

ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, THE ZONING ORDINANCE, OF THE KETCHUM MUNICIPAL CODE BY AMENDING SECTION 17.12.020, DISTRICT USE MATRIX; SECTION 17.12.040, DIMENSIONAL STANDARDS – CC DISTRICT; 17.12.010, ZONING MAP DISTRICT; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; 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WHEREAS, the subdistricts of the Community Core are a holdover from the Form Based Code (Ord. 994), adopted in 2006 and repealed in 2015;

WHEREAS, the limited duration of the Form Based Code and the economic recession that overlapped with the time the Form Based Code was in place negated the success of the Form Based Code; and

WHEREAS, the 2014 Comprehensive Plan designates a Future Land Use for Community Core Subdistrict D that conflicts with the uses currently permitted in Subdistrict D; and

WHEREAS, consolidation of the four subdistricts into two subdistricts will align with the 2014 Comprehensive Plan and facilitate downtown development and redevelopment; and

WHEREAS, the Ketchum City Council, having reviewed the proposed text amendments, held public hearings on July 2nd, July 16th, and August 6th, 2018 found that the proposed amendments comply with the 2014 Comprehensive Plan; 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: AMENDMENTS TO SECTION 17.12.020 DISTRICT USE MATRIX. That Title 17 of the Ketchum Municipal Code be amended with a revised Section 17.12.020 as attached and incorporated as Exhibit A to this Ordinance.

Section 2: AMENDMENTS TO SECTION 17.12.040.B DIMENSIONAL STANDARDS – CC DISTRICT. Title 17 of the Ketchum Municipal Code be amended with a revised Section 17.12.040.B as attached and incorporated as Exhibit B to this Ordinance.

Section 3: AMENDMENTS TO SECTION 17.12.010 ZONING MAP DISTRICT. That the official zoning map of the City of Ketchum is amended with a revised Community Core Subdistricts Map as attached and incorporated as Exhibit C to this Ordinance.

Section 4. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 5. 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 6: PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit D shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

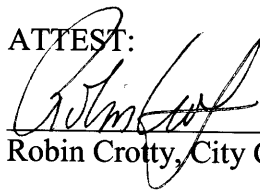
PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on August 6th, 2018.

APPROVED:



Neil Bradshaw, Mayor

ATTEST:



Robin Crotty, City Clerk

Exhibit A

17.12.020: DISTRICT USE MATRIX:

"P" = PERMITTED "C" = CONDITIONAL "A" = ACCESSORY

DISTRICT USE MATRIX

DISTRICT USES		L	L	L	G	G	S	S	S	T	T	T	C	C	L	L	L	R	A
		R	1	2	R	R	O	O	O	T	3000	4000	SD	SD	1	2	3	U	F
RES.	Dwelling, Multi-family				P ¹	P			P	P	P	P	P ²⁶	P	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁹	
	Dwelling, One-Family	P	P	P	P ²	P	P	P	P	P	P	P	See Note 28	See Note 28				C ¹⁹	P
	Residential Care Facility	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ²⁶	P					
	Short-term Rental	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P ³³	P	P	P	P	P	P ³³	P ³³
COMMERCIAL	Agriculture, Commercial																		P
	Adult Only Business																		P
	Business Support Service												P	P	P	P			
	Commercial Off-site Snow Storage									P/C ³²			P/C ³²	P/C ³²	P/C ³²	P/C ³²	P/C ³²		
	Convenience Store									P			P	P	P ¹²	P ¹⁶			
	Daycare Center				C ⁴	C ⁴				P ⁴	P ⁴	P ⁴	P	P	C ¹⁷			C ¹⁷	
	Daycare Facility				C ⁴	P ⁴			C ⁴	P ⁴	P ⁴	P ⁴	P	P	C ¹⁷			C ¹⁷	P ⁴
	Drive-Through Facility												P ⁹	P ⁹					
	Equestrian Facility																		C
	Food Service									P	P ⁶	P ⁶	P	P	PC ¹⁵	PC ¹⁵			C ²⁹
	Golf Course	P	P	P	P	P	P	P	P	P	P	P							C
	Grocery Store												P	P					
	Health and Fitness Facility									P					C	C			
	Hotel									P ²⁵	P ²⁵	P ²⁵	P ²⁵	P ²⁵					
	Hybrid Production Facility																		
	Instructional Service													P	P	P	P		
	Kennel, Boarding															P	P		
	Laundry, Industrial															P	P		
	Lodging Establishment									P	P	P	P	P					
	Maintenance Service Facility															P	P		C
	Manufacturing															P	P		
	Mortuary													C	C				
	Motor Vehicle Fueling Station																		
	Motor Vehicle Sales															C ³⁰	C ³⁰		
	Motor Vehicle Service															C	C		
	Neighborhood Off-site Snow Storage	P/C ³²	P/C ³²	P/C ³²	P/C ³²	P/C ³²	P/C ³²	P/C ³²	P/C ³²		P/C ³²	P/C ³²							
	Office, Business									C				P ¹⁰	P				P
	Outdoor Entertainment									P	P	P	P	P					
	Personal Service									P	P ⁶	P ⁶	P	P		P ¹³			
	Professional Service															P	P		
	Recreation Facility, Commercial									C	C	C	P ²⁰	P ²⁰					C
	Repair Shop									P	P ⁶	P ⁶	P	P	P	P			
	Retail Trade									P ⁵				P	P	P ¹²	P ¹⁶		C ²⁹
	Self-Service Storage Facility															P	P		
	Ski Facility									C	C	C							C
	Storage Yard															P	P		C
	Studio, Commercial													P	P	P	P	P	
	Tourist House									P	P	P	P ¹¹	P ¹¹					
	Tourist Housing Accommodation						P	P	P	P	P	P							
	Truck Terminal															P	P		
TV and Radio Broadcasting Station															P	P	P		
Veterinary Service Establishment															P	P		C ²¹	
Warehouse															P	P	P		
Wholesale															P	P			

