



**PLANNING AND ZONING COMMISSION AGENDA**  
**Monday, August 22, 2016**

1. 5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho
2. PUBLIC COMMENT - Communications from the public for items not on the agenda.
3. COMMUNICATIONS FROM STAFF
  - a. Lift Tower Lodge: The current use of the Lift Tower Lodge, long term rental of hotel rooms operated by a public agency and with maximum terms of stay not to exceed 1 year, is different the former use of the property, which was short term rental of hotel rooms. As such staff recommended that the Commission reevaluate the Conditional Use Permit approved on February 23, 2015 in a public hearing. This reevaluation will take place at the August 22, 2016 meeting. The property is 0.68 acres in size and zoned Tourist (T) and Recreational Use (RU).
  - b. Parking Ordinance Workshop: The purpose of the Parking Ordinance Workshop is to gain input from the Planning and Zoning Commission on current and future off-street parking standards. City staff is currently working on updating Chapter 17.125- Off Street Parking and Loading to better reflect the needs of our full time and seasonal residents.
4. CONSENT CALENDAR
  - a. Approval of Minutes
    - i. July 11, 2016: Minutes
    - ii. July 25, 2016: Minutes
5. FUTURE PROJECTS AND NOTICING REQUIREMENTS
6. STAFF REPORTS & CITY COUNCIL MEETING UPDATE
7. COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE
8. ADJOURNMENT

*Any person needing special accommodations to participate in the meeting should contact the City Clerk's Office as soon as reasonably possible at 726-3841. All times indicated are estimated times, and items may be heard earlier or later than indicated on the agenda.*



**City of Ketchum**  
**Planning & Building**

August 22, 2016

Planning and Zoning Commission  
 City of Ketchum  
 Ketchum, Idaho

Commissioners:

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF AUGUST 22, 2016**

**PROJECT:** Lift Tower Lodge Conditional Use Permit

**FILE NUMBERS:** 15-006

**OWNER:** Blaine County Housing Authority (BCHA)

**REQUEST:** Reevaluation of Conditional Use Permit (CUP) permitted February 23, 2015

**LOCATION:** 703 South Main Street (Taxlot 7983)

**ZONING:** Tourist (T) and Recreational Use (RU) Zoning Districts

**NOTICE:** 2015 Hearing: Property owners within 300 foot radius of subject property and all properties on the Gem Streets were mailed notice on February 2, 2015. Notice was published in the Legal Notices of the Idaho Mountain Express on February 4, 2015; display ad published in the Idaho Mountain Express on February 11, 2015. Notice was posted on site on February 16, 2015.

2016 Reevaluation: Notice mailed to property owners within 300' radius of subject property on August 12, 2016. A public hearing notice was posted on site on August 12, 2016.

**REVIEWER:** Brittany Skelton, Senior Planner

**ATTACHMENTS:**

## 2016 Materials

- **A. Letter from David Patrie, Executive Director, Blaine County Housing Authority, dated August 17, 2016.**
- **B. Public Comment letter from Mike and Jane Nicolais, dated August 17, 2016**

## 2015 Materials

- **C. February 23, 2015 Staff Report**
  - Blaine County Housing Authority's Conditional Use Permit Application
  - Narrative to support Conditional Use Permit Application
  - Site Photos
  - Public Comment
- **D. March 9, 2015 Findings of Fact**

## BACKGROUND

1. A Conditional Use Permit for the Lift Tower Lodge to operate as a public use was approved on February 23, 2015 subject to the conditions noted in the Findings of Fact adopted March 9, 2015.
2. Conditions included reevaluating the Conditional Use Permit one year after adoption of the findings of fact to ensure compliance with the conditions.
3. Additional conditions included:
  - a. The maximum term of stay for any occupant other than the on-site manager shall be limited to one year;
  - b. An on-site manager residing in the two bedroom apartment on-site or a BCHA representative shall be available 24 hours per day;
  - c. Ketchum City Engineer, Streets, Utilities, Fire and Building Department requirements shall be met, including:
    - i. The Fire Department will require strict adherence to the Lift Tower Lodge House Rules and Regulations Tenant Guide;
    - ii. The smoke detectors are the owners' responsibility to maintain and as noted shall not be disabled or tampered with at any time;
    - iii. No cooking devices other than the microwaves will be allowed in the rooms at any time;
    - iv. Barbeques and other open flame cooking devices are required to be at least 10 feet from the building and may not be used on combustible decks or balconies;
    - v. A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment; and
    - vi. The Lodge shall post a notice informing residents of snow removal operations and the associated noise.
4. The Lodge remains in use as requested in the original application – to supply transitional and seasonal accommodations for the local workforce and to provide emergency shelter on an as-needed basis. Background checks on all applicants have been conducted prior to occupancy.
5. BCHA has implemented the "Good Neighbor Policy" submitted with the original Conditional Use Permit application, which includes "House Rules and Regulations" that limit the visual and auditory impacts from the site.
6. Most of the subject property is located in the Tourist Zoning District with the southeastern corner of the lot zoned Recreational Use. That corner of the property contains mostly landscaping, some paved area and an out-building. Ketchum Municipal Code, Chapter 17.52 Tourist District (T), Section 17.52.010.B Conditional Uses allows public use as a conditional use, and Chapter 17.80 Recreational

Use (RU), Section 17.80.010.B Conditional Uses allows public and semipublic uses as conditional uses.

7. A public use is defined as “a structure or use intended or used for a public purpose by a city, other than the city of Ketchum, a school district, the county, the state, or by any other public agency, or by a public utility.” As a public housing agency, BCHA meets the City’s definition of a public use as well as that of Idaho State Statute, Section 31-4202(c).
8. The existing motel building is located on the portion of the property zoned Tourist, and use of the property as a motel is an allowed use in the T district.
9. The existing off street parking is an allowed accessory use in the T zoning district and would be a conditional use in the RU zoning district were it a newly proposed use.
10. The existing twenty-two (22) parking spaces at the Lift Tower Lodge more than meet code requirements. KMC, Section 17.124.060.A.2 requires .75 parking space per room for a motel. The motel contains fourteen (14) rooms and a two (2) bedroom apartment, resulting in requirement for sixteen (16) parking spaces.
11. The city has received one public comment letter from nearby property owners that notes general support for BCHA’s operation of the Lift Tower Lodge during the past year but also notes concerns regarding occasional loud gatherings at night and the use of grills in close proximity to the building. The city has not received any other comment regarding the Lift Tower Lodge in the past year and BCHA’s letter dated August 17, 2016 notes BCHA has not received any comments or complaints during their operation of the property. Additionally, BCHA’s letter notes that all conditions of approval of the Conditional Use Permit have been met.

As such staff recommends allowing continued use of the Lift Tower Lodge subject to the conditions of Conditional Use Permit 15-006, which includes the condition “This Conditional Use Permit approval is based on representations made and other components of the application presented and approved at the meetings on February 23, 2015 and August 22, 2016,”; the Lift Tower Lodge House Rules and Regulations Tenant Guide is one such component of the application approved at the meeting on February 23, 2015. Staff does not recommend further reevaluation of the permit.

General Requirements for all Conditional Use Applications				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.040(A)	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department and Boards/ Commissions Comments	<b>Police Department</b> <input type="radio"/> No new comment.
				<b>Fire Department</b> <input type="radio"/> No new comment.
				<b>Public Works</b> <b>City Engineer</b> <b>Street</b> <input type="radio"/> No new comment. <b>Utilities</b> <input type="radio"/> No new comment.
				<b>Building:</b> <input type="radio"/> No new comment.

Compliance with Zoning District and Overlay Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.C	Lot Area
			Staff Comments	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.F	Setbacks
			Staff Comments	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.H	Floor Area
			Staff Comments	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.I	Building Height
			Staff Comments	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.A	Curb Cut
			Staff Comments	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.M	Parking Spaces
			Staff Comments	No change.

Conditional Use Requirements				
<b>1. EVALUATION STANDARDS: 17.116.030</b> A conditional use permit shall be granted by the commission only if the applicant demonstrates that:				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A) CONDITIONAL USE	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Staff Comments	The proposed conditional use as an extended stay length motel for qualified low-income residents is not unreasonably incompatible with the allowed uses in the Tourist zoning district, including hotels, motels, lodges, tourist homes and tourist housing accommodations.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	The conditional use will not materially endanger the health, safety and welfare of the community.
			Staff Comments	The proposed use is very similar to the existing use at the property and to allowed uses in the Tourist zoning district. The Fire Chief placed conditions of approval, in line with the House Rules and Regulations, that limit use of cooking devices and barbeque grills and require maintenance of smoke detectors and fire extinguishers. These have been included in Condition of Approval #1 and as stated in BCHA's letter dated August 17, 2016 the conditions have been adhered to.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			Staff Comments	The conditional use will not increase the pedestrian and vehicular traffic impacts above those created by the existing motel use. The existing use has more than adequate parking and access to Highway 75. There is adequate space for vehicles to turn around without impacting Highway 75 traffic. No changes are proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and

				will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			<i>Staff Comments</i>	<i>Public utilities, emergency and essential services are available and can serve the subject property. City departments have reviewed the proposal and have responded with no concerns for adequately serving the project as proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.
			<i>Staff Comments</i>	<p><u>Staff Analysis:</u>  The proposed conditional use is supported by the following goals and policies of the 2014 Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>• Goal H-1: Ketchum will increase its supply of homes, including rental and special-needs housing for low-, moderate- and median-income households. <ul style="list-style-type: none"> <li>○ Policy H-1.1: Affordable Housing Monitoring</li> <li>○ Policy H-1.2: Local Solutions to Attainable Housing</li> <li>○ Policy H-1.3: Integrated Affordable Housing in Neighborhoods</li> <li>○ Policy H-1.4: Integrated Housing in Business and Mixed-Use Areas</li> </ul> </li> <li>• Goal H-2: The Ketchum community will support affordable housing programs. <ul style="list-style-type: none"> <li>○ Policy H-2.1: Blaine County Housing Authority, ARCH Community Housing Trust and Ketchum Community Development Corporation (The City will partner with the above organizations to fulfill housing goals.)</li> </ul> </li> <li>• Goal H-3: Ketchum will have a mix of housing types and styles.</li> </ul>

The Planning and Zoning Commission may attach conditions to a conditional use application approval as it determines necessary pursuant the provisions listed below in order to make the use more compatible with the vicinity and adjoining uses, mitigate impacts, and allow for health, safety and welfare, among other criteria by which CUPs are evaluated.

#### 17.116.050: CONDITIONS OF APPROVAL:

Upon the granting of a conditional use permit, the Commission may attach conditions to said permit pertaining to the proposed use, including, but not limited to, those:

- A. Minimizing adverse impact on other development.
- B. Controlling the sequence and timing of development.
- C. Controlling the duration of development.
- D. Assuring that development is maintained properly.
- E. Designating the exact location and nature of development.
- F. Requiring the provision for on site or off site public facilities or services.
- G. Requiring more restrictive standards than those generally required in an ordinance.
- H. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the city. (Ord. 208 § 22.5, 1974)



**STAFF RECOMMENDATION**

The Commission must consider the Lift Tower Lodge CUP application as it relates to the criteria used for evaluating such applications and has the option of approval or denial. Staff recommends approval of the reevaluation of Conditional Use Permit #15-006 with conditions of approval 1 – 3.

## COMMISSION OPTIONS

### Suggested Motion:

1. This project, reevaluation of Lift Tower Lodge Conditional Use Permit application #15-006 for a public use **does not** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code Title 17 **because of the following standards** (Commission to insert reasons for denial); or,
2. This project, reevaluation of Lift Tower Lodge Conditional Use Permit application #15-006 for a public use **does** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code Title 17 with the following conditions.

## PROPOSED CONDITIONS

1. Ketchum City Engineer, Streets, Utilities, Fire and Building Department requirements shall be met, including:
  - The fire department will require strict adherence to the Lift Tower Lodge House Rules and Regulations Tenant Guide;
  - The smoke detectors are the owners responsibility to maintain and as noted shall not be disabled or tampered with at any time;
  - No cooking devices other than the microwaves will be allowed in the rooms at any time;
  - Barbeques and other open flame cooking devices are required to be at least 10 feet from the building and may not be used on combustible decks or balconies;
  - A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment; and
  - The Lodge shall post a notice informing residents of snow removal operations and the associated noise.
2. An on-site manager shall reside in the two (2) bedroom apartment at the Lift Tower Lodge and shall be available twenty-four (24) hours per day.
3. This Conditional Use Permit approval is based on representations made and other components of the application presented and approved at the meetings on February 23, 2015 and August 22, 2016, which includes the Lift Tower Lodge House Rules and Regulations Tenant Guide.

P.O. Box 4045  
200 West River Street, Suite 103  
Ketchum, ID 83340

Phone ~ 208.788.6102  
Fax ~ 208.788.6136  
Website ~ [www.bcoha.org](http://www.bcoha.org)



August 17, 2016

Dear Planning and Zoning Commissioners:

This letter is intended to confirm with the P&Z Commission that the conditions imposed when the Commission approved BCHA's conditional use permit for the Lift Tower Lodge continue to be met. Specifically,

1. Condition #1 - BCHA staff strictly and regularly enforces the house rules including enforcement regarding, but not limited to,
  - a. tampering with smoke detectors,
  - b. unauthorized cooking devices,
  - c. improper use of outdoor grills,Fire extinguishers have been installed as required by the fire department and rental agreements notify residents of snow removal operations in the area.
2. Condition #2 - BCHA employs an onsite manager that resides in the manager's apartment. A BCHA employee is available 24 hours a day, seven days a week.
3. Condition #3 - BCHA acted upon the CUP approval at the time it was approved.
4. Condition #4 - Standard short-term lease durations are for thirty days and may only be extended by BCHA at its sole discretion. No lease has been, nor will be, extended beyond one year.

Additionally, we have not received any complaints from our neighbors during the course of our operation of the Lift Tower.

Please feel free to contact me if you require any additional information.

Sincerely,

David Patrie  
Executive Director

**From:** Jnicolais [mailto:jnicolais@aol.com]  
**Sent:** Wednesday, August 17, 2016 2:54 PM  
**To:** Brittany Skelton; Participate  
**Cc:** mnicolais@highlander-partners.com  
**Subject:** Re: Comments for Lift Tower Lodge hearing on August 22

We own the property directly across the street from the Lift Tower Lodge. We wrote a letter in general support of the conditional use permit hearing last year. We were concerned about certain conditions being met and adhered to, most notably, a) the commitment to have a full time, live in manager, b) noise management and c) overall upkeep of the facility. Having lived with the new use of the facility for the last year, we are generally pleased and satisfied with the way things have been handled there. There have been a few occasions, however, where we became concerned with the management of the property with regard to the original concerns we voiced a year ago. There have been loud gatherings of occupants in the parking lot facing Main Street drinking beer and cooking with small grills very close to the building. A couple of these gatherings went on well into the night after dark and required us to close our windows in order to be able to sleep. It was our understanding that part of the original conditional use permit was that such loud gatherings and grill cooking so close to the building would not be permitted and would have been handled by the on site manager. We would encourage you to receive from the applicant a renewed pledge to handle and prevent such things and to re-confirm that they indeed have an on site manager who can be present at the property or easily reached at all times.

