable as no additional improvements are required or proposed for the lot consolidation. For the future development, required</i>

				<i>improvements are proposed and memorialized in the preliminary plat for the townhouse subdivision.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the Council, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			Council Findings	<i>This standard is not applicable as no additional improvements are required or proposed for the lot consolidation.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.C	Performance Bond: Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather, factors beyond the control of the subdivider, or other conditions as determined acceptable at the sole discretion of the city, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be two years or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			Council Findings	<i>This standard is not applicable as no additional improvements are required or proposed for the lot consolidation.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			Council Findings	<i>This standard is not applicable as no additional improvements are required or proposed for the lot consolidation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows: <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat.

				<p>3. All street corner lines ending at boundary line of final plat.</p> <p>4. All angle points and points of curves on all streets.</p> <p>5. The point of beginning of the subdivision plat description.</p>
			Council Findings	<i>The applicant shall meet the required monumentation standards prior to recordation of the Final Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <p>1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings.</p> <p>2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following:</p> <p style="padding-left: 40px;">a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.</p> <p style="padding-left: 40px;">b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</p> <p>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat. Minimum lot sizes in all cases shall be reversed frontage lot(s).</p>
			Council Findings	<i>Standard #1 has been met. Lot 5A complies with the dimensional standards required for lots within the GR-L Zone. Standards #3-6 are not applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:

				<p>1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</p> <p>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</p> <p>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</p> <p>4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</p>
			Council Findings	<i>This application does not create a new block. This requirement is not applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H	<p>Street Improvement Requirements:</p> <p>1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</p> <p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</p> <p>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</p> <p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p> <p>5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</p> <p>6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;</p> <p>7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;</p> <p>8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a</p>

			<p>minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;</p> <p>19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;</p> <p>20. 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;</p> <p>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</p> <p>22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;</p> <p>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and</p>
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				<p>one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and</p> <p>24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone.</p>
			Council Findings	<i>This standard is not applicable. This proposal does not create new street, private road, or bridge. Street and alley improvements will be completed with the proposed townhouse development.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	<p>Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead-end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.</p>
			Council Findings	<i>This standard is not applicable as no new alleys are being created. Alley improvements will be completed with the proposed townhouse development.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J	<p>Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural</p>

			<p>vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.</p>
			<p>Council Findings</p> <p><i>A new public utility easement is being provided along the southern boundary of the property as shown on Sheet 1. The project does not create a new private street. The property is not adjacent to Warm Springs Creek or located within the floodplain or riparian area.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.K</p> <p>Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<p>Council Findings</p> <p><i>This standard is not applicable as no new subdivision is being created.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.L</p> <p>Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			<p>Council Findings</p> <p><i>This standard is not applicable as no new subdivision is being created.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.M</p>	<p>Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			<p>Council Findings</p>	<p><i>This standard is not applicable as no new subdivision is being created. The lot is not adjoining to any incompatible uses or features.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.N</p>	<p>Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> 1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application. 2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements. 3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways. 4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision. 5. 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. 6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: <ol style="list-style-type: none"> a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods).

				<p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope.</p> <p>e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</p>
			Council Findings	<i>This standard is not applicable as no new subdivision is being created. No grading is proposed or required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.O	<p>Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.</p>
			Council Findings	<i>This standard is not applicable as no new subdivision is being created. No changes are proposed or required to the drainage of the existing lot.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.P	<p>Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a 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.</p>
			Council Findings	<i>This standard is not applicable as no new subdivision is being created.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	<p>Off Site Improvements: Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.</p>
			Council Findings	<i>This standard is not applicable as no off-site improvements are required for the application</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.R	<p>Avalanche And Mountain Overlay: All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this</p>

				chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.
			Council Findings	<i>This standard is not applicable as the subject property is not within the Avalanche Zone District or Mountain Overlay Zone District.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.S	Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Council Findings	<i>This standard is not applicable as no changes to existing features on the property are proposed.</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 Municipal 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 Readjustment of Lot Lines (lot line shift) application for the development and use of the project site.
2. The Council has authority to review approve of the applicant’s lot line shift application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §16.04.060.E.
4. The lot line shift application is governed under Chapter 16.04 of Ketchum Municipal Code.
5. The lot line shift application meets all applicable standards specified in Title 16 of Ketchum Municipal Code.

DECISION

THEREFORE, the Council **approves** this Lot Line Shift application File No. P22-052B this Monday, November 21, 2022 subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. Upon recording of the final plat with the Blaine County Clerk and Recorder's office, the applicant shall provide a copy of the recorded Final Plat to the Planning and Building Department.

