

**ORDINANCE NUMBER 1073**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 17, CHAPTER 17.64, COMMUNITY CORE ZONING DISTRICT, SECTION 17.64.010.D(4), BY MODIFYING TABLE 1, PERMITTED USES TO ALLOW GROCERY STORES AS A PERMITTED USE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has determined that the Zoning Code was changed inadvertently such that there is no zone that allows grocery stores as an outright use; and,

**WHEREAS**, the Comprehensive Plan states that the Community Core zone is an appropriate location for Grocery Stores; and

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

**SECTION 1.** Chapter 17.64, Ketchum Municipal Code, Section 17.64.010.D(4) Table 1 be, amended as follows by adding thereto the underlined language herein below and striking the language shown in strike-through, to wit:

*4. All uses not listed in table 1 in this subsection shall be prohibited unless otherwise determined by the planning and zoning commission to be similar in nature to a use listed.*

**TABLE 1: PERMITTED LAND USES  
WITHIN THE COMMUNITY CORE DISTRICT**

<i>Use</i>	<i>Permitted Use</i>	<i>Permitted With CUP</i>	<i>Prohibited Use</i>
<i>Retail trade and retail service uses:</i>			
<i>Art galleries</i>	X		
<i>Bakeries and delis</i>	X		
<i>Daycare center</i>	X		
<i>Grocery stores</i>	<u>X</u>	<del>X</del>	
<i>Indoor entertainment, recreation, and cultural uses</i>	X		
<i>Lobby/access to upper/lower floors</i>	X		
<i>Making of goods in conjunction with retail; provided, that it does not create noise, odor, dust, fumes, or require outside storage</i>	X		
<i>Mercantile</i>	X		
<i>Mortuary</i>		X	
<i>Personal service establishments</i>	X		

<i>Restaurants, bars, cafes</i>	X		
<i>Restaurants, bars, cafes with drive-throughs</i>			X
<i>Service stations (auto repair, gas station, etc.)</i>			X
<i>Professional service uses:</i>			
<i>Administration and support services</i>	X		
<i>Finance and insurance</i>	X		
<i>Healthcare (medical and dental)</i>	X		
<i>Management of companies and enterprises</i>	X		
<i>Office within a multi-family home building or urban residential building (either connected or not connected to a residential unit)</i>		X	
<i>Professional, scientific and technical services</i>	X		
<i>Real estate and property management</i>	X		
<i>Residential uses:</i>			
<i>Addition to existing nonconforming single-family dwelling (20 percent of existing square footage)</i>		X	
<i>Assisted living facility</i>		X	
<i>Home occupations and artist studios within a residential unit</i>	X		
<i>Multi-family dwellings and duplexes</i>	X		
<i>Single-family dwelling</i>			X
<i>Accommodation:</i>			
<i>Hotel/motel</i>	X		
<i>Public/semipublic uses:</i>			
<i>Civic center/government offices</i>	X		
<i>Hospital, religious institution, or school</i>		X	
<i>Parks, recreation, plazas, cultural uses</i>	X		
<i>Post office</i>	X		
<i>Outdoor uses on private property:</i>			
<i>Outdoor dining</i>	X		
<i>Outdoor entertainment</i>		X	
<i>Outside displays of merchandise</i>	X		
<i>Other uses:</i>			
<i>Accessory use to a permitted use identified above</i>	X		
<i>Adult only businesses</i>			X

<i>Curb cuts/driveway access from streets where no alley exists</i>		X	
<i>Other uses that are similar to those permitted (or permitted with a use permit) above, as determined by the planning director</i>	X	X	

**SECTION 2. SAVINGS AND SEVERABILITY CLAUSE.** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

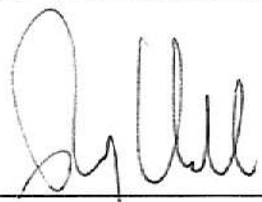
**SECTION 3. CODIFICATION CLAUSE.** The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

**SECTION 4. PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form attached hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

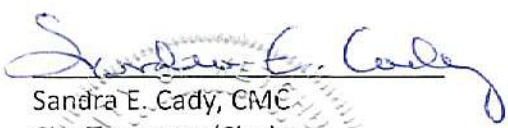
**SECTION 5. REPEALER CLAUSE.** All City of Ketchum code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 16<sup>th</sup> day of September, 2010.

  
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 Randy Hall, Mayor

ATTEST:

  
 Sandra E. Cady, CMC  
 City Treasurer/Clerk