Sincerely,

Mike and Jane Nicolais  
104 Garnet Street  
Ketchum  
214-500-4454



**City of Ketchum  
Planning & Building**

February 18, 2015

Planning and Zoning Commission  
City of Ketchum  
Ketchum, Idaho

Commissioners:

**STAFF REPORT  
KETCHUM PLANNING AND ZONING COMMISSION  
REGULAR MEETING OF FEBRUARY 23, 2015**

**PROJECT:** Lift Tower Lodge Conditional Use Permit

**FILE NUMBERS:** 15-006

**OWNER:** Lift Tower Lodge, LLC or Blaine County Housing Authority (depending on timing)

**REQUEST:** Conditional Use Permit (CUP) for a public use

**LOCATION:** 703 South Main Street (Taxlot 7983)

**ZONING:** Tourist (T) and Recreational Use (RU) Zoning Districts

**NOTICE:** Property owners within 300 foot radius of subject property and all properties on the Gem Streets were mailed notice on February 2, 2015. A public hearing notice was published in the Legal Notices of the Idaho Mountain Express on February 4, 2015, and a display ad was published in the Idaho Mountain Express on February 11, 2015. A public hearing notice was posted on the site on February 16, 2015.

**REVIEWER:** Rebecca F. Bundy, Senior Planner / Building and Development Manager

**ATTACHMENTS:**

- A. Conditional Use Permit Application Submittal, dated January 28, 2015
  - Application, dated January 28, 2015
  - Narrative to Support Conditional Use Permit Application, received January 29, 2015
  - Site Photos
- B. Public Comment
  - Mike and Jane Nicolais, dated February 16, 2015
  - Julie Dahlgren, dated February 17, 2015

## BACKGROUND

1. The Lift Tower Lodge has been gifted to the Blaine County Housing Authority (BCHA), with the Housing Authority granted “full and exclusive use” of the property as of November 1, 2014, and with the transfer of title to take place in late February or March.
2. Most of the subject property is located in the Tourist Zoning District with the southeastern corner of the lot zoned Recreational Use. That corner of the property contains mostly landscaping, some paved area and an out-building.
3. Ketchum Municipal Code, Chapter 17.52 Tourist District (T), Section 17.52.010.B Conditional Uses allows public use as a conditional use, and Chapter 17.80 Recreational Use (RU), Section 17.80.010.B Conditional Uses allows public and semipublic uses as conditional uses.
4. A public use is defined as “a structure or use intended or used for a public purpose by a city, other than the city of Ketchum, a school district, the county, the state, or by any other public agency, or by a public utility.” As a public housing agency, BCHA meets the City’s definition of a public use as well as that of Idaho State Statute, Section 31-4202(c).
5. The existing motel building is located on the portion of the property zoned Tourist, and use of the property as a motel is an allowed use in the T district.
6. The existing off street parking is an allowed accessory use in the T zoning district and would be a conditional use in the RU zoning district were it a newly proposed use.
7. BCHA intends to operate the Lift Tower Lodge under the requirements for a motel, with an exception requested to allow residents at the motel to stay longer than the thirty (30) days allowed by the motel definition: “A building or group of buildings designed or used for short term occupancy which contains more than six (6) guestrooms offered for rent on a nightly basis with an on site office with a person in charge twenty four (24) hours per day. A motel room which includes cooking facilities shall not be considered a dwelling unit for the purpose of density, area, bulk or parking regulations of this title.” Short term is defined as, “The rental or lease of any unit or structure or portion for a period of not more than thirty (30) days.” The property has a manager’s apartment, and BCHA has hired a resident manager to reside in that unit to satisfy the requirement for a fulltime on site attendant for the facility. BCHA is willing to accept a condition of approval that the property always has an on site manager, available twenty-four (24) hours per day. Nearby residents have expressed concern that the manager may not be available 24/7. The applicant should address their concerns with the Commisison.
8. The existing twenty-two (22) parking spaces at the Lift Tower Lodge more than meet code requirements. KMC, Section 17.124.060.A.2 requires .75 parking space per room for a motel. The motel contains fourteen (14) rooms and a two (2) bedroom apartment, resulting in requirement for sixteen (16) parking spaces.
9. BCHA intends to utilize the motel to supply transitional and seasonal accommodations for low-income workers in our community. In addition, it may serve as emergency shelter on an as-needed basis.
10. BCHA has initiated a “Good Neighbor Policy” to try to ensure good communication with the surrounding neighbors. As part of that policy, BCHA has developed “House Rules and Regulations” that limit visual and auditory impacts from the site. According to BCHA, background checks on all applicants are conducted prior to placing them in housing situations.

11. Staff recommends that, since the proposed use is somewhat different than the former use of the property, a condition of approval should be added to require Commission reevaluation of the CUP in a public hearing at a specified date in order to ensure City oversight and neighborhood input on the compatibility of the use. Staff suggests reevaluation twelve (12) months from signature of the Findings of Fact.

General Requirements for all Conditional Use Applications				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.040(A)	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department and Boards/ Commissions Comments	<b>Police Department</b> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul>
				<b>Fire Department</b> <ul style="list-style-type: none"> <li>○ The fire department will require strict adherence to the occupant rules and regulations.</li> <li>○ The smoke detectors are the owners responsibility to maintain and as noted shall not be disabled or tampered with at any time.</li> <li>○ No cooking devices other than the microwaves will be allowed in the rooms at any time.</li> <li>○ BBQ's and other open flame cooking devices are required to be at least 10 feet from the building and cannot be used on combustible decks or balconies.</li> <li>○ A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment.</li> </ul>
				<b>Public Works</b> <b>City Engineer</b> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul> <b>Street</b> <ul style="list-style-type: none"> <li>○ We have received several complaints over the years from the Lift Tower Lodge associated with our snow removal operations. The edge of the roadway is about 50 feet from the front of the building. During heavy winters we will haul a lot of snow at night for several nights in a row, sometimes using as many as 20 trucks. The Lodge guests may not be use to the noise of the trucks at those hours of the day. The Lodge may want to post a notice of snow removal operations and the associated noise.</li> </ul> <b>Utilities</b> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul>
				<b>Building:</b> <ul style="list-style-type: none"> <li>○ It appears that this would not be a change in use under the building code definition. As such no building code action would be required.</li> </ul>

Compliance with Zoning District and Overlay Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.C	<b>Lot Area</b>
			<i>Staff Comments</i>	<i>No change.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.F	<b>Setbacks</b>
			<i>Staff Comments</i>	<i>No change.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.H	<b>Floor Area</b>
			<i>Staff Comments</i>	<i>No change.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.I	<b>Building Height</b>
			<i>Staff Comments</i>	<i>No change.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.A	<b>Curb Cut</b>
			<i>Staff Comments</i>	<i>No change.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.M	<b>Parking Spaces</b>
			<i>Staff Comments</i>	<i>No change.</i>

Conditional Use Requirements				
<b>1. EVALUATION STANDARDS: 17.116.030</b> A conditional use permit shall be granted by the commission only if the applicant demonstrates that:				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A) CONDITIONAL USE	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			<i>Staff Comments</i>	<i>The proposed conditional use as an extended stay length motel with for qualified low income residents is not unreasonably incompatible with the allowed uses in the Tourist zoning district, including hotels, motels, lodges, tourist homes and tourist housing accommodations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	The conditional use will not materially endanger the health, safety and welfare of the community.
			<i>Staff Comments</i>	<i>The proposed use is very similar to the existing use at the property and to allowed uses in the Tourist zoning district. The Fire Chief has placed conditions of approval, in line with the House Rules and Regulations, that limit use of cooking devices and barbeque grills and require maintenance of smoke detectors and fire extinguishers. These have been included in Condition of Approval #1.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			<i>Staff Comments</i>	<i>The conditional use will not increase the pedestrian and vehicular traffic impacts above those created by the existing motel use. The existing use has more than adequate parking and access to Highway 75. There is adequate space for vehicles to turn around without impacting Highway 75 traffic. No changes are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			<i>Staff Comments</i>	<i>Public utilities, emergency and essential services are available and can</i>



				<i>serve the subject property. City departments have reviewed the proposal and have responded with no concerns for adequately serving the project as proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.</b>
			<i>Staff Comments</i>	<p><u><i>Staff Analysis:</i></u>  <i>The proposed conditional use is supported by the following goals and policies of the 2014 Comprehensive Plan:</i></p> <ul style="list-style-type: none"> <li>• <i>Goal H-1: Ketchum will increase its supply of homes, including rental and special-needs housing for low-, moderate- and median-income households.</i> <ul style="list-style-type: none"> <li>○ <i>Policy H-1.1: Affordable Housing Monitoring</i></li> <li>○ <i>Policy H-1.2: Local Solutions to Attainable Housing</i></li> <li>○ <i>Policy H-1.3: Integrated Affordable Housing in Neighborhoods</i></li> <li>○ <i>Policy H-1.4: Integrated Housing in Business and Mixed-Use Areas</i></li> </ul> </li> <li>• <i>Goal H-2: The Ketchum community will support affordable housing programs.</i> <ul style="list-style-type: none"> <li>○ <i>Policy H-2.1: Blaine County Housing Authority, ARCH Community Housing Trust and Ketchum Community Development Corporation (The City will partner with the above organizations to fulfill housing goals.)</i></li> </ul> </li> <li>• <i>Goal H-3: Ketchum will have a mix of housing types and styles.</i></li> </ul>

**The Planning and Zoning Commission may attach conditions to a conditional use application approval as it determines necessary pursuant the provisions listed below in order to make the use more compatible with the vicinity and adjoining uses, mitigate impacts, and allow for health, safety and welfare, among other criteria by which CUPs are evaluated.**

#### **17.116.050: CONDITIONS OF APPROVAL:**

Upon the granting of a conditional use permit, the Commission may attach conditions to said permit pertaining to the proposed use, including, but not limited to, those:

- A. Minimizing adverse impact on other development.
- B. Controlling the sequence and timing of development.
- C. Controlling the duration of development.
- D. Assuring that development is maintained properly.
- E. Designating the exact location and nature of development.
- F. Requiring the provision for on site or off site public facilities or services.
- G. Requiring more restrictive standards than those generally required in an ordinance.
- H. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the city. (Ord. 208 § 22.5, 1974)

#### **STAFF RECOMMENDATION**

The Commission must consider the Lift Tower Lodge CUP application as it relates to the criteria used for evaluating such applications and has the option of approval or denial. Staff recommends approval of the CUP with conditions of approval 1 – 5.

## COMMISSION OPTIONS

### Suggested Motion:

1. This project, Lift Tower Lodge Conditional Use Permit application for a public use **does not** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code Title 17 **because of the following standards** (Commission to insert reasons for denial); or,
2. This project, Lift Tower Lodge Conditional Use Permit application for a public use **does** meet the standards for approval under Chapter 17.116 of Ketchum Zoning Code Title 17 with the following conditions.

## PROPOSED CONDITIONS

1. Ketchum City Engineer, Streets, Utilities, Fire and Building Department requirements shall be met, including:
  - The fire department will require strict adherence to the Lift Tower Lodge House Rules and Regulations Tenant Guide;
  - The smoke detectors are the owners responsibility to maintain and as noted shall not be disabled or tampered with at any time;
  - No cooking devices other than the microwaves will be allowed in the rooms at any time;
  - Barbeques and other open flame cooking devices are required to be at least 10 feet from the building and may not be used on combustible decks or balconies;
  - A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment; and
  - The Lodge shall post a notice informing residents of snow removal operations and the associated noise.
2. An on site manager shall reside in the two (2) bedroom apartment at the Lift Tower Lodge and shall be available twenty-four (24) hours per day.
3. This Conditional Use Permit shall be reevalated in a public hearing by the Planning and Zoning Commission for compliance with all of the above CUP evaluation criteria and compliance with the conditions of approval twelve (12) months from the date of the Findings of Fact;
4. Per Title 17, Section 17.116.080: TERM OF PERMITS: Conditional Use Permit approval shall expire one (1) year from the date of approval if not acted upon within that time frame; and
5. This Conditional Use Permit approval is based on representations made and other components of the application presented and approved at the meeting on the date noted herein.

**Attachment A:**  
**Conditional Use Permit Application Submittal,**

- Application, dated January 28, 2015
- Narrative to Support Conditional Use Permit Application, received January 29, 2015
- Site Photos

File No.: \_\_\_\_\_

**CITY OF KETCHUM CONDITIONAL USE PERMIT APPLICATION**Name of Applicant: Blaine County Housing AuthorityName of Owner of Record: Lift Tower Lodge, LLC or Blaine County Housing Authority (depending on timing)Mailing Address: PO Box 4045, Ketchum, ID 83340Contact Phone Number: (208) 788-6102Street Address of Property Requiring a CUP: 703 South Main StreetLegal Description of Property Requiring a CUP: KETCHUM FR SWSW TL 7983 SEC 18 4N 18E SURVEY 523394Description of Proposed Conditional Use: Residential use of The Lift Tower LodgeDescription of Proposed and Existing Exterior Lighting: Existing Lighting to remain. Down-turned exterior lights. Tower is lit with decorative lights year-round.Zoning District: T - Tourist

Overlay District: Flood \_\_\_\_\_ Avalanche \_\_\_\_\_ Pedestrian \_\_\_\_\_ Mountain \_\_\_\_\_

**The Applicant agrees** in the event of a dispute concerning the interpretation or enforcement of the Conditional Use Permit 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 hereby acknowledge** I have filled in this application accurately and provided the required information to the best of my knowledge.

David Pattee  
Applicant's Signature

Date 1/28/15

P.O. Box 4045  
200 West River Street, Suite 103  
Ketchum, ID 83340

Phone ~ 208.788.6102  
Fax ~ 208.788.6136  
Website ~ [www.bcoha.org](http://www.bcoha.org)



## **Narrative to Support Conditional Use Permit Application**

### Introduction

The Blaine County Housing Authority (BCHA) is applying for a conditional use permit to operate The Lift Tower Lodge as a public use. By approving this conditional use application, the City of Ketchum will enable BCHA to further its mission to provide “desirable and affordable housing choices in all areas of Blaine County.”