DISTRICT USES		L	L	L	G	G	S	S	S	T	T	T	C	C	L	L	L	R	A	
		R	R	R	R	R	T	O	O	O	3000	4000	SD	SD	I	I	I	U	F	
	Wireless Communication Facility	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	C ²³	
PUBLIC & INSTITUTIONAL	Assembly, Place of				C ³	C ³							C	C						
	Cemetery																	C	C	
	Cultural Facility												P	P				C		
	Geothermal Utility											C ⁷								
	Hospital												C	C						
	Medical Care Facility					C				P			P	P						
	Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parking Facility, Off-Site									C	C	C	C	C						
	Parking, Shared									C ⁸	C ⁸	C ⁸	P ⁸	P ⁸						
	Performing Arts Production												P	P					C	
	Public Use	C	C	C	C	C	C	C	C	C	C	C	P	P	C	C	C	C	C	
	Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recreation Facility, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recycling Center																			
School residential campus																			P ³⁰	
Semi-Public Use					C				C	C	C	P	P					C	C	
ACCESSORY	Agriculture, Urban	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	A ²²	
	Avalanche Protective, Deflective, or Preventative Structure/Earthwork	C	C	C	C	C	C	C	C	C	C								C	C
	Daycare Home	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴				C ⁴					A ⁴
	Daycare, Onsite Employees														A	A	A			
	Dwelling Unit, Accessory	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸	A ¹⁸						A ¹⁸
	Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Energy System, Solar	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Energy System, Wind	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Fallout Shelter	A	A	A	A	A	A	A	A	A	A	A								A
	Guesthouse	A	A	A	A	A	A	A	A	A	A									
	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Recreation Facility, Residential	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
	Equestrian Facility, Residential	A	A	A	A	A	A	A	A	A	A									A
	Sawmill, Temporary																			C

- A multi-family development containing up to two (2) dwelling units is permitted.
- Two (2) one-family dwellings are permitted.
- Religious institutions are allowed through the provision of a conditional use permit. No other assembly uses as defined in Chapter 17.08 are permitted.
- Use is not permitted in the Avalanche Zone. Reference Zoning Map.
- Retail trade is permitted but must not exceed 2,500 square feet.
- Uses must be subordinate to and operated within tourist housing and not to exceed ten percent (10%) of the gross floor area of the tourist housing facility.
- Utility for offsite use.
- See section 17.125.070 for shared parking standards.
- Drive-throughs are not allowed in association with food service establishments.
- This is a permitted use, however offices and professional services on the ground floor with street frontage require a conditional use permit.
- Tourist houses shall only be located in existing one-family dwellings. Additions to the home shall not exceed 20 percent (20%) of the existing square footage.
- The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment, (b) Building, construction and landscaping materials; small engines with associated sales (c) Retail in conjunction with manufacturing, warehousing or wholesaling not to exceed 30% gross floor area or 800 square feet, whichever is less; no advertising is displayed from windows or building facades; and no access onto a major arterial is allowed if an alternative access is available.
- Personal service is not allowed except for laundromats and dry cleaning establishments.
- See section 17.124.090 of this title for industrial districts residential development standards.
- Catering and food preparation is permitted. Restaurants require a conditional use permit and shall not exceed 1,000 square feet and serve no later than 9:00 P.M. unless expressly permitted through approval of the conditional use permit.
- The following forms of retail trade are permitted: (a) Equipment rental, including sporting equipment and entertainment equipment (b) Building, construction and landscaping materials; small engines with associated sales (c) Furniture and appliances in conjunction with warehousing not to exceed 18% gross floor area or 900 square feet, whichever is less; (d) Other retail in conjunction with manufacturing, warehousing or wholesaling; it is limited to 10% gross floor area or 500 square feet, whichever is less. --- Retail uses (c) & (d) shall have no advertising displayed from windows or building facades; and no access will be permitted onto a major arterial if an alternative access is available.