Findings of Fact **adopted** this 21st day of November 2022.

Neil Bradshaw, Mayor
City of Ketchum



**City of Ketchum
Planning & Building**

IN RE:)	
)	
Sapp Townhomes)	KETCHUM CITY COUNCIL
Townhouse Subdivision – Preliminary Plat)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: November 21, 2022)	DECISION
)	
File Number: 22-052A)	

PROJECT: Sapp Townhomes

APPLICATION TYPE: Townhouse Subdivision Preliminary Plat (P22-052A)

FILE NUMBER: P22-052A

ASSOCIATED APPLICATIONS: Design Review (P22-052)
Lot Line Shift (P22-052B)

REPRESENTATIVE: Caleb Spangenberg, Williams Partners Architects (Architect)

OWNER: Sapp Family Holdings, LLC

LOCATION: 780 N 4th Ave (Lot 5 and N ½ of Lot 6, Block 72, Ketchum Townsite)

ZONING: General Residential Low Density (GR-L)

OVERLAY: None

RECORD OF PROCEEDINGS

The City of Ketchum received the application for Design Review and Preliminary Plat on July 28, 2022. The Final Design and Preliminary Plat applications have been reviewed concurrently and were deemed complete on September 16, 2022, after one review for completeness. Following receipt of the complete application, staff routed the application materials to all city departments for review. Department comments were provided to the applicant on August 11, 2021. As of the date of this letter, all department comments have been resolved or addressed through conditions of approval recommended below.

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on October 14, 2022. The public hearing notice was published in the Idaho Mountain Express the on October 19, 2022. A notice was posted on the project site and

the city’s website on October 19, 2022. Story poles were documented on the project site as of October 3, 2022.

The Planning & Zoning Commission considered the Sapp Townhomes Design Review (Application File No. P22-052) and Townhouse Subdivision Preliminary Plat (Application File No. P22-052A) applications during their regular meeting on November 8, 2022. The development applications were considered concurrently and the associated public hearings were combined in accordance with Idaho Code §67-6522. After considering Staff’s analysis, the applicant’s presentation, and public comment, the Planning & Zoning Commission unanimously approved the Design Review (Application File No. P22-052) and unanimously recommended approval of the Townhouse Subdivision Preliminary Plat (Application File No. P22-052) application to the City Council.

FINDINGS OF FACT

The Ketchum City Council, having reviewed the entire project record, provided notice, and conducted the required public hearing, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

BACKGROUND

The Applicant is proposing two new 3,655 square foot two-story detached townhomes with attached two-car garages (the “project”), located at 780 N 4th Ave (the “subject property”). The subject property is zoned General Residential – Low Density (GR-L) and currently contains one single-family dwelling unit. Detached townhomes are a permitted use within the GR-L zone district provided that all dimensional standards are met. The project proposes to demolish the existing single-family dwelling unit, vacate the lot line between Lots 5 and 6, subdivide the property into two townhouse sublots, and construct a new detached dwelling unit on each of the newly created sublots.

The existing single-family residence was constructed in 1961 making it more than 50 years old. However, the building is not listed on the city’s adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required; however, a demolition permit cannot be issued for the existing residence until a 60-day waiting period has concluded.

The project will construct improvements to the right-of-way per the City of Ketchum improvement standards. The project proposes access to one sublot from N 4th Ave and access to the other sublot from 8th Street. The project proposes paver driveways with no snowmelt for both driveways. All improvements to the right-of-way have been preliminarily reviewed by the Streets Department and City Engineer with no comments on the proposed access and right-of-way improvements. Final review of the proposed improvements will be conducted by the City Engineer and Streets Department prior to issuance of a building permit.

FINDINGS REGARDING COMPLIANCE WITH TOWNHOUSE SUBDIVISION REQUIREMENTS

Townhouse Plat Requirements				
Compliant			Standards	
Yes	No	N/A	City Code	City Standards
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.080.B	Townhouse Owners' Documents: The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an

				association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.
			<i>Findings</i>	The project proposes detached townhouses, therefore, no party wall agreement is required. The applicants have provided draft covenant documents as part of the application materials.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p>Preliminary Plat Procedure: Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p>
			<i>Findings</i>	The applicant submitted a Design Review application for the project in conjunction with the townhouse subdivision application. Both applications were reviewed and approved by the Planning and Zoning Commission at the November 8, 2022 meeting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	<p>The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.</p>
			<i>Findings</i>	The applicant submitted a Design Review application for the project in conjunction with the townhouse subdivision application. Both applications were reviewed and approved by the Planning and Zoning Commission at the November 8, 2022 meeting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.3	<p>The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.</p>
			<i>Findings</i>	Following adoption of the Findings of Fact for the Townhouse Subdivision application, staff will transmit the application and findings to the City Council for review and approval prior to issuance of a building permit for the project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.4	<p>4. In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.</p>