**Specifically, BCHA is applying for a permit to operate The Lift Tower Lodge as a residential use as allowed in the T -Tourist Zoning District.**

### Background

On November 1, 2014 The Lift Tower Lodge ceased operating as a motel. At that time, the BCHA was granted “full and exclusive use” of the property. We are currently operating the property under a separate agreement with the owner until BCHA takes title. We anticipate this will happen in late February or March.

BCHA refrained from immediately utilizing the property out of respect for neighbors who expressed concerns about the change in ownership. On December 9, 2014 BCHA hosted a neighborhood meeting at the property. We discussed many topics at that meeting.

1. We introduced our Good Neighbor Policy.
2. We introduced other developments BCHA is associated with (Fields, Scott USA, Frenchman’s, Cold Springs Crossing, etc).
3. We reviewed the existing design elements (14 rooms, two-bedroom apartment, 22 parking spaces, on-site storage).
4. We discussed the targeted resident demographic. We are not able to develop an exclusive list because that would unnecessarily limit our ability to react and adapt to the changing needs of the community. The current need, and the demographic we intend to serve, is low-income workers, first responders, temporary workers and seasonal workers.
5. Virtually all of the attendees expressed their strong desire that BCHA have an on-site manager living in the two-bedroom apartment. BCHA has heard that desire loud and clear and we will have an on-manager.
6. BCHA committed to build our management capacity before filling the property to capacity. Having an on-site manager is part of this capacity building.

7. Finally, we conducted an exercise where the attendees placed dots next to their preferred proposed use of the property from a list of uses we compiled. (see attached photo) The uses presented included all suggestions BCHA had received since announcing the donation.

The majority of attendees indicated they would like to see BCHA sell the property for a market-rate development. BCHA has considered this option and the board has determined that we can best serve the community and our mission by keeping the property and using in its current form.

#### Current Status

Since the neighborhood meeting, we have donated rooms to Higher Ground and the Idaho School for the Deaf and Blind to house students and chaperones that came to Sun Valley for a ski program. We are also renting rooms, on a limited basis in accordance with #6 above, to low-income workers. These residents tend to be very low-income (\$8-\$9/hr) working in the food service and other resort sectors. They have access to cafeterias and other food service options. Previously, these residents were staying on friends or relatives couches, sleeping in cars or living in studio apartments with several other individuals. The Lift Tower Lodge has provided these workers with a better alternative.

We have hired an on-site manager who is currently taking care of the property. He is a City of Sun Valley firefighter and will move into the manager's apartment full-time on February 1, 2015.

#### Restrictions and Constraints

The rooms at The Lift Tower Lodge do not have kitchens and therefore do not meet the definition of a "dwelling unit" in the Ketchum Code. This has the effect of excluding the Lift Tower Lodge from the relatively unrestricted residential uses allowed in the T - Tourist district. We are currently restricted to "short term occupancy" which is defined as not more than thirty (30) days in the Ketchum Code.

The 30 day limit unnecessarily limits BCHA's effectiveness in fulfilling our mission and the benefits that could be realized by the community. It limits the highest and best use of the property with respect to bridging the gap between low incomes and high rents that are typical in resort economies.

#### Proposed Operation As A Public Use

In Section 31-4202(c) the Idaho Legislature declares that "*...the providing of safe and sanitary dwelling accommodations for persons of low income **are public uses** and purposes for which public money may be spent and private property acquired and are governmental functions.*" (emphasis added)

There should be no doubt that BCHA's proposed use of The Lift Tower Lodge is a public use. By granting BCHA a conditional use permit to operate The Lift Tower Lodge as a public use, the City of Ketchum will allow residents to occupy a room for more than 30 days and allow BCHA to fulfill its obligation to the workers of Blaine County.

BCHA does not believe The Lift Tower Lodge is a permanent solution for residents. We actively work with each resident to identify a permanent housing solution. It is very uncommon to find a permanent housing solution in less than 30 days. For example, the current waiting list for a Housing Choice Voucher from IHFA is 2 years. Additionally, some of the workers who come to us are seasonal and are only seeking housing for the season, typically three or four months.

BCHA is committed to maintaining an on-site manager and will accept this as a condition of approval. It has been made clear that the neighbors want this and we agree that an on-site manager is necessary for the successful operation and management of The Lift Tower Lodge.

CUP Standards & Criteria - Self evaluation

**A. The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.**

The Lift Tower Lodge is located within Ketchum's T - Tourist zoning district. The purpose of the T - Tourist District is to "provide the opportunity for high density residential and tourist use..." (Ketchum Code 17.52.070). The characteristics of BCHA's proposed public use is residential in nature and is completely compatible with the residential uses permitted in the Tourist District.

**B. The conditional use will not materially endanger the health, safety and welfare of the community.**

BCHA's proposed public use of the Lift Tower Lodge is virtually the same as the previous use with the potential for longer periods of residency. This use will not, in any way, endanger the health, safety or welfare of the community. We will primarily use two tools to ensure the integrity of the property:

- 1) Residents will have to pass a background check; and
- 2) The Lift Tower Lodge House Rules (attached) will be strictly enforced by the on-site manager and BCHA staff.

**C. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.**

The Lift Tower Lodge is accessed from Highway 75. We are not proposing any change in the pedestrian or vehicular use patterns from the previous use. At the neighborhood meeting we conducted, it was pointed out that the accumulation of snow piles along Highway 75 can present a hazard. The Lift Tower Lodge stores its snow at the back and on the side of the property where it does not present a hazard. The accumulation of snow piles along Highway 75 noted in the meeting is from neighboring properties to the north of the Lift Tower Lodge.

**D. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area, or conditions can be established to mitigate adverse impacts.**

The Lift Tower Lodge was previously served by electric, gas, CATV, Clear Creek Disposal and the City of Ketchum water services. All of these services have been transferred to BCHA and will continue to serve the property. Additionally, The Lift Tower Lodge serves as a year-round Mountain Rides bus stop for the Valley Route as well as the Red Route stop in the winter season. Mountain Rides Green Route also serves the property with a stop at the Westridge Condos on Second Avenue. There will be no adverse impacts to mitigate.

**E. The conditional use is not in conflict with the policies of the comprehensive plan or the basic purposes of this chapter.**

BCHA's proposed use does not conflict with Ketchum's Comprehensive Plan. To the contrary, many chapters specifically support our proposed public use; specifically Chapter 3: Housing.

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*The Blaine County Housing Authority's mission is to advocate, promote, plan and preserve the long-term supply of desirable and affordable housing choices in all areas of Blaine County in order to maintain an economically diverse and vibrant community.*



# THE LIFT TOWER LODGE

## House Rules and Regulations

### Tenant Guide



Landlord reserves the right to prescribe additional rules and make changes to these rules and regulations below, as Landlord shall in its judgment determine to be necessary for the safety, care and cleanliness of the Premises and/or for the preservation of order of the Premises generally. **The house rules and regulations apply to all members of the household and household's guest(s) and visitors.** If any members of the household or its guest(s) or visitors violate any of the House Rules and Regulations or terms of the lease, the household may be evicted.

If and when a household is charged for any type of damage and/or cleaning, caused by a member of the household or caused by the household's guests/visitors, the owed amount must be paid within 30 days of invoice.

- 1- Noise. All radios, televisions, stereos, voices, etc., must be kept to a level of sound that does not violate ordinances, annoy or interfere with the neighbors. Special care should be exercised between 10:00 pm and 8:00 am. Tenants are responsible for insuring that disturbing noises are not caused by Tenants family or guest.
- 2- Vehicles must be moved for snow removal. Every attempt will be made to clear snow before 7:30 am when snow has accumulated the night before. The snow removal contractor will return later in the day to clean up areas he was not able to clear in the morning. All vehicles shall be moved to cleared areas prior to this "second pass." BCHA reserves the right to tow vehicles, at the owner's expense, to accommodate snow removal.
- 3- Tenant shall not make mechanical repairs and/or oil changes to motor vehicles (including motorcycles) on the Premises.
- 4- No trailers of any kind are permitted to park in the parking area. Only vehicles or motorcycles may be parked in parking area. Tenant shall be limited to one car unless Landlord expressly approves an additional vehicle. Tenant shall provide the make, model and license plate number to the Landlord.
- 5- Tenant shall not be allowed to keep or store any non-operative vehicle on the Premises and if Tenant abandons a vehicle on the Premises or there is an unauthorized vehicle on the Premises under Idaho law, Tenant gives Landlord authorization to remove the vehicle at Tenants expense for storage, or public or private sale at Landlord option and Tenant or the owner of the vehicle shall have no right of recourse against Landlord.
- 6- Tenants shall not keep any furniture, grills or any other personal belongings outside of the rooms.
- 7- The use of any open flame stove, hot plate or any other cooking device in the rooms other than a microwave is strictly prohibited.
- 8- The Lift Tower Lodge is a Smoke Free/Drug Free Environment. Smoking is not allowed anywhere on the Premises.
- 9- BCHA strongly recommends that all Tenants have renters insurance.
- 10- Intimidation, harassment, verbal abuse, physical threat or violence or social misconduct of or to any employee of The Blaine County Housing Authority or its Representatives, residents and/or his/her guest(s) is prohibited.
- 11- Guest. Tenant shall be responsible and liable for the conduct of guest and family members. Acts of guests/Family members in violation of this lease of Landlords rules and regulations may be deemed by Landlord to be a breach by the Tenant. Tenant must obtain the express written consent of the Landlord for any overnight guest.

Tenant Initials\_\_\_\_\_





# THE LIFT TOWER LODGE

## House Rules and Regulations

### Tenant Guide



- 12- Entrances, walks, lawns, stairways, common area and driveways shall not be obstructed, shall be kept clear of all obstructions, including but not limited to snow and rubbish and used only for the sole purpose of ingress and egress.
- 13- Locks. Tenant is prohibited from adding locks to, changing or in any other way altering locks installed on doors. All keys must be returned to Landlord upon termination of Tenants occupancy.
- 14- Lockout. If Tenant becomes locked out of Premises, Tenant will be required to pay a **\$35 service charge** to regain entry.
- 15- There shall be no storage of any kind outside a room. I.E. Bikes, Skis, Snow Boards etc.
- 16- Any additions or changes to the window coverings and affixed room furnishings are prohibited.
- 17- Picture hangers employing a thin nail or pin and adhesive picture hangers of any kind are prohibited. Tenant is responsible for the cost of any repairs or painting required as a result of the hanging of pictures or other objects.
- 18- Awnings, radio antennas, TV antennas, satellite dishes, wires of any type or other aerial projections are prohibited.
- 19- In order to avoid possible damage to the property and plumbing system during cold weather, your unit must maintain a minimum temperature of 55 degrees Fahrenheit.
- 20- Storage: No goods or materials of any kind or description, which are combustible or would increase the fire risk or shall in any way increase the fire insurance rate with respect to the Premises or any law or regulation, may be taken or placed in a storage area or the Premises itself. Storage in all such areas shall be at the Tenants risk and Landlord shall not be responsible for any loss or damage.
- 21- Any environmental hazards, as defined by the Comprehensive Environmental Response, Compensation and Liability Act, known as CERCLA, or any other federal or state law which Tenant causes by negligence or otherwise or permits to be placed on the Premises shall be the sole responsibility of Tenant and Tenant shall indemnify and hold Landlord harmless for any and all monies expended or damages incurred by Landlord as a result of such environmental hazard.
- 22- Smoke Detectors: All units are equipped with working smoke detectors. It is the responsibility of the Tenant to notify the Property Management or a representative of BCHA when and if the smoke detector is not functioning properly. Tampering with, disconnecting, removing or damaging the smoke detector(s) will result in the cost to replace and/or reinstall the smoke detector and/or possible termination of your lease. It is a violation of the law to remove or tamper with a properly functioning smoke detector, including removing working batteries.
- 23- For the safety and protection of all residents, guests and visitors the speed limit within the property is 5MPH.
- 24- All keys to the unit must be returned at the time of move-out. The unit must be returned in the same condition it was originally in. This condition includes but is not limited to the unit being clean, decent, sanitary and undamaged. Reasonable wear and tear is anticipated and acceptable. The return of unit key(s) will constitute possession of the unit. Any belongings left in the unit after BCHA assumes possession of the unit, shall be disposed of in accordance with state and local law.
- 25- Any household moving into the unit or out of a unit must do so between the hours of 9:00 A.M. & 8:00 P.M. A unit inspection will be conducted on the day of move-in. A unit will also be inspected on the day Tenant moves out and when unit is fully vacated.
- 26- The use of any type of weapon, firearm, dangerous object, fireworks, or hazardous materials is prohibited anywhere on or within the property.
- 27- Storage of containers of flammable fluids or explosive materials (e.g. propane tanks) within the unit, storage area, or adjacent to the building exterior, is strictly prohibited.

Tenant Initials\_\_\_\_\_



# THE LIFT TOWER LODGE

## House Rules and Regulations

### Tenant Guide



- 28- Each household is responsible for the care and use of each appliance & fixture in his/her unit. Failure to maintain a clean or sanitary appliance could cause damage to the appliance and/or could cause a health risk to the household and/or property. Households are not allowed to add or remove appliances into or from the unit. Damage to any appliance due to Tenants neglect or misuse will result in Tenant paying for either repair or replacement of appliance.
- 29- No signs, advertisements, notices, other letterings, or flyers are to be exhibited, inscribed, painted, or affixed, by any resident and/or guest of resident, on or to any part of the exterior of the apartment building or apartment community property is strictly prohibitive.
- 30- Littering is prohibited.
- 31- Termination of tenancy may result if the police are called to the property due to any type of disturbance or violation. Additionally, if the police are called for serious disturbances, serious lease violations, or have been called repeatedly, termination of the lease **will** result for the household(s) involved. Police have the right to enter the property and the power to make arrests as needed, within the law. **EXCEPTION:** Any resident who becomes a victim due to Domestic Violence should contact the public authority immediately! Doing so **WILL NOT** result in a lease violation.
- 32- Trash Enclosure/Recycling: In order to preserve the appearance and cleanliness of your building and unit, Tenants shall take care to prevent waste from dropping or spilling on carpeting, concrete and walkways when disposing refuse. Tenants are required to cooperate with all recycling programs that are in effect. Refuse and recycling must be placed in the designated containers.
- 33- Deliveries: Landlord is not responsible for the delivery or acceptance of damage to or loss of messages, packages, mail or other material left at the entrances to the building or elsewhere on the premises.
- 34- If the household is planning to be away from the unit for a period that is longer than seven days, the Landlord or its Representative or BCHA must be notified. In case of an emergency we recommend leaving an alternative method of contact.
- 35- Verbal requests to notify Landlord, its Representative or BCHA of household changes are not allowed.
- 36- Agreements between resident and Landlord, its Representative or BCHA must be in writing; Verbal agreements of any kind will not be accepted.
- 37- In order to prevent the growth of mold and mildew in the unit, residents must maintain a sanitary unit and inform Landlord, it's Representative or BCHA of any water leaks, water overflows, excessive moisture, or inoperable exhaust fans.