DISTRICT USES	L	L	L	G	G	S	S	S		T	T	C	C	L	L	L	R	A
	R	1	2	L	R	O	O	O	T	3000	4000	SD	SD	1	2	3	U	F

17. See section 17.124.120.C of this title for industrial districts daycare development standards.
18. See section 17.124.070 of this title for accessory dwelling unit development standards.
19. A maximum of five (5) dwelling units are allowed through a conditional use permit and shall be a minimum of 400 square feet and not exceed 1,200 square feet in size.
20. Indoor only.
21. Only allowed in conjunction with an equestrian facility.
22. See section 17.124.080 of this title for urban agriculture development standards.
23. See chapter 17.140 for wireless communications facility provisions.
24. Allowed on the ground floor only.
25. See section 17.124.050 of this title for hotel development standards.
26. Ground floor street frontage uses are limited to retail and/or office uses. In subdistrict A office uses require a conditional use permit.
27. Ground floor only.
28. Through the provision of a conditional use permit, the planning and zoning commission may approve a 20% increase to the total existing square footage of an existing nonconforming one-family dwelling.
29. Use is allowed as an accessory use through the provision of a conditional use permit.
30. Development agreement required.
31. Vehicular access from Highway 75 to motor vehicle fueling stations is prohibited.
32. All commercial and neighborhood off-site snow storage uses are subject to the standards set forth in section 17.124.160 of this title. Conditional Use Permits are required of all off-site snow storage operations when the project: (a) affects greater than one-half acre; or, (b) has, at the discretion of the Administrator, the potential to negatively impact neighboring uses within 300' of the proposed neighborhood or commercial off-site snow storage operation.
33. Short Term Rental in the Avalanche Overlay zone is permitted subject to the regulations found in Chapter 17.92, Avalanche Overlay District.

Exhibit B

Community Core Dimensional Standards

Lot/FA R Misc.	Minimum lot size	5500 SF	
	Minimum lot width	Average of 55'	
	FAR requirements	See FAR requirements in section 17.124.140 of this title.	
Minimum Building Setbacks	Front & street side	0'	5' Average
	Adjacent to alleyway	3'	
	Rear side not adjacent to an alleyway	0'	
	Interior side		
	Cantilevered decks and overhangs		
	Setback for 5th floors	20' from street sides and frontage and 10' on all other sides.	
	Setback for 4th floors	10'	
	Non-habitable structures, fixed amenities, solar and mechanical equipment affixed to a roof from all building facades.		
Maximum Building Heights	Cantilevered decks and overhangs	8' above grade and/or walking surface	
	Building height	42', unless otherwise allowed in this title.	
	Height of buildings devoted 100% towards community housing	50' ¹	
	Hotel building height (For hotel development standards see section 17.124.050.B.6 of this title.)	68' ¹	
	Non-habitable structures located on building roof tops	10'	
	Perimeter walls enclosing roof top deck and structures	4' above roof surface height. Perimeter roof top walls are required to be at least 75% transparent.	
	Roof top solar and mechanical equipment above roof surface.	5'	

1. All buildings greater than 48 feet in height or that contain a 5th floor shall require final approval from the city council. For Hotel height standards, see section 17.124.050.B.6 of this title.