			<i>Findings</i>	A phased townhouse development is proposed. The phased development agreement was reviewed and recommended for approval to the City Council as part of the review of this townhouse preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.D	<p>D. Final Plat Procedure:</p> <p>1. The final plat procedure contained in subsection 16.04.030G of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received either:</p> <p>a. A certificate of occupancy issued by the city of Ketchum for all structures in the townhouse development and completion of all design review elements as approved by the planning and zoning administrator; or</p> <p>b. Signed council approval of a phased development project consistent with §16.04.110 herein.</p> <p>2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to title 17, chapter 17.96 of this code.</p>
			<i>Findings</i>	Following receipt of a certificate of occupancy, the applicant shall submit an application for final plat following all procedures as outlined in Title 16 of the Ketchum Municipal Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E. 1	<p>E. Required Findings: In addition to all Townhouse Developments complying with the applicable provisions of Title 17 and this Subdivision Chapter (§16.04), the Administrator shall find that</p> <p>All Townhouse Developments, including each individual subplot, shall not exceed the maximum building coverage requirements of the zoning district.</p>
			<i>Findings</i>	The maximum building coverage in the GR-L zone district is 35% of the lot. The subject property is 12,413 square feet. The proposed detached townhomes have a building coverage of 4,344 square feet. This results in a total building coverage of 35% of the lot.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E. 2	<p>Garage: All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents, and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.</p>
			<i>Findings</i>	Both sublots include two car garages. The garages may not be subdivided and sold separate per Note 9 on the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E. 3	<p>General Applicability: All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse subdivisions. (Ord. 1061 § 3, 2009: Ord. 879 § 4, 2001: Ord. 460 § 2, 1987)</p>
			<i>Findings</i>	During department review of the Design Review application, staff reviewed the project for compliance with the Zoning Regulations, dimensional standards, and development standards for the City of Ketchum. As conditioned, the townhouse subdivision application meets all applicable regulations.

FINDINGS REGARDING PRELIMINARY PLAT SUBDIVISION REQUIREMENTS

Preliminary Plat Requirements				
Compliant				
Yes	No	N/A	City Code	City Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			<i>Findings</i>	The City of Ketchum Planning and Building Department received the subdivision application and all applicable application materials on July 28, 2022.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Contents Of Preliminary Plat: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application.
			<i>Findings</i>	The subdivision application was deemed complete on September 16, 2022.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following: The scale, north point and date.
			<i>Findings</i>	This standard is met as shown on Sheet 1 of the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .2	The name of the proposed subdivision, which shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho.
			<i>Findings</i>	As shown on Sheet 1 of the preliminary plat, the subdivision is named "Sapp Townhomes" which is not the same as any other subdivision in Blaine County, Idaho.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			<i>Findings</i>	As shown on Sheets 1 and 2, the owner and subdivider is Sapp Family Holdings, LLC. The plat was prepared by Mark Phillips of Galena Engineering.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .4	Legal description of the area platted.
			<i>Findings</i>	The legal description of the area platted is shown in the Certificate of Ownership on Sheet 2 of the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			<i>Findings</i>	Sheet 1 of the preliminary plat indicates the boundary lines of the adjoining lots including Ketchum Townsite lots and adjoining townhouse lots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .6	A contour map of the subdivision with contour lines and a maximum interval of five feet (5') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			<i>Findings</i>	Sheet 1 of the preliminary plat shows the contour lines for the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I 7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			<i>Findings</i>	Sheet 1 of the preliminary plat shows the location of the proposed units and all adjacent streets and easements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .8	Boundary description and the area of the tract.
			<i>Findings</i>	Sheet 1 provides the boundary description of the area and includes square footage and acreage of both sublots.
			16.04.030.I .9	Existing zoning of the tract.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Findings</i>	Plat note #12 on Sheet 1 of the preliminary plat lists the existing zoning of the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			<i>Findings</i>	Sheet 1 of the preliminary plat shows the locations and lot lines for the proposed townhouse sublots. No new streets or blocks are being proposed with this application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			<i>Findings</i>	This standard is not applicable as there is no requirement or proposal for land dedicated for public or common use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			<i>Findings</i>	As shown on Sheet 1, each detached townhouse will have separate services for water and sewer from the main lines in N 4 th Ave and 8 th Street.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .13	The direction of drainage, flow and approximate grade of all streets.
			<i>Findings</i>	This standard does not apply as no new streets are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			<i>Findings</i>	This standard does not apply as no new drainage canals or structures are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .15	All percolation tests and/or exploratory pit excavations required by state health authorities.
			<i>Findings</i>	This standard does not apply as no addition tests are required.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .16	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			<i>Findings</i>	This standard does not apply as there will not be a homeowner's association for the two properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .17	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			<i>Findings</i>	The cover sheet to the project plans includes a vicinity map that satisfies this requirement.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .18	The boundaries of the floodplain, floodway and avalanche zoning district shall also be clearly delineated and marked on the preliminary plat.
			<i>Findings</i>	The subject property is not within a floodplain, floodway, or avalanche zone district.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .19	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.