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Landlord/Management

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Date

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Tenant

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Date

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Tenant

---

Date

Tenant Initials\_\_\_\_\_





Aerial View of the Site



Aerial View of the Parking Area





Street View of Lift Tower Lodge



Street View of Lift Tower Lodge 2



Highway 75 Heading South towards Lift Tower Lodge

**Attachment B:  
Public Comment**

- Mike and Jane Nicolais, dated February 16, 2015
- Julie Dahlgren, dated February 17, 2015

From: Mike Nicolais [<mailto:mnicolais@Highlander-Partners.com>]  
 Sent: Monday, February 16, 2015 11:06 AM  
 To: Participate  
 Cc: Evan Robertson; Jane; [garyvinagre@hotmail.com](mailto:garyvinagre@hotmail.com)  
 Subject: Concerns and questions about BCHA's application for Lift Tower Lodge conditional use permit

Commission members:

>>> My family owns the home directly across the street from the Lift  
 >>>Tower Lodge. Our address is 104 Garnet Street and our side yard  
 >>>fronts Main Street. We have questions we would like to have  
 >>>addressed as you consider the conditional use permit being applied  
 >>>for by the Blaine County Housing Authority.  
 >>>  
 >>> 1. The BCHA does not yet own the property. Are they technically  
 >>>allowed to apply for the permit prior to the ownership change? Why  
 >>>has the ownership change not taken place?  
 >>> 2. In communication to neighbors, the BCHA said they would have a  
 >>>full time on site manager. During our neighborhood meeting in early  
 >>>December this was the single most important issue brought up by us  
 >>>and other neighbors. Dave Patrie's recent email to us introduced a  
 >>>gentleman selected to be the on site manager. He is a local  
 >>>firefighter and snow maker for Sun Valley. He sounds like a terrific  
 >>>guy. Our question/concern is the following: the on site manager  
 >>>selected by the BCHA works full time. Unless we are  
 >>>misunderstanding, he will not be physically on site a lot of the time- after all, he works full time.  
 >>>While the property was operated as a motel, there was a full time on  
 >>>site manager. I don't believe the BCHA's selection of the on site  
 >>>manager is consistent with the concerns of neighbors to have a full  
 >>>time on site manager.  
 >>> 3. BCHA has also stated they will do background checks on potential  
 >>>residents. Could they specify what findings in the background checks  
 >>>will disqualify applicants? Also, we have heard from a good friend  
 >>>and current employee of the Sun Valley company that at least a couple  
 >>>of the current tenants at the Lift Tower were expelled from the  
 >>>company dorms at Sun Valley for "fighting, drinking to excess and/or  
 >>>drug use". Will BCHA be willing, in addition to background checks,  
 >>>be willing to certify that this is not true and in the future, to  
 >>>require an "employee in good standing" certificate (or something  
 >>>similar) from Sun Valley Company before accepting the applicant for residency?  
 >>> 4. The rooms at the lodge have no cooking facilities. We have  
 >>>concerns that residents will bring cooking instruments into their  
 >>>rooms. What assurances can BCHA give that a fire hazard will not be  
 >>>created? Will there be periodic room inspections for such things?  
 >>>While operated as a motel, there were motel employees in the rooms  
 >>>daily to check on such things.  
 >>> 5. What time limits, if any, will there be for residency?



>>> 6. What taxpayer funds will be used, if any, to subsidize the  
 >>>operations of this facility, including tax abatements or other forms  
 >>>of subsidization?

>>> 7. A couple of years ago, we applied to you to remove a building and  
 >>>build a fence around our property. All of our requests were within  
 >>>the existing building code for the city- we were not requesting any  
 >>>variances. Nonetheless, we worked collaboratively with you and  
 >>>adjusted our plans (at several thousand dollars of personal expense)  
 >>>to be good neighbors and to address your concerns about the  
 >>>importance of the "entrance to the city". (We are the first property  
 >>>on the road immediately north of Reinheimer Ranch). What  
 >>>requirements do you plan to impose on the BCHA to make sure the  
 >>>"entrance to the city" is maintained at the same level that was  
 >>>required of us? The essence of this question has to do with the  
 >>>general upkeep and appearance of the facility. I am skeptical of  
 >>>BCHA's financial wherewithal to adequately maintain the building and  
 >>>am concerned about the appearance of the gateway to Ketchum.

>

>>>

>>>

>>> Thank you and we look forward to responses to our questions.

>>>

>>> Regards,

>>> Mike and Jane Nicolais

>>> 104 Garnet Street

>>> Ketchum, Idaho 83340

>>> P.O. Box 1806

>>>

>>>

>>> Sent from my iPad



## Memo

To : Ketchum Planning & Zoning Commission  
 From : Julie Dahlgren  
 Subj. : CUP application for BCHA's Lift Tower Lodge  
 Date : February 17, 2015

Although I support the efforts Ketchum is making for providing affordable housing, I do not support this proposal for the following reasons.

- 1) The "new" Lift Tower Lodge is operating as a motel. Why would the City of Ketchum go against its motel rules of a maximum of a 30-day stay? Is the motel really a boarding house and do different rules apply for that designation?
- 2) Why require strict landscaping requirements for the residence across the street from the Lift Tower Lodge, but not require anything for esthetics on the opposite side of Highway 75? What are you planning for the entrance of Ketchum in the near future as Highway 75 is enhanced, a roundabout proposed, and more worker housing suggested on Serenade and 2<sup>nd</sup> Ave?
- 3) The employee hired to manage the new Lift Tower Lodge cannot be on duty 24 hours as he has other jobs. This is concerning because Mr. Patrie guaranteed the neighbors a full time manager, similar to the usual motel model. Twenty-four hour management is necessary to take care of problems such as sewer leaks, smoking violations, pet violations, cars leaving the parking lot unsafely, and all sorts of challenges that arise from higher density living conditions.
- 4) There are no kitchens, linens, or laundry facilities for the tenants, and no plans for remodeling the 200 sq. ft. rooms. Could this be because the rooms and building are not up to code? There are no plans to upgrade the look of the building or a maintenance schedule.
- 5) The response from Mr. Patrie about smoking violations (marijuana, cigars, cigarettes) was answered promptly by an email about #8 Lift Tower Lodge House Rules and Regulations in the Tenant Guide. In that e-mail he guaranteed that proper receptacles would be placed in a "No Smoking Area." This should not have been an issue if the tenants had observed the Smoke Free/Drug Free Environment Rule as well as Ketchum's smoke-free law.
- 6) The existing exterior lighting includes the antique lift tower decorated with bold red and green Christmas lights. Would the P&Z consider having the current Lift Tower Lodge comply with the Dark Sky Ordinance 743, Section 3.2.d allowing holiday lighting from November 1 – April 15 only instead of every night all year?

7) If, on February 23, 2015, the P&Z Commission approves the CUP application, I suggest a review of that decision in a reasonable period of time. I am assuming that because tenants will now be allowed unlimited stays, the review of not enforcing the motel requirement of a maximum 30-day maximum stay will set a precedent for other motels.

Thank you for reading this public comment into the records. I cannot attend the February 23<sup>rd</sup> meeting to engage in the conversation about BCHA's CUP application for the Lift Tower Lodge.

Respectfully,

Dr. Julie S. Dahlgren  
Box 4402  
103 Garnet Street  
Ketchum, ID 83340

(208) 726-2505  
juliesd@cox.net

IN RE:	)	
	)	
Lift Tower Lodge	)	KETCHUM PLANNING AND ZONING COMMISSION -
Conditional Use Permit	)	FINDINGS OF FACT, CONCLUSIONS OF LAW AND
	)	DECISION
File Number: 15-006	)	

#### BACKGROUND FACTS

**PROJECT:** Lift Tower Lodge Conditional Use Permit

**FILE NUMBERS:** 15-006

**OWNER:** Lift Tower Lodge, LLC or Blaine County Housing Authority (depending on timing)

**REQUEST:** Conditional Use Permit (CUP) for a public use

**LOCATION:** 703 South Main Street (Taxlot 7983)

**ZONING:** Tourist (T) and Recreational Use (RU) Zoning Districts

**NOTICE:** Property owners within 300 foot radius of subject property and all properties on the Gem Streets were mailed notice on February 2, 2015. A public hearing notice was published in the Legal Notices of the Idaho Mountain Express on February 4, 2015, and a display ad was published in the Idaho Mountain Express on February 11, 2015. A public hearing notice was posted on the site on February 16, 2015.

**REVIEWER:** Rebecca F. Bundy, Senior Planner / Building and Development Manager

**Regulatory Taking Notice:** Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis.

#### GENERAL FINDINGS OF FACT

1. The Lift Tower Lodge has been gifted to the Blaine County Housing Authority (BCHA), with the Housing Authority granted "full and exclusive use" of the property as of November 1, 2014, and with the transfer of title to take place in late February or March.
2. Most of the subject property is located in the Tourist Zoning District with the southeastern corner of the lot zoned Recreational Use. That corner of the property contains mostly landscaping, some paved area and an out-building.
3. Ketchum Municipal Code (KMC), Chapter 17.52 Tourist District (T), Section 17.52.010.B Conditional Uses allows public use as a conditional use, and Chapter 17.80 Recreational Use (RU), Section 17.80.010.B Conditional Uses allows public and semipublic uses as conditional uses.
4. A public use is defined as "a structure or use intended or used for a public purpose by a city, other than the city of Ketchum, a school district, the county, the state, or by any other public agency, or by a public utility." As a public housing agency, BCHA meets the City's definition of a public use as well as that of Idaho State Statute, Section 31-4202(c).

5. The existing motel building is located on the portion of the property zoned Tourist, and use of the property as a motel is an allowed use in the T district.
6. The existing off street parking is an allowed accessory use in the T zoning district and would be a conditional use in the RU zoning district were it a newly proposed use.
7. BCHA intends to operate the Lift Tower Lodge under the requirements for a motel, with an exception requested to allow residents at the motel to stay longer than the thirty (30) days allowed by the motel definition: "A building or group of buildings designed or used for short term occupancy which contains more than six (6) guestrooms offered for rent on a nightly basis with an on site office with a person in charge twenty four (24) hours per day. A motel room which includes cooking facilities shall not be considered a dwelling unit for the purpose of density, area, bulk or parking regulations of this title." Short term is defined as, "The rental or lease of any unit or structure or portion for a period of not more than thirty (30) days." The property has a manager's apartment, and BCHA has hired a resident manager to reside in that unit to satisfy the requirement for a fulltime on site attendant for the facility. BCHA is willing to accept a condition of approval that the property always has an on site manager, available twenty-four (24) hours per day. Nearby residents have expressed concern that the manager may not be available 24/7. The applicant should address their concerns with the Commisison.
8. The existing twenty-two (22) parking spaces at the Lift Tower Lodge more than meet code requirements. KMC, Section 17.124.060.A.2 requires .75 parking space per room for a motel. The motel contains fourteen (14) rooms and a two (2) bedroom apartment, resulting in requirement for sixteen (16) parking spaces.
9. BCHA intends to utilize the motel to supply transitional and seasonal accommodations for low-income workers in our community. In addition, it may serve as emergency shelter on an as-needed basis.
10. BCHA has initiated a "Good Neighbor Policy" to try to ensure good communication with the surrounding neighbors. As part of that policy, BCHA has developed "House Rules and Regulations" that limit visual and auditory impacts from the site. According to BCHA, background checks on all applicants are conducted prior to placing them in housing situations.
11. Staff recommends that, since the proposed use is somewhat different than the former use of the property, a condition of approval should be added to require Commission reevaluation of the CUP in a public hearing at a specified date in order to ensure City oversight and neighborhood input on the compatibility of the use. Staff suggests reevaluation twelve (12) months from signature of the Findings of Fact.

General Requirements for all Conditional Use Applications				
Compliant			Standards and Conclusion	
Yes	No	N/A	City Code	City Standards and Conclusion
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.040(A)	Complete Application

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department and Boards/ Commissions Comments	<p><b>Police Department</b></p> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul> <p><b>Fire Department</b></p> <ul style="list-style-type: none"> <li>○ The fire department will require strict adherence to the occupant rules and regulations.</li> <li>○ The smoke detectors are the owners responsibility to maintain and as noted shall not be disabled or tampered with at any time.</li> <li>○ No cooking devices other than the microwaves will be allowed in the rooms at any time.</li> <li>○ BBQ's and other open flame cooking devices are required to be at least 10 feet from the building and cannot be used on combustible decks or balconies.</li> <li>○ A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment.</li> </ul> <p><b>Public Works</b></p> <p><b>City Engineer</b></p> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul> <p><b>Street</b></p> <ul style="list-style-type: none"> <li>○ We have received several complaints over the years from the Lift Tower Lodge associated with our snow removal operations. The edge of the roadway is about 50 feet from the front of the building. During heavy winters we will haul a lot of snow at night for several nights in a row, sometimes using as many as 20 trucks. The Lodge guests may not be used to the noise of the trucks at those hours of the day. The Lodge may want to post a notice of snow removal operations and the associated noise.</li> </ul> <p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>○ None to date.</li> </ul> <p><b>Building:</b></p> <ul style="list-style-type: none"> <li>○ It appears that this would not be a change in use under the building code definition. As such no building code action would be required.</li> </ul>
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Compliance with Zoning District and Overlay Requirements				
Compliant			Standards and Conclusion	
Yes	No	N/A	Guideline	City Standards and Conclusion
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.C	Lot Area
			Conclusion	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.F	Setbacks
			Conclusion	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.H	Floor Area
			Conclusion	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.52.010.I	Building Height
			Conclusion	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.A	Curb Cut
			Conclusion	No change.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.060.M	Parking Spaces
			Conclusion	No change.

