

ORDINANCE NO. 1151

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, CHAPTER 17.08, DEFINITIONS, SECTION 17.08.020, DEFINITIONS, BY ADDING THE DEFINITION “EVENT” AND AMENDING THE DEFINITION OF “STUDIO, COMMERCIAL” TO ADD LANGUAGE ALLOWING OCCASIONAL EVENTS; AND AMENDING CHAPTER 17.124, DEVELOPMENT STANDARDS TO ADD A NEW SECTION 17.124.150 “COMMERCIAL STUDIO EVENTS”; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance pursuant to Idaho Code § 67-6511; and

WHEREAS, the Spot LLC, requested a text amendment to allow for assembly uses in the Light Industrial Number Two District (LI-2); and

WHEREAS, the Planning and Zoning Commission after fully considering this request held a public hearing on March 28, 2016 and recommended approval to the City Council finding that the request, on the whole, was in compliance with the 2014 Comprehensive Plan; and

WHEREAS, the Ketchum City Council, having reviewed the proposed text amendment, held a public hearing on April 18, 2016; and

WHEREAS, the Ketchum City Council having considered the recommendation of the Planning and Zoning Commission and submitted comments and testimony from the public, having determined that it is in the best interests of the public and adopt the proposed text amendments to Title 17, Zoning Ordinance;

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

Section 1: That Chapter 17.08 of the Ketchum Municipal Code, Section 17.08.020 “Event” and “Studio, Commercial” be amended as follows by adding the underlined language herein below:

17.08.020: EVENT: A planned, public, social gathering or activity.

17.08.020: STUDIO, COMMERCIAL: Work space within an enclosed structure for artists and artisans, including individuals practicing, teaching, or demonstration in one of the fine arts or performing arts, or skilled in an applied art or craft. Also includes recording studios. Incidental retail sales of items produced on the premises is allowed. A

Commercial Studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the Commercial Studio. The events shall be subordinate in nature to the Commercial Studio and subject to the standards of 17.124.150.

Section 2. That Chapter 17.124 of the Ketchum Municipal Code, be amended with the addition of Section 17.124.150 "Commercial Studio Events", as follows by adding the underlined language herein below:

17.124.150 Commercial Studio Events

Commercial Studio Events in the Light Industrial Districts shall comply with the following standards:

- A. Events shall be limited to no more than 90 days per calendar year
- B. Maximum occupancy at any given event shall be limited to less than 100 persons
- C. Restrooms for patrons shall be available on site and comply with all building and fire code requirements
- D. Food and Beverage may be served only during the operational hours of an actual event, and all necessary permits shall be obtained prior to the event
- E. Events shall only occur according to the following times:
 1. Monday thru Friday: 5:30 pm to 12:00 am
 2. Saturday and Sunday: 12:00 pm to 12:00 am
- F. All building and fire code requirements shall be met prior to holding any event
- G. All events shall be produced by the owner or primary tenant of the property
- H. The owner or primary tenant of the property shall be present onsite for the duration of each event
- I. The owner or tenant of the property is aware light industrial uses may conflict with commercial studio events. Due to the subordinate and accessory nature of commercial studio events, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a commercial studio event.

Section 3. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 4. 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

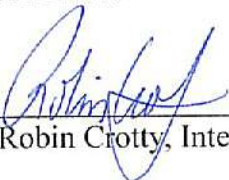
PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on this 16th day of May, 2016.

APPROVED:



Nina Jonas, Mayor

ATTEST:



Robin Crotty, Interim City Clerk