			<i>Findings</i>	A building envelope is not required as the subject property is not within the floodway, floodplain, or avalanche zone. The subject property is not adjacent to the Big Wood River, Trail Creek or Warm Springs. The subject property does not contain slopes greater than 25% and is not adjacent to an intersection.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .20	Lot area of each lot.
			<i>Findings</i>	As shown on Sheet 1 of the preliminary plat, the area of Sublot 1 is 6,277 square feet and the area of Sublot 2 is 6,137 square feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .21	Existing mature trees and established shrub masses.
			<i>Findings</i>	As shown on Sheet 1 of the preliminary plat, there are a variety of trees and shrubs existing on the property and within the right-of-way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .22	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			<i>Findings</i>	The applicant provided a title commitment issued by Sun Valley Title dated July 20, 2021 and a warranty deed recorded at Instrument Number 684667 with the initial application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .23	Three (3) copies of the preliminary plat shall be filed with the administrator.
			<i>Findings</i>	The City of Ketchum received hard and digital copies of the preliminary plat at the time of application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			<i>Findings</i>	All proposed improvements to the public right-of-way are shown in the project plans. The applicant also submitted a set of preliminary construction design plans for review by the City Engineer. Final review and approval of the right-of-way improvements will be conducted during building permit review per the conditions of approval. The subject property does not include any watercourses, rock outcroppings, shrub masses or historic areas.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			<i>Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such

				<p>performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.</p>
			<i>Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	<p>As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.</p>
			<i>Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.E	<p>Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			<i>Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote

			<p>access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following:</p> <ol style="list-style-type: none"> a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met. b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section. <p>3. Corner lots shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</p>
		<i>Findings</i>	<ol style="list-style-type: none"> 1. The proposed townhouse subdivision meets all dimensional standards as outlined in the GR-L zone district for the parent lot. The minimum lot size is 8,000 square feet and the parent lot is 12,413 square feet. The new detached townhouses meet minimum setback requirements in the GR-L for the front, side, and rear. There are no minimum setbacks to the interior lot line of a townhouse lot. 2. Building envelopes are not required as the subject property is not within the floodplain/floodway, avalanche zone, does not contain slopes greater than 25%, nor is it located adjacent to an intersection of two streets 3. The subject property is a corner lot however previously subdivided. No changes to the layout of the existing lot is being proposed. 4. The parent lot of the townhouse subdivision and the newly created sublot lot line is within 20 degrees to a right angle to the street lot line along 8th Street. 5. The subject property is not a double frontage lot. 6. Both Sublots have a minimum of 20 feet of frontage on N 4th Ave and 8th Street.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.G</p> <p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements.

				<p>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</p> <p>4. Corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</p>
			<i>Findings</i>	This standard does not apply as no new blocks are being created.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H	<p>Street Improvement Requirements:</p> <ol style="list-style-type: none"> 1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land; 2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified; 3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features; 4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods; 5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing; 6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated; 7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended; 8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line; 9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°); 10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;