## Conditional Use Requirements

### 1. EVALUATION STANDARDS: 17.116.030

A conditional use permit shall be granted by the commission only if the applicant demonstrates that:

Compliant			Standards and Conclusion	
Yes	No	N/A	Guideline	City Standards and Conclusion
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A) CONDITIONAL USE	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Conclusion	<i>The proposed conditional use as an extended stay length motel with for qualified low income residents is not unreasonably incompatible with the allowed uses in the Tourist zoning district, including hotels, motels, lodges, tourist homes and tourist housing accommodations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	The conditional use will not materially endanger the health, safety and welfare of the community.
			Conclusion	<i>The proposed use is very similar to the existing use at the property and to allowed uses in the Tourist zoning district. The Fire Chief has placed conditions of approval, in line with the House Rules and Regulations, that limit use of cooking devices and barbeque grills and require maintenance of smoke detectors and fire extinguishers. These have been included in Condition of Approval #1.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			Conclusion	<i>The conditional use will not increase the pedestrian and vehicular traffic impacts above those created by the existing motel use. The existing use has more than adequate parking and access to Highway 75. There is adequate space for vehicles to turn around without impacting Highway 75 traffic. No changes are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Conclusion	<i>Public utilities, emergency and essential services are available and can serve the subject property. City departments have reviewed the proposal and have responded with no concerns for adequately serving the project as proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

			<p><i>Conclusion</i></p> <p><u>Staff Analysis:</u>  <i>The proposed conditional use is supported by the following goals and policies of the 2014 Comprehensive Plan:</i></p> <ul style="list-style-type: none"> <li>• <i>Goal H-1: Ketchum will increase its supply of homes, including rental and special-needs housing for low-, moderate- and median-income households.</i> <ul style="list-style-type: none"> <li>○ <i>Policy H-1.1: Affordable Housing Monitoring</i></li> <li>○ <i>Policy H-1.2: Local Solutions to Attainable Housing</i></li> <li>○ <i>Policy H-1.3: Integrated Affordable Housing in Neighborhoods</i></li> <li>○ <i>Policy H-1.4: Integrated Housing in Business and Mixed-Use Areas</i></li> </ul> </li> <li>• <i>Goal H-2: The Ketchum community will support affordable housing programs.</i> <ul style="list-style-type: none"> <li>○ <i>Policy H-2.1: Blaine County Housing Authority, ARCH Community Housing Trust and Ketchum Community Development Corporation (The City will partner with the above organizations to fulfill housing goals.)</i></li> </ul> </li> <li>• <i>Goal H-3: Ketchum will have a mix of housing types and styles.</i></li> </ul>
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### CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning ordinance, Title 17.
3. The Planning and Zoning Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Idaho Code Section 67-6512 of the Local Land Use Planning Act and Chapters 17.52, 17.80 and 17.116 of Ketchum Zoning Code Title 17.
4. The public hearing and consideration of the applicant's Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512.
5. The application does comply with Ketchum Zoning Code Title 17 and the Ketchum Comprehensive Plan.

### DECISION

**THEREFORE**, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit application this 23rd day of February, 5 provided the following conditions are met:

1. Ketchum City Engineer, Streets, Utilities, Fire and Building Department requirements shall be met, including:
  - The fire department will require strict adherence to the Lift Tower Lodge House Rules and Regulations Tenant Guide;
  - The smoke detectors are the owners responsibility to maintain and as noted shall not be disabled or tampered with at any time;



- No cooking devices other than the microwaves will be allowed in the rooms at any time;
  - Barbeques and other open flame cooking devices are required to be at least 10 feet from the building and may not be used on combustible decks or balconies;
  - A minimum of one 10 pound fire extinguisher is required in each rental room and in the manager's apartment; and
  - The Lodge shall post a notice informing residents of snow removal operations and the associated noise;
2. An on site manager shall reside in the two (2) bedroom apartment at the Lift Tower Lodge and the manager and/or a BCHA representative shall be available twenty-four (24) hours per day;
  3. Per Title 17, Section 17.116.080: TERM OF PERMITS: Conditional Use Permit approval shall expire one (1) year from the date of approval if not acted upon within that time frame;
  4. The maximum term of stay at the Lift Tower Lodge for any occupant, except the on site manager, shall be limited to one year;
  5. This Conditional Use Permit approval is based on representations made and other components of the application presented and approved at the meeting on the date noted herein; and
  6. This Conditional Use Permit shall be reevaluated in a public hearing by the Planning and Zoning Commission for compliance with all of the KMC Section 17.116.030 CUP evaluation standards and compliance with the above conditions of approval twelve (12) months from the date of the Findings of Fact.

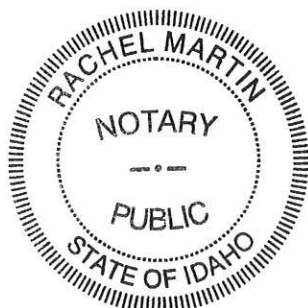
Findings of Fact **adopted** this 9th day of March 2015.

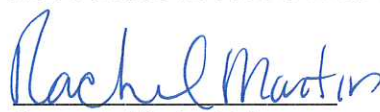
  
 Steve Cook, Vice Chair  
 Planning and Zoning Commission

STATE OF IDAHO                    )  
   ) ss.  
 County of Blaine                 )

On this 9<sup>th</sup> day of March, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Cook, known or identified to me to be the person whose name is subscribed to the within instrument.

WITNESS my hand and seal the day and year in this certificate first above written.



  
 Notary Public for Idaho  
 Residing at: Blaine County  
 Commission Expires: Nov 15, 2019





**City of Ketchum**  
**Planning & Building**

August 22, 2016

Planning and Zoning Commission  
 City of Ketchum  
 Ketchum, Idaho

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF AUGUST 22, 2016**

- PROJECT:** City-initiated Text Amendments to Title 17, Zoning Regulations amending Chapter 17.125, Off Street Parking and Loading
- REPRESENTATIVE:** City of Ketchum Planning and Building Department
- DESCRIPTION:** City-initiated text amendments to the City of Ketchum Municipal Code to amend Title 17 Zoning Code, Chapter 17.125 to align the parking ordinance with objectives of the Comprehensive Plan, to promote uses that contribute to the vitality of downtown, and to incentivize Community Housing.
- PLANNER:** Brittany Skelton, Senior Planner
- ATTACHMENTS:**
1. "Parking Analysis for Changes to the City of Ketchum Zoning Code" report and appendix, Kushlan and Associates
  2. "Parking Code Amendments Recommendations" memo, Micah Austin, Planning and Building Director, June 14, 2016
  3. Public comment
    - a. Letter from Steve Kearns, Kearns, McGinnis & Vandenberg, Inc.
    - b. Letter from David Patrie, Board Member, Mountain Rides Transit Authority
- NOTICE:** **Planning and Zoning:**  
 Public notice was published for the public hearing on July 11, 2016 in the Idaho Mountain Express on June 22, 2016, was posted in three public locations on June 8, and sent to outside agencies on June 8.
- WORKSHOPS:** Public Workshop, held June 30, 2016, City Hall  
 Public Workshop, scheduled for August 26, 2016, 12:00 p.m., City Hall
- PUBLIC HEARINGS:** TBD

## **BACKGROUND**

Phase II of the Zoning Code rewrite is underway and this portion of the project addresses amendments to the parking ordinance, Chapter 17.125 Off Street Parking and Loading. As noted in the “Parking Code Amendments Recommendations” memo from Micah Austin, Planning and Building Director, to Mayor Nina Jonas and City Council dated June 14, 2016, the current parking standards are in conflict with objectives in the Comprehensive Plan and principles for creating a multi-modal, livable community.

In January 2016 the City retained Kushlan and Associates to prepare an analysis of the following: the City’s current policy direction for parking regulations compared to the current parking standards, best and emerging practices related to the relationship between parking standards and incentivizing desired land uses, and recommend options specific to Ketchum for changes to the existing parking code.

Based on Diane Kushlan of Kushlan and Associates’ recommendations, the attached “Parking Code Amendments Recommendations” memo outlines recommended changes to the parking ordinance. One public workshop on the recommended changes has been held to date, on June 30, 2016 in City Hall. A second public workshop is scheduled for August 26, 2016 at 12:00 p.m. in City Hall. Notice of the second public workshop has been mailed to all licensed businesses located in the City of Ketchum.

This is the first work session with the Commission. Additional work sessions will occur after the next public workshop and prior to holding a public hearing on the ordinance amendments.

## **STAFF RECOMMENDATION**

Staff recommends discussion of the Parking Analysis report and the Parking Code Amendments Recommendations memo.

## Parking Analysis for Changes to the City of Ketchum Zoning Code

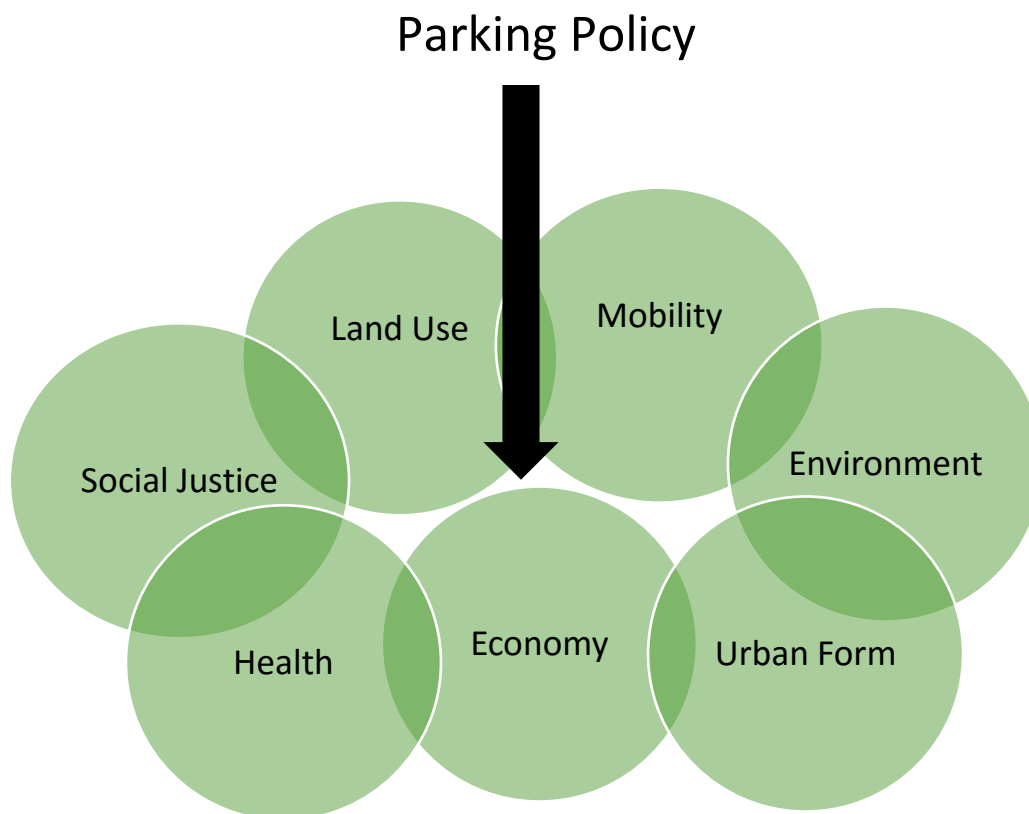
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**Task #1: Current Conditions.** Synthesize the current policy direction for parking regulations based on the Comprehensive Plan and conversations with City Officials. Identify where there may exist gaps in the policy direction. Evaluate the current parking standards for consistency with the adopted policies and identify general areas for code reform. Provide a written analysis of these findings for the City's review.

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### Introduction

While we think of parking policies as having the most direct impact on mobility and land use, parking policies are also influential in the direction of other guiding principles for a community's future, as depicted in this graphic.



## Community Core Values – Relationship to Parking

The City of Ketchum 2014 Comprehensive Plan sets forth ten core values, six of which are influenced by the direction the City takes on parking.

1. A Strong and Diverse Economy ✓
2. Vibrant Downtown ✓
3. Community Character Preservation ✓
4. A Variety of Housing Options ✓
5. Environmental Quality and Scenic Beauty
6. Exceptional Recreational Opportunities
7. Well-Connected Community ✓
8. Arts and Cultural Activities that Enliven the Community
9. Regional Cooperation
10. A “Greener” Community ✓

The following is an analysis of the goals identified for the Comprehensive Plan’s Core Values related to parking and the consistency of the current parking code with those goals. In addition, the Plan includes three direct and explicit policies for parking code reform. These follow in Table 1.

1. **A strong and diverse economy** The Comprehensive Plan goals for a strong and diverse economy include *expanding existing independent, small local businesses; diversification; support for tourism; and balancing the needs of both locals and tourists.*

Parking requirements directly impact the cost of construction, can impact new business formation and impact business operations. Parking is not free, and the costs of parking requirements are passed on to consumers and building tenants. It is estimated that current parking practices are comparable to about a 10% tax on development. In an environment of high land prices, parking requirements can be an impediment to small and local businesses. Currently, the highest valued land, the CC district, requires a minimum parking requirement of 4 spaces per 5,500 sf of lot area, regardless of the type of business (unless fewer spaces are required by the parking standards). This may be a disincentive to the goal of supporting independent, small local businesses.

The other challenge of parking requirements in meeting the goals of a strong and vibrant economy are the current standards, which have no basis in empirical data. These standards, like most city codes, were either borrowed from somewhere else or are based on some national average driven by suburban conditions that may or may not be the reality in the City of Ketchum. Who knows for certain if a medical clinic in Ketchum requires one parking space for every 300 square feet of gross

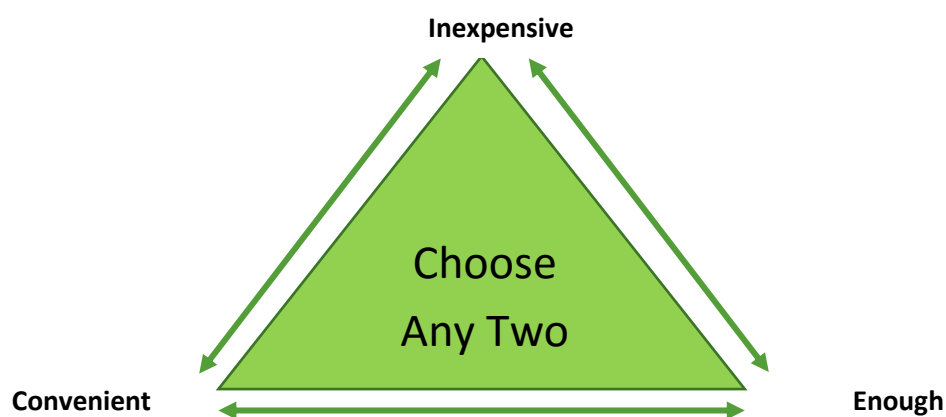
space? Most parking codes overestimate the actual parking need and in doing so contribute to the costs of development, and the costs of doing business. Nation-wide it is estimated that there are 3.4 parking spaces for every vehicle.

The new economies are looking for the type of quality of life infrastructure (sidewalks, public transit and trails) that is suggested in Policy E2-b. Realization of this type of infrastructure supports the inclusion of Transportation Demand Management (TDM) tools in parking requirements. If this type of infrastructure is in place, there are greater opportunities to allow for TDM measures to substitute for parking requirements. See Table 1 for more details on TDM measures.