Exhibit C

Community Core Subdistricts

Community Core Subdistrict

- 1 - Retail Core
- 2 - Mixed Use

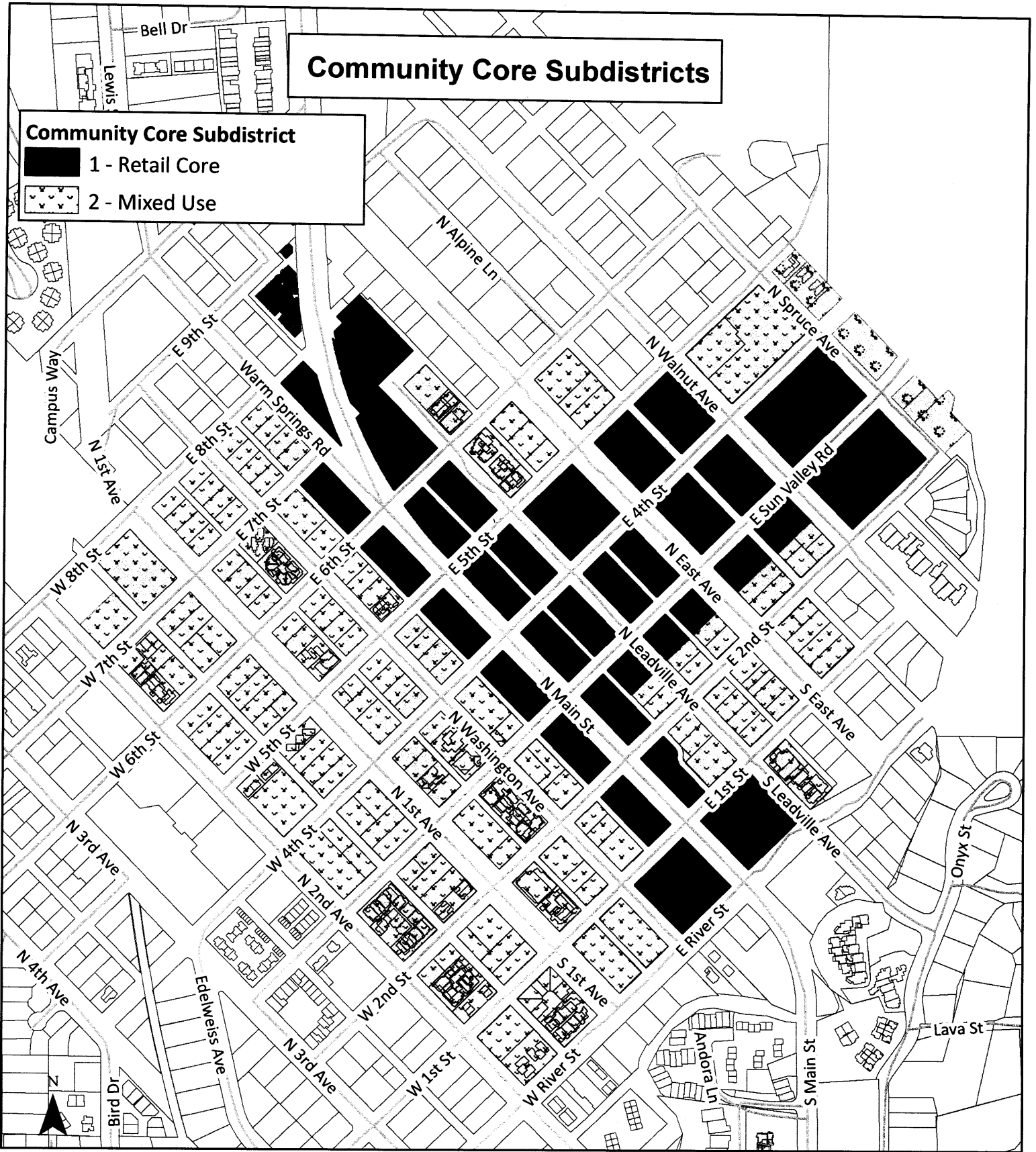


Exhibit D

PUBLICATION OF SUMMARY OF ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, THE ZONING ORDINANCE, OF THE KETCHUM MUNICIPAL CODE BY AMENDING SECTION 17.12.020, DISTRICT USE MATRIX; SECTION 17.12.040, DIMENSIONAL STANDARDS – CC DISTRICT; 17.12.010, ZONING MAP DISTRICT; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1187 of the City of Ketchum, Blaine County, Idaho, adopted on August 6th, 2018, is as follows:

- SECTION 1.** Amends Section 17.12.020, Terms Defined, to amend the District Use Matrix to consolidate and rename the four Community Core subdistricts into two subdistricts.
- SECTION 2.** Amends Section 17.12.040.B, Dimensional Standards – CC District, to reflect the consolidated and renamed subdistricts.
- SECTION 3.** Amends Section 17.12.010, Zoning Map District, to amend the Community Core Subdistrict Map to reflect the consolidated and renamed subdistricts.
- SECTION 4.** Provides for a repealer clause.
- SECTION 5.** Provides a savings and severability clause.
- SECTION 6.** Provides for publication of this Ordinance by Summary.
- SECTION 7.** Establishes an effective date.

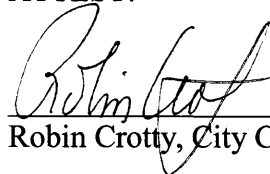
The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

APPROVED:



Neil Bradshaw, Mayor

ATTEST:



Robin Crotty, City Clerk