				<p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the commission before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting may be required by the commission or council where appropriate and shall be installed by the subdivider as a requirement improvement;</p> <p>19. Private streets may be allowed upon recommendation by the commission and approval by the council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section;</p> <p>20. 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;</p> <p>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</p> <p>22. Sidewalks, curbs and gutters may be a required improvement installed by the subdivider; and</p> <p>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights of way unless approved by the city council.</p>
				This standard does not apply as no new streets are proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.I	<p>Alley Improvement Requirements: Alleys shall be provided in business, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be prohibited. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.</p>
			<i>Findings</i>	A 30-foot alley exists between N 4 th Ave and N 3 rd Ave. Although access is not proposed or required off the alley, the project will improve the alley to meet city standards triggered by the clearing and grubbing of existing vegetation in the

				alley and the necessity to manage drainage within the right-of-way and alley appropriately.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J	<p>Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right of way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the city engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the city.</p>
			<i>Findings</i>	As shown on Sheet 1 of the preliminary plat, the subject property will have a 10-foot public utility easement along the southern property line. Standards 2-6 do not apply to the project as the property is not adjacent to any of the listed waterways, not adjacent to Warm Springs, does not contain any irrigation infrastructure, and does not include pedestrian or equestrian pathways.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	<p>Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the city engineer, council and Idaho health department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system,</p>

				<p>alternative provisions for sewage disposal in accordance with the requirements of the Idaho department of health and the council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<i>Findings</i>	<p>This standard does not apply as this application does not create a new subdivision. Both sublots are directly connected to the City of Ketchum sewer system main found in N 4th Ave and 8th Street.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	<p>Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the city under the supervision of the Ketchum fire department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the municipal water system and shall meet the standards of the following agencies: Idaho department of public health, Idaho survey and rating bureau, district sanitarian, Idaho state public utilities commission, Idaho department of reclamation, and all requirements of the city.</p>
			<i>Findings</i>	<p>This standard does not apply as this application does not create a new subdivision. Both sublots are directly connected to the City of Ketchum sewer system main found in N 4th Ave and 8th Street.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			<i>Findings</i>	<p>This standard does not apply as this application does not create a new subdivision. There are no incompatible uses adjacent to the proposed townhouse sublots.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N	<p>Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> 1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or council as part of the preliminary plat application. 2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved.

			<p>e. Location of all street and utility improvements including driveways to building envelopes.</p> <p>f. Any other information which may reasonably be required by the administrator, commission or council to adequately review the affect of the proposed improvements.</p> <p>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</p> <p>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</p> <p>5. 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.</p> <p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American standard testing methods).</p> <p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope.</p> <p>e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</p>
			<p><i>Findings</i></p> <p>This standard does not apply as this application is the subdivision of an existing lot. On-site grading for the new detached townhouses meet all grading requirements and all disturbance will be revegetated per the landscape plan included in the project plans.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.040.O</p> <p>Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the city on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An</p>

				adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			<i>Findings</i>	The applicant submitted a site grading and drainage plan with the townhouse subdivision application showing drainage for each subplot. No common drainage courses are utilized or disturbed. The grading and drainage plan meets all requirements and each subplot is managing stormwater runoff independently, not impacting adjacent properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a 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.
			<i>Findings</i>	All utilities are proposed underground per the KMC requirements. During the due diligence stages of the project, Idaho Power reviewed the project for electrical service to the project and determined that additional infrastructure would be required. The project is providing a 10-foot-wide utility easement along the southern property line for the location of utilities for the project. This utility easement is shown in the landscape plan, civil plan, and subdivision applications.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	Off Site Improvements: Where the offsite impact of a proposed subdivision is found by the commission or council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			<i>Findings</i>	The proposed townhouse development does not create substantial additional traffic, therefore, no improvements are required.

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 Municipal 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 Townhouse Preliminary Plat application for the development and use of the project site.
2. The Council has authority to review and recommend approval of the applicant’s Townhouse Subdivision Preliminary Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §16.04.030.
4. The Townhouse Subdivision Preliminary Plat application is governed under Chapter 16.04 of Ketchum Municipal Code.

5. The Sapp Townhouse Subdivision Preliminary Plat application meets all applicable standards specified in Title 16 of Ketchum Municipal Code.

DECISION

THEREFORE, the Council **approves** this Townhouse Preliminary Plat Application File No. P22-052A this Monday, November 21, 2022 subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. The preliminary plat is subject to all conditions of approval associated with Design Review approval P22-052.
2. This Townhouse Preliminary Plat application (P22-052A) is contingent upon approval of the Lot Line Shift application (P22-052B). Should the Lot Line Shift application not be approved, this Townhouse Preliminary Plat shall become null and void.
3. Failure to record a Final Plat within two (2) years of Council's approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

Findings of Fact **adopted** this 21st day of November 2022.

Neil Bradshaw, Mayor
City of Ketchum