2. **A vibrant downtown** – The goals for the Downtown are *as a place that people can reach easily by foot, bike, and transit, and as the City’s primary business district, retail core, and key gathering place.*

Through the policies decisions made on the requirements for off-street parking, incentives are created for the choice of one mode of transportation over another. Parking serves only one mode of mobility and by overly accommodating parking, a competitive advantage is created for vehicles over other travel modes, such as transit. If parking is over supplied and inexpensive, there is little incentive for using other forms of transportation, and this goal for creating a vibrant downtown (that it be “people based”) will be impeded.

However, parking is essential to a vibrant downtown. The question is how is parking provided and managed? Kimley Horn in the draft “Strategic Parking Plan for Downtown Boise”, notes that there are three attributes typically desired in downtowns: convenient parking, enough parking and inexpensive parking. Only two of these three can be provided and cities must make a policy decision on which of the two out of three will be their goal.



- If you have inexpensive and convenient parking, you will not likely have enough. This choice will drive the need for other viable mobility options.
- If you have inexpensive and enough parking, it may not be convenient. This requires remote or off-site parking with connections by walking or shuttle operations.

- If you have convenient and enough parking, it will not be inexpensive. This would drive a decision toward structured parking to meet parking needs.

The question of “enough parking” was recently addressed by the parking counts undertaken by staff during the shoulder and peak periods. Parking is generally considered at capacity when 85 percent of the spaces are utilized. In the counts that were taken during the slack time, except for the parking lot at 6<sup>th</sup> and Leadville and three of the five counts taken at 2<sup>nd</sup> and Washington, all areas were below that percentile. During the peak period, half of the counts were above 85 percent. Should the determination of what is “enough parking” be based on the peak or the shoulder season? This is a policy question fundamental to addressing parking management in the downtown.

Key to the goals of a vibrant downtown is a mix of land uses, and many times the off-street parking requirements based on land use alone can be an impediment to certain types of desired outcomes. Some communities have moved toward a “blended rate” parking standards that apply the same rate in the same area, regardless of the land use. This approach would benefit uses such as restaurants that typically have a higher parking generation rate, but in a downtown setting can take advantage of parking that is underutilized during the restaurant’s peak evening time.

3. **Community character preservation** – The goals are to *maintain the community’s small town and unique identity. Maintaining the scale of the community and protecting historic significant buildings are elements of this goal.*

Parking is a prodigious and inefficient use of land. Parking shapes the built environment through site design, lowering intensity/density and through accommodation of vehicles, contributing to sprawl. Surface lots break up the fabric of the pedestrian environment and screening is challenged by the equally important objective of safety. The potential for larger scale parking garages to meet community needs will be a challenge to ensuring that the small town character is maintained.

The current code provides design direction for landscaping of buildings and surface lots to mitigate the impact on the small scale character. Surface lots require a conditional use and maybe in some area should be prohibited altogether to maintain the small town identity. Consideration should also be given to changing the allowance for up to 35% of the street frontage in parking access. In smaller lot frontages this is a reasonable standard, but for property with longer frontage it seems excessive for ensuring pedestrian safety and comfort.

The current code requirement for a review of the off street parking whenever there is change in use influences the market’s interest in the re-use of existing, older and possibly significant historical, buildings. Older buildings may be passed by because of the burden of the additional parking requirements that cannot be accommodated on a built-up site. The result can be vacant and deteriorating buildings that not only have an impact on the vibrancy of the area, but in the

long term can result in the elimination of important structures to the historic fabric of the community.

4. **A variety of housing options** – The goals for housing are to *increase the supply of housing, including rental, special needs housing and to provide a mix of housing types and style. Policy H3.1 explicitly identifies parking as an incentive to be used to encourage greater housing diversity.*

Based on typical affordable housing development costs, one parking space per unit increases costs approximately 12.5%, and two parking spaces can increase costs by up to 25%. Since parking costs increase as a percentage of rent, for lower priced housing, minimum parking requirements are regressive. Smaller affordable housing costs less than a larger luxury unit, but the parking space costs the same. Table 1 that follows provides some additional direction for bringing the current code into consistency with the goals for a variety of housing options.

5. **A well connected community-** The goals of a well-connected community are the most relevant section of the Plan to the parking code. They include goals for *promoting safe and efficient mobility through land use, effective and efficient transit system that is competitive with the single-occupant vehicle and by using travel demand management (TDM) techniques. Also are goals for providing key multi-modal transportation connections to the Core Area; and enhancing pedestrian and bicycling connectivity and comfort.*

Parking provisions that require each development to build the parking necessary for the individual development is an inefficient way to ensure adequate parking in the community. The current shared and in lieu parking provisions are positive ways in which under the current regulations, greater efficiencies can be achieved, and should be broadened and expanded.

Transportation Demand Techniques (TDM) that support a more competitive transit system are outlined in Table 1. A transit hub and jitney service (Policy M2.2) provide an opportunity to refine the parking code to eliminate or reduce parking requirements in conjunction with the hub location and services.

6. **A greener community-** most relevant goals are to *protect surface water quality and promote energy conservation and the reduction of greenhouse gases.*

Off-street parking requirements do not promote a sustainable community; the requirements promote a drivable and unsustainable community, and stand in the way of Ketchum being truly sustainable. Parking requirements that favor vehicle use over transit and active transportation result in increases in greenhouse gas emissions, contributing to global warming and reducing air quality. To meet its goals to be a good steward to the environment and promote a greener community as directed in the Comprehensive Plan, parking requirements need to be addressed in parallel with efforts to accommodate and support alternative modes of access and transportation.

TABLE 1 EXPLICIT COMPREHENSIVE PLAN POLICY DIRECTION RELATED TO PARKING

Plan Policy	Consistency of Current Parking Code	Direction for Change
<b><u>Policy H-3.1 Mixture of Housing Types in New Development</u></b> The City should encourage the private sector, through land-use regulations and incentive programs, to provide a mixture of housing types with varied price ranges and densities that meet a variety of needs. The City will evaluate the use of incentives, such as flexibility in height, density and parking requirements to achieve greater housing diversity.	<ul style="list-style-type: none"> <li>Other than shared parking reduction and no parking requirements for community housing in the CC district, there is no incentive provided in the current code for mixed housing products.</li> <li>The current minimum standard is based on housing unit size of 1500 sf. which is a disincentive for smaller units, and greater diversity.</li> </ul>	<ul style="list-style-type: none"> <li>Establish parking requirements based on the size of units; reduce the minimum size.</li> <li>Exempt smaller size units from parking requirements in all mixed housing products.</li> <li>Provide flexibility in parking requirements for mixed housing products.</li> <li>Unbundle the parking requirements, so that residents have a choice to have parking or not will reduce the costs of housing and may lead to greater diversity.</li> </ul>
<b><u>Policy M-8.1 Incentives to Improve System Efficiency</u></b> The City will create incentives, such as reduced parking requirements or deferred development impact fees when a development implements specific travel demand management techniques.	Travel demand management (TDM) and the relationship to parking is not addressed in the current code.	Parking requirements determined by the number of TDM elements included in the development. Consideration include: subsidized bus passes, provision of commuter buses, transportation coordinator, priority parking for car sharing, bicycle space requirements, and facilities and storage, lockers and showers.
<b><u>Policy M-8.3 Shared Parking</u></b> The City will provide incentives for shared parking agreements to maximize the use of existing surface lots.	The current code provides provisions for shared parking through a conditional use permit for limited uses and locations.	Expand the application of shared parking. Consider an administrative process and re-think minimum parking requirements.



## Conclusion

This first task has intended to be an overview of the direction set out in the Comprehensive Plan that relates to parking, a general review of the existing parking code consistency with that direction and some beginning ideas of areas of parking code reform. From the city review and comment on these findings, the next task will be to take a deeper dive into best and emerging practices that appear most appropriate to Ketchum. At this point, these appear to include:

1. Integrating Transportation Demand Management (TDM) into the parking requirements.
2. Expanding and/or changing the application of the shared and in lieu parking provisions.
3. Re-thinking the land based parking standards for greater flexibility.
4. Considering area based parking standards for the downtown.
5. Reviewing the various ways parking can be an incentive for the desired and mix of housing.
6. Examine ways to de-regulate parking for older or historic structures.

## References

- Canepa, Brian and Karlin-Resnik Joshua. 2015. "Releasing the Parking Brake on Economic Development". *Planning Magazine* (May 2015)
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- Shoup, Donald. 2011 *The High Cost of Free Parking*, Chicago: American planning Association
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**Task #2: Review Best and Emerging Practices.** Examine the relevance of best and emerging practices of parking regulations for Ketchum considering the land uses, transportation modes, population, resort setting, and the findings from Task #1. Review the relationship between parking and land use and the way in which parking is used to or not to incentivize certain desired land uses. Recommend some options for changes to the parking code prioritized by easiest to more difficult to implement; and changes that can occur overtime.

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### Summary:

There is a dearth of innovation in parking regulations for resort communities that would be considered a peer to the City of Ketchum. Attachment A highlights the notable features of twenty resort communities around the west that were researched for this report. Attachment B provides excerpts of relevant code provisions from some of these cities. Here is a bullet summary of the review of these twenty peer cities:

- While there are some good examples of bicycle parking standards and provisions for transit, these requirements are typically stand-alone provisions, and not well integrated with the parking requirements as would be desired in a Transportation Demand Management approach to parking as suggested in the Ketchum Comprehensive Plan.
- Most communities have provisions for in lieu and shared parking. Ketchum is one of the few cities that have taken this a step further by allowing a reduction in the overall parking requirements when there is shared use.
- Many resort communities have special parking provisions for downtowns, historic districts, or the community's core.
- There are few good examples of communities using parking as an incentive for certain types of land uses.
- There are many examples of simplified code provisions and parking standards.
- There are a variety of means used by the peer cities to exempt, or reduce the parking standards.

The Task #1 report for this project and the subsequent discussion with city officials, identified seven topical areas for further research and comparison with peer communities. What follows is the findings from this further research. Recommendations for amendments to the Ketchum parking code follows that discussion.

### 1. Integrating Transportation Demand Management (TDM) in the Parking Requirements.

It is not surprising that the peer resort cities have few TDM provisions in their parking regulations since the application of TDM is most common for employment based land uses. Most of the communities reviewed do not have large employment industries.

Standards for bicycle parking most frequently appeared in these codes, but in only one community was the provision of bike parking tied to a reduction in vehicular parking. Location to bus stops or provision of a transit facility were other TDM examples that provided a basis for parking reduction. Here is a menu of TDM provisions for the city to consider:

- Adopt the TDM strategies identified in the Warm Springs Base Area Overlay universally for all zones in the City.

- Provide for bike parking and storage as a requirement for all uses; or as a requirement for some uses that normally generate bicycle use such as health clubs, spas, parks and uses near trails; or as a substitute for vehicular parking.
- Provide for shower and lockers facilities for employment based uses of a certain size as a requirement, or as a substitute for vehicular parking.
- Provide for locational factors to be a basis for parking reduction, such as within ¼ mile of a bus stop or the Wood River Trail.
- Dedicate the in-lieu fund to alternative mobility only such as support for Mountain Rides, shuttle services for remote lots, trail improvements, and bike or car sharing. Under this scenario, consider incentivizing the in lieu fund as an alternative to on-site parking by changing the ratio of the number of in lieu spaces to on-site spaces or reducing the per space costs for in lieu.

## 2. Expanding the application of the shared and in lieu parking provisions.

Most of the peer cities have shared parking provisions, but fewer have parking reduction allowances in shared circumstances. The current Ketchum parking code provisions allow for shared parking reduction in the Tourists Districts and in the CC District by means of a conditional use permit or parking analysis. Recommendations for expanding the shared parking provisions include:

- Provide for clearer direction on what is the content of a parking analysis. Include information on the uses, peak hour parking, adjustments for uses that would not generate new trip (the noncaptive factor), location, connections and distances between uses and parking, and the opportunities for capture uses.
- With improved criteria for the content of the parking analysis, eliminate the need for a conditional use permit review.
- Allow for a shared parking reduction of 20% as a right for any mixed use project in any zone. Provide provisions for additional reduction through a parking analysis.
- Identify uses, because of their varying peak parking periods that can share parking. Develop standards for the location and connectivity of remote lots in relationship to the uses.
- Establish a standard agreement to be used between shared parking property owners that identify how conflicts will be resolved, responsibilities for maintenance, and liability requirements.
- Establish a standard cross-access agreement that can be used by adjacent properties for sharing parking facilities.
- See the provisions in #1 regarding in lieu parking requirements.

## 3. Re-think the land based parking standards for greater flexibility

In addition to shared parking and TDM provisions that move away from the land based parking standards, other tools for creating flexibility in parking requirements have been employed by the peer communities. Most have the standard laundry list of uses followed by provisions by which the requirements can be reduced or modified. These provisions include (1) a variance process; (2) conditional use permit; (3) other discretionary body decision; or (4) administrative decision.

The criteria for the basis for the decision to exempt or reduce parking standards also varies from none to a detailed parking analysis. Some decisions are based on the location and others on the nature of the specific use. A minority of communities also impose a layer of discretion if the applicant request is for more parking

than is required by the code. One community that has very minimal requirements also has provisions that allow the city to require more parking for a specific project than is identified by parking standards.

This recommendation to allow for greater flexibility is closely related to Finding #7 to simplify the Code standards. If the city's choice is to keep the current parking standards (the off-street parking matrix) with some minor consolidation of uses, then a process might be needed to allow for requests for parking reduction. The basis for approval of such a request could be a variety of reasons including the inclusion of TDM measures mentioned in #1, shared parking, or availability of on-street parking as is currently provided for in the CC District. The more detailed the criteria, the less need for a discretionary body to make the decision.

If the City is to move toward more reform of the chart of parking standards (the off-street parking matrix) and with minimal parking requirements, then imposing an additional process check to ensure adequate parking in all situations might be needed. Parking is very much market driven, and there are few instances when a developer or applicant will not provide the parking they feel is needed to support the project and satisfy their lending institutions. The role of the city is to ensure that amount of parking is appropriate for the circumstances of the use and location, and that there are no parking externalities on surrounding properties or on-street parking. As the city's efforts at creating more modal choices expand, there also may be a future requirement to set maximums on the number of parking provided, as in the case of one peer community.

#### Recommendations:

- Develop minimum parking standards (see #7 that follows) for all uses with a provision for requiring more parking through an administrative determination.
- Allow for parking reduction from the minimum standards through the provision of TDM measures (outlined in #1)
- Determine parking requirements on a case by case basis with adjustment factors that take into account the unique characteristics of the proposed development: size, location, density of employees or units, mix of land uses, access to transit, walking-bicycling connections, shared parking opportunities, and availability of both public and private parking in the vicinity.

#### 4. Consider area based standards for the Downtown

A majority of the peer communities had different standards for their downtown or core, compared to standards for other zones in the city. None had adopted area based or one parking generation standard for all uses in the downtown. One community had no parking requirements in their downtown (except for gaming and lodging) and another had no parking requirements in urban renewal districts or areas within a building improvement district (BID). Two other cities required remote or in lieu parking only. Another community code provides that for their downtown, the minimum standards are the maximum, and prohibits the additional parking over what is allowed in the code.

Given the inherent mixed use character of the downtown, there seems to be a basis for a different set of standards, but determining what those standards should be, regardless if there is one standard for all uses or a reduced standard from the rest of the city, is a challenge. Ideally, setting such a standard should be based on some empirical evidence on the nature of uses, parking utilization rate, peak parking demand, and the

impacts of other modes of transportation to access the downtown. This consideration is further complicated by the direction to incentivize certain uses in the downtown through the parking standards.

Recommendations for changing standards in the downtown:

- Maintain the current code provision to exempt community housing from the parking requirement.
- Exempt from the parking requirements other uses the City would like to incentivize.
- Allow by right a parking reduction of 20% for all uses in the downtown from the standards contained on the parking matrix.
- Adopt simplified parking standards for the downtown with four categories: commercial, residential, lodging, and assembly.
- Adopt a one parking standard such as 2 spaces/1000 and eliminate the provision of on-street parking to be used in partial satisfaction of the parking requirement.
- In the long term, substitute parking requirements for investment in transit, pedestrian and bicycle improvements funded through in lieu fees, LID or other mechanisms.

## 5. Review the way in which parking can be an incentive for the desired uses and mix of housing.

The peer city review provides little direction on this issue: parking reductions are provided to restaurants in two communities that were reviewed. Ketchum's interest to incentivize certain uses is to create vibrancy, especially in the downtown. Vibrancy can be accomplished by adjusting the parking standards as described above in #4, which would create an incentive for uses such as retail and restaurants that generate higher parking needs.

Incentivizing for a mix of housing is more challenging. Standardizing the parking requirement, for example one space per unit regardless of size, or unbundling the parking requirement from housing altogether are two approaches to consider. While not necessarily incentivizing a mix of housing, both of these approaches would create a more level playing field for any type of housing. If the objective is to create smaller more affordable housing, then eliminating parking for housing below a certain size, for example 750 square feet may be an approach.

The current code parking standard is based on gross square feet. This may create a disincentive for common areas, such as courtyards or interior atriums that can contribute to vibrancy. Consideration should be given to basing the standard on net leasable area instead of gross square feet. Also surface lots, which are dead zones and require driveway cuts that interrupt pedestrian flow, are also a land use that negatively impacts vibrancy. Some consideration should be made to prohibiting or limited surface lots in the downtown.

Recommendations:

- Establish parking requirements based on the size of dwelling units; reduce the minimum size.
- Exempt smaller size dwelling units from parking requirements in all mixed housing developments.
- Provide flexibility in parking requirements for mixed housing products.

- Unbundle the parking requirements, so that residents have a choice to have parking or not. This approach reduces the costs of housing and may lead to greater diversity.
- Base parking requirements on leasable rather than gross floor area.
- Prohibit surface lots in the downtown.

## 6. Examine ways to de-regulate parking for older or historic structures.

Only Aspen had provisions which specifically addressed parking for historic structures. In that Code, the parking requirement is under the review the Historic Commission and specific criteria is outlined to direct their review of waiving or varying parking requirements.

Other ways to de-regulate parking for older structures would be to identify certain structures, locations or uses that would be exempt from additional parking requirements. Criteria for identifying such exemptions could be historic buildings, building that have been vacant for extended period of time, uses that City desires to incentivize, or locations where the provision of additional parking would be infeasible. The exemption could be provided outright or through a discretionary process.

## 7. Streamline and simplify the parking standards. Expand the on-street parking credit to other districts.

The peer cities provide several models for simplifying the parking standards. Among the best are Telluride and Cripple Creek. (Copies attached in Attachment B). Telluride has just seven land use categories and Cripple Creek has eight with the addition of different standards by district.

Several other cities allow for on-street credits to be applied to off-street parking requirement. These include: a one to one allowance or a 0.75 to 1 space. One example, restricts the allowance for residential uses that responds to Ketchum's concern about street clearance overnight for snow removal.

Recommendations for simplifying the parking standards:

- Reduce the number of land use categories
- Expand the current provisions that allow for on-street parking to satisfy the parking requirements, except for residential uses.

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## Parking Analysis for Changes to the City of Ketchum Zoning Code

### Attachment A

### Peer City Review Summary

	City	In lieu	Shared Parking	Core Area Provisions	Notable features
1.	Aspen, CO	X	X		<ul style="list-style-type: none"> <li>• Special provisions for historic structures</li> </ul>
2.	Breckenridge, CO	X	X		<ul style="list-style-type: none"> <li>• Relief from parking through variance process</li> </ul>
3.	Carmel, CA	X	X	X	<ul style="list-style-type: none"> <li>• No off-street parking is allowed in Core-must be in-lieu or shared</li> </ul>
4.	Coeur d'Alene, ID	X	X	X	<ul style="list-style-type: none"> <li>• Parking Commission</li> <li>• Tandem parking allowed</li> <li>• Reduction in core and in-fill overlay areas</li> <li>• Bike Parking standards</li> </ul>
5.	Crested Butte, CO	X		X	<ul style="list-style-type: none"> <li>• Grandfathers certain restaurant and residential uses</li> <li>• Allow for payments over time of in-lieu parking fees</li> <li>• Allows on-street parking credits in core</li> </ul>
6.	Cripple Creek, CO		X	X	<ul style="list-style-type: none"> <li>• No minimum standards, except for gaming and lodging in core area</li> <li>• Allows parking requirements to be satisfied on-street, off-street or combination in all zones</li> </ul>
7.	Frisco, Co		X	X	<ul style="list-style-type: none"> <li>• Reduced parking requirements in the core</li> <li>• On-street allowed for any "non-overnight" uses in the core and MU districts</li> <li>• Reduced parking for shared up to 25%</li> </ul>
8.	Hood River, OR	X	X	X	<ul style="list-style-type: none"> <li>• Bike parking standards</li> <li>• In lieu required in certain districts</li> </ul>
9.	Jackson, WY	X	X	X	<ul style="list-style-type: none"> <li>• On-street parking credits in core</li> </ul>

	City	In lieu	Shared Parking	Core Area Provisions	Notable features
					<ul style="list-style-type: none"> <li>• Independent assessment for some uses</li> <li>• Administrative adjust for reducing parking standards</li> </ul>
10.	LaConner, WA	X	X		<ul style="list-style-type: none"> <li>• Up to 50% of parking can be provided through in lieu.</li> <li>• 50% of parking must be provided on-site.</li> </ul>
11.	Leavenworth, WA		X		<ul style="list-style-type: none"> <li>• Simple joint use provisions</li> <li>• Electric vehicle (EV) charging station provisions</li> </ul>
12.	McCall, ID	X			<ul style="list-style-type: none"> <li>• Bike parking standards</li> <li>• Parking exemption in BID or Urban renewal district</li> <li>• Reduction in parking allowed by Commission action</li> </ul>
13.	Park City, UT		X		<ul style="list-style-type: none"> <li>• Allows for tandem parking</li> <li>• Reduction with conditional use or master plan</li> <li>• Bicycle Parking standards</li> </ul>
14.	Sandpoint, ID	X	X	X	<ul style="list-style-type: none"> <li>• In lieu only in downtown</li> </ul>
15.	Santa Fe, NM	X	X	X	<ul style="list-style-type: none"> <li>• Simple core area parking standards</li> <li>• Reduction for providing transit facilities</li> <li>• Reduction in shared parking circumstances</li> <li>• Reduction in core area by special use permit</li> <li>• Bike Parking requirements</li> </ul>
16.	Steamboat Springs, CO				<ul style="list-style-type: none"> <li>• Incentives for eliminating curb cuts</li> <li>• Maximum standards in core district</li> </ul>
17.	Taos, NM				<ul style="list-style-type: none"> <li>• Reduction in parking allowed by Commission action up to 20%</li> <li>• Bike parking requirements</li> </ul>
18.	Telluride, CO	X			<ul style="list-style-type: none"> <li>• Simple parking standards with PZ approval for some uses.</li> <li>• Tandem parking allowed</li> </ul>
19.	Truckee, CA	X	X	X	<ul style="list-style-type: none"> <li>• Use permits, specific plans, similar supersede zoning requirements</li> <li>• Minimum and maximum parking requirements</li> </ul>



	City	In lieu	Shared Parking	Core Area Provisions	Notable features
					<ul style="list-style-type: none"> <li>• Restaurant along Truckee River exempt from parking requirements up to 10 spaces</li> <li>• Bike Parking requirements</li> <li>• Good parking structure design requirements</li> <li>• On-street parking allowed in core at ration of 0.75/1 space requirement</li> </ul>
20.	Vail, Co	X	X	X	<ul style="list-style-type: none"> <li>• Parking standards for within core and outside core</li> <li>• City Council can create “exempt areas” based on criteria</li> <li>• PZ can reduce parking based on studies and criteria</li> <li>• In-lieu “zones”</li> </ul>

Attachment B  
Sample Code Provisions for Peer Cities

## In lieu Provisions

### 9-3-13: USE OF IN LIEU FEES BY TOWN

4. The provision or operating expenses of transit facilities and equipment designed to reduce reliance on private automobiles; provided that such transit facilities or equipment shall, in the determination of the town council, provide a benefit to the service area. (Breckenridge)

## Shared Use

**17.44.225 B.** For the purposes of this chapter, the following table provides examples of shared use parking that will be permitted between the uses or activities listed below as having primarily daytime or evening hours of operation:

TABLE A	
<u>Uses With Daytime Hours</u>	<u>Uses With Evening Hours</u>
Banks	Auditoriums
Business offices	Bars
Churches	Bowling alleys
Grade schools/high schools and daycare centers	Dance halls
Manufacture/wholesale (with limited hours)	Hotels/motels
Medical clinics	Meeting halls
Professional offices	Nightclubs
Retail stores (with limited hours)	Restaurants
Service stores	Theaters

(Coeur d'Alene)

## Reduction in Standards

**(I) Reduction Of Requirements:** Where there is an adequate public transit system, or where, for any other reason parking demand is unusually low, such as where uses with differing operating hours or needs share parking under a formal, written agreement to which the city is a party, then the parking space provisions cited herein may be reduced proportionately by the commission. If the owner, whose parking

facility is under such an agreement which requires the facility to be available to the patrons of the other use(s), fails or refuses to make such parking available in accordance with the agreement, such failure or refusal is a violation of this title.

**(J) Alternative Proposals:** Where special conditions exist which make compliance with these standards impractical, the commission will consider alternative proposals presented according to the procedures and standards for a variance. (McCall)

#### **16.20.040.2: SPACES REQUIRED**

F. Commission Review: The commission may modify the provisions herein set forth establishing required parking areas so long as the public health, safety and welfare is not adversely affected. Modification of parking space quantity within twenty percent (20%) of requirements may be acceptable to the commission at their discretion under guidelines established by the code administrator and adopted by the commission. (Taos)

#### **9-3-16: RELIEF PROCEDURES:**

A. The planning commission, or the town council if the decision of the planning commission is called up, may grant a variance, exception or waiver of condition from any requirement of this chapter, upon written request by a developer or owner of property subject to this chapter, following a public hearing, and only upon finding that: 1) a strict application of such requirement would, when regarded as a whole, result in confiscation of the property or 2) that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal or requirement. No variance, exception or waiver of condition shall have the effect of nullifying the intent and purpose of these regulations. The planning commission or town council shall not approve a variance, exception or waiver of condition unless it makes findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance, exception or waiver of condition will not be detrimental to the public health, safety, or welfare or injurious to other property;
2. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The relief sought will not in any manner vary the provisions of the development code, town master plan or other town law, except that those documents may be amended in the manner prescribed by law. (Breckenridge)

### **Downtown Area Based Standards**

#### **17.38.030 Exceptions**

A. On-Site Parking in the Central Commercial (CC) Land Use District. In contrast to the other districts within the City, on-site parking is prohibited in the central commercial (CC) land use district. This policy eliminates the need for curb cuts in sidewalks and the

interference with free pedestrian traffic flow that would result from an excessive number of driveways. This policy is also intended to enhance the opportunities for creating intra-block courts and walkways between properties and buildings.....

B. Use of Another Site. Parking requirements may be fulfilled by supplying the required parking on another site upon approval of a use permit.

C. Parking Adjustment In-Lieu Fees. The Planning Commission may authorize the satisfaction of parking requirements through the granting of a use permit and the payment of in-lieu fees when on-site parking is not practical or when on-site parking is prohibited by City policies. (Carmel)

#### **7.05.725: BASIC DEVELOPMENT STANDARDS; PARKING STANDARDS:**

A. Parking Ratios: Subject to the requirements of [chapter 17.44](#) of this title, the parking ratios for uses in the DC district shall be as follows:

1. Retail/Restaurant Uses: Retail/restaurant uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet. However, retail/restaurant uses less than three thousand (3,000) square feet are exempt from this requirement.
2. Office Uses: Office uses in the DC district must provide at least two (2) but no more than four (4) parking stalls per one thousand (1,000) net square feet.
3. Residential And Hotel Uses: Residential/hotel uses in the DC district must provide at least 0.5 but no more than two (2) parking stalls per unit.
4. Senior Housing Uses: Senior housing uses in the DC district must provide at least 0.25 but no more than one parking stall per unit. (Coeur d'Alene)

#### **4-8.6 OFF-STREET PARKING AND LOADING (C) Provisions for Specific Districts (2) BCD, C-2**

- (a) In the BCD district, there shall be provided the minimum number of *off-street parking* spaces as follows:
  - (i) For *residential* uses, one space for each *dwelling unit*;
  - (ii) For commercial uses: (1) One parking space for each five hundred (500) square feet of net leasable floor area for office uses; (2) One parking space for each three hundred fifty (350) square feet of net leasable floor area for other commercial uses, except that the requirements for *hotels* and *motels* shall be one parking space for each rental unit;
  - (iii) For all uses not classified as commercial or *residential*, the applicable standards set forth in Table 14-8.6-1 located in the appendix following Section 14-12 shall apply. (Santa Fe)

3-209.D.1.a. Parking Requirements in the Accommodations One Zone District	
Use Category	Required Parking
Residential Dwelling Units	1 space per unit
Short-term Dwelling Units	2 spaces for every 3 units
Hotel, Lodge, Roominghouse, Boardinghouse	2 spaces for every 3 units
High Intensity Use	One space per 500 square feet of floor area
Low Intensity Use	One space per 1,000 square feet of floor area
Assembly Areas	One space per 500 square feet of floor area

(Telluride)

## Special Provision for Historic Structures

For properties listed on the Aspen Inventory of Historic Landmark Sites and Structures, fewer spaces may be provided and/or a waiver of cash-in-lieu fees may be approved, pursuant to Chapter 26.430, Special review and according to the review criteria set forth below.

### 26.515.040. Special review standards

A. A special review for establishing, varying or waiving off-street parking requirements may be approved, approved with conditions or denied based on conformance with the following criteria:

1. The parking needs of the residents, customers, guests and employees of the project have been met, taking into account potential uses of the parcel, the projected traffic generation of the project, any shared parking opportunities, expected schedule of parking demands, the projected impacts on the on-street parking of the neighborhood, the proximity to mass transit routes and City of Aspen Land Use Code Part 500 – Parking Page 5 the downtown area and any special services, such as vans, provided for residents, guests and employees.
2. An on-site parking solution meeting the requirement is practically difficult or results in an undesirable development scenario.
3. Existing or planned on-site or off-site parking facilities adequately serve the needs of the development, including the availability of street parking. (Aspen)

## Incentivize Uses

### Sec. 16-16-90. - Restaurant uses.

(a) Restaurant uses existing on May 14, 1994, shall be deemed to have satisfied all provisions of parking requirements for such uses and then-existing square footage.

(b) In the event a conditional use permit is sought for a restaurant use in the same location that is of the same footprint and general configuration and of the same square footage amount as a restaurant use existed on May 14, 1994, no additional parking shall be required for such restaurant use.

(c) In the event that a conditional use permit is sought for a restaurant use that is in the same location but not of the same footprint and general configuration as previously used on May 14, 1994, the provision of parking for such different space shall be required, and the parking requirement for such different space shall be calculated as an increment to the square footage of the original restaurant use.

(d) In the event a conditional use permit sought is for a restaurant use with a square footage amount greater than the restaurant use as it existed on May 14, 1994, the provision of additional parking shall be required for any such additional square footage, which shall be calculated as an increment to the square footage of the original restaurant use. (Crested Butte)

#### **18.48.040 - Number of Parking Spaces Required Each use**

Outdoor seating and dining areas for restaurants and cafes (except counter-service restaurants) adjacent to the Truckee River shall be exempt from complying with the parking requirements of this Chapter and paying in-lieu parking fees, up to a maximum of 10 parking spaces. (Truckee)

## Simplified Parking Requirements

TABLE 3-4 PARKING REQUIREMENTS FOR USE CATEGORIES	
USE CATEGORIES	PARKING REQUIRED
<b>All Residential Uses</b> , including Accommodations Units with a kitchen	One space per unit
Short-term Dwelling Unit	Two spaces per three units
Hotel, Lodge, Roominghouse, Boardinghouse	Two spaces per three units
<b>Low Intensity uses:</b>  Assembly areas - exhibit rooms; gymnasiums; and skating rinks.  Retail stores and shops.  Offices - professional (excluding medical and dental); general business offices; utility; telephone; telegraph; radio and broadcasting.  Personal Services.	One space per 1,000 square feet of floor area
<b>High Intensity Uses:</b>  Assembly areas - restaurant; bar; theater; auditorium; dance floor (including room or hall); church; chapel; assembly hall; bowling alley (assembly area only); stadium (bleacher area only); and swimming pool (including deck area); laundromat.  Offices - medical and dental (including clinics); financial institutions, banks and loan companies; and public buildings for administration (including city and county offices).	One space per 500 square feet of floor area
<b>Automotive Uses:</b>  Gas Stations and Vehicle Repair   Auto Service, Car Rentals, Auto and Truck Sales	One space per gasoline pump; Two spaces per grease rack or wash rack; and One space per 200 square feet of area usable for repair work, exclusive of drives, equipment, storage, utilities, etc.  One space for each vehicle, exclusive of service and repair area, which shall meet the requirements for gas stations and vehicle repair.
<b>Hospitals and Schools</b>	Set by review of P&Z

(Telluride)



Table 1-4 Required Parking Spaces					
For This Use:	The required minimum number of Parking Spaces in this Zoning District shall be:				The required parking spaces shall be located:
	B	BB	R3/4, R2	R1	
Residential	No minimum	1 space per dwelling unit		2 spaces per dwelling unit	Off-street
Lodging	.5 spaces per lodging bedroom	.75 spaces per lodging bedroom		N/A	Off-street
Office/Service or Retail	No minimum	2 spaces per 1,000 square feet of retail or office space		N/A	Off-street, on-street or a combination of off-street and on-street
Gaming	2 spaces per 1,000 square feet of gaming space	5 spaces per 1,000 square feet of gaming space		N/A	Off-street, on-street or a combination of off-street and on-street
Assembly	No minimum	1 space per each 5 seats		1 space per each 5 seats	Off-street, on-street or a combination of off-street and on-street
Civic Uses other than Assembly	No minimum	1 space per 1,000 square feet		1 space per 1,000 square feet	Off-street, on-street or a combination of off-street and on-street
Commercial Uses other than Lodging, Office/Service, Retail or Gaming	No minimum	2 spaces per 1,000 square feet		N/A	Off-street, on-street or a combination of off-street and on-street
Industrial	No minimum	1 space per 1,000 square feet		N/A	Off-street, on-street or a combination of off-street and on-street

(Cripple Creek)

## Bicycle Parking Standards

**7.44.100 Bicycle Parking Space:** Where off street parking is required by this chapter, one bike rack capable of accommodating at least two (2) bikes is required for the first ten (10) required parking stalls. Additional bike racks will be installed on a ratio accommodating one bike for each additional ten (10) parking stalls. The required bike racks must be located on the same lot as, and within a reasonable distance of, the principal use or structure. The bike racks must be placed in a location that will not



interfere with pedestrian or vehicular traffic and the area where the rack is placed must meet the paving requirement contained in section [17.44.310](#) of this chapter. A reduction in the total number of off street parking spaces may be available for providing special accommodations for bicyclists as provided in section [17.44.200](#) of this chapter. (Coeur d'Alene)

**3.8.063: BICYCLE PARKING:** Uses shall provide long and short term bicycle parking spaces, as designated in table [3.8.063](#) of this section. Where two (2) options are provided (e.g., 2 spaces, or 1 per 8 bedrooms), the option resulting in more bicycle parking is used.

TABLE 3.8.063  
MINIMUM REQUIRED BICYCLE PARKING SPACES

Uses	Long Term Spaces (Covered Or Enclosed)	Short Term Spaces (Near Building Entry)
Boarding houses, rooming houses, dormitories	1 per 8 bedrooms	None
Churches and places of worship	2, or 1 per 4,000 square feet of net building area	2, or 1 per 2,000 square feet of net building area
Daycare	2, or 1 per 10,000 square feet of net building area	None
Hotels, motels	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Manufacturing and production	2, or 1 per 15,000 square feet of floor area	None
Multi-family	1 per 4 units	2, or 1 per 20 units
Office, banks, and similar uses	2, or 1 per 10,000 square feet of floor area	2, or 1 per 40,000 square feet of floor area
Retail sales and service	2, or 1 per 12,000 square feet of floor area	2, or 1 per 5,000 square feet of floor area
Schools - grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
Schools - grades 6-12	2 per classroom, or per CU review	4 per school, or per CU review

Other categories	Determined through conditional use (CU) and design review
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- (A) Location And Design: Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet (50'), whichever is less. Long term (i.e., covered) bicycle parking should be incorporated whenever possible into building design. Short term bicycle parking, when allowed within a public right of way, should be coordinated with the design of street furniture, as applicable.
- (B) Visibility And Security: Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.
- (C) Options For Storage: Long term bicycle parking requirements for multiple-family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.
- (D) Lighting: For security, bicycle parking shall be at least as well lit as vehicle parking.
- (E) Reserved Areas: Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- (F) Hazards: Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards. (McCall)

#### **16.20.040.2: SPACES REQUIRED: B. Parking Requirements For Bicycles:**

1. Any commercial and industrial development shall include adequate bicycle parking spaces equal to five percent (5%) of automobile parking spaces.
2. All bicycle parking spaces shall be located within fifty feet (50') of the building entrance. Bicycle parking may be located in a building as long as the area is easily accessible to the bicycle.
3. Bicycle parking shall be provided in a well lighted and secure location that is in convenient proximity to the building or employee entrance. The location should be visible from employee work areas and shall not be farther than the nearest employee automobile parking space (excluding disabled parking).
4. Bicycle parking stalls shall be six feet (6') long and two feet (2') wide with an overhead clearance of seven feet (7'). All stalls shall have a five foot (5') accessible aisle.
5. The town of Taos may reduce or eliminate the number of bicycle spaces required when it is demonstrated that bicycle activity will not occur at the location. Such uses include, but are not limited to:
  - a. Motor vehicle service and repair establishments;
  - b. Personal storage; and
  - c. Agricultural uses.

6. If a use is determined to generate an increased volume of bicycle parking, the town of Taos may require additional bicycle parking spaces. Such uses include, but are not limited to:
  - a. Park;
  - b. Library;
  - c. Museum;
  - d. Health spa or fitness club; and
  - e. Commercial uses located along bike lanes or trails. (Taos)

### **Bicycle Parking Tied to a Reduction in Vehicular Standards**

**14.44.200 Bicyclist Accommodations:** The planning director may authorize a fifteen percent (15%) reduction in the number of required off street parking spaces for developments or uses that make special provision to accommodate bicyclists. Examples of accommodations include enclosed bicycle lockers, employee shower facilities and dressing areas for employees. A reduction in parking may not be granted merely for providing outdoor bicycle parking spaces. (Coeur d'Alene)



## City of Ketchum Planning & Building

Date: June 14, 2016  
 To: Mayor Jonas and City Council  
 From: Micah Austin, Planning and Building Director  
 Subject: Parking Code Amendments Recommendations

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### Objective for Parking Code Amendments

The current parking standards are in conflict with the objectives of the Comprehensive Plan and modern principals for creating a livable and multi-modal community. While the city invests in transit services, pedestrian and bicycle infrastructure, and other improvements to create a more walkable and accessible community, the current parking standards promote a car oriented culture by prioritizing the convenience of drivers above the goals of a healthy community. Further, the current standards discourage the mix of retail, restaurant and entertainment uses that create a vibrant, successful community. The old methodologies and approach towards parking are out dated and revisions are long overdue.

The Planning and Building Department conducted research and analysis on the City of Ketchum's current parking regulations and has prepared a list of recommendations for changes. The objective is to accomplish the following:

1. Align the parking regulations with the community's values and the 2014 Comprehensive Plan that requires the community to become less dependent on the automobile and encourages public transit and active modes of transportation
2. Promote uses, such as retail establishments, restaurants, and theaters, that contribute to vitality of Ketchum's downtown.
3. Incentivize community housing.

The proposed revisions are targeted to accomplish one or more of these objectives. The revisions are provided to Council for information only, the next step will be engaging the public in this discussion and seeking input from all community members that are interested in these changes. Following an active public process, staff will present to Council the results of the community outreach and recommendations for changes prior to proceeding to the Planning Commission with amendments to the Zoning Ordinance.

### Proposed Revisions to the Parking Code

1. **Off-Street Parking Matrix.** The current parking matrix is outdated and does not reflect current community values or actual parking demands for projects. Staff proposes to simplify the matrix to include three categories: 1) Residential; 2) Commercial; and 3) Exempt Uses. Based on staff's analysis these three categories are adequate to accommodate on-site parking requirements. Generally, staff proposes a minimum standard of 1 space per 1000 square feet of commercial

gross floor area and 1 space per residential unit up to 750 gross square feet. For larger units, more parking space would be required based on the size of the residential units. The exempt uses would be those business activities that are highly desired in Ketchum and disproportionately impacted by current parking regulations.

2. **Parking Demand Analysis.** Staff proposes allowing any development to submit a Parking Demand Analysis if the parking code requirements do not reflect the actual demands of a development. In these cases, a parking demand analysis may be submitted to the Administrator to show the actual parking demands of a particular project. After considering the Parking Demand Analysis, the Administrator may waive any portion of parking requirements. Application requirements for the Analysis will be specific and must quantify actual parking demand and assess availability of on-street or shared parking resources.
3. **On-Site Requirement for All Residential.** During winter, overnight parking is prohibited on streets to allow for snow removal. There is no opportunity for residents to use on-street parking to meet their parking demand. Staff proposes requiring all residential parking to be located on-site and fully accounted for because of parking prohibitions in the winter. The standards would clarify that in no situations will residential parking demands be allowed on-street or off-site.
4. **Exemptions.** Certain uses are beneficial and necessary to maintain the vibrancy and economic vitality of Ketchum's downtown. For that reason, staff proposes exempting the following uses from the parking requirements:
  - a. Community housing units (already exempted by code)
  - b. Desired uses (incentivized): restaurants, retail and existing assembly.
  - c. Any use, except residential, that is within ¼ mile of a structured parking facility. At the moment, Ketchum does not have a structured parking facility but this exemption would provide a market incentive for building a structure parking facility.
  - d. Other exemptions may be allowed by the Administrator when a Parking Demand Analysis is submitted to show the actual demands of a project are less than required by code.
5. **Parking Reduction through TDM.** The community is moving towards using more public transit and the Comprehensive Plan requires in numerous places that we incorporate transit into zoning decisions and regulations. In response, staff proposes for commercial development allowing for a 25% parking reduction from the minimum standards through the provision of Transportation Demand Measures (TDM) including:
  - e. TDM strategies identified in the Warm Springs Base Area Overlay universally for all zones in the City.
  - f. Locational factors, such as within ¼ mile of a bus stop or the Wood River Trail.
  - g. Provision of shower and lockers facilities.
  - h. Provision of bike storage or sheltered bicycle parking.
6. **Bicycle Standards.** The current parking regulations do not recognize bicycle parking infrastructure as an appropriate mode of satisfying parking demands. Staff proposes requiring all uses to provide onsite bike parking spaces equal to 25% of the minimum number of required onsite parking spaces. For example, if four (4) vehicle spaces are required, one (1) bike parking space is required. This would not relieve any vehicular parking requirements but require additional bike parking spaces.

7. **Shared Parking.** While the code currently allows for a Shared Parking Plan, staff proposes expanding on this tool so that it can be used more frequently. A Shared Parking Plan could be submitted as part of the Parking Demand Analysis to accommodate parking requirements. The shared parking plan should also include an agreement between property owners for sharing common parking on private property and would be reviewed by staff. In all cases, staff proposes that all shared parking must be located no less than 300 feet from the project. In no case would the City manage shared parking agreements.
8. **Calculation of Gross Floor Area.** For calculation of parking requirement, staff proposes using Gross Floor Area, as defined by 17.08.020 for calculation parking requirements. This has been an area of confusion for several years and can be easily corrected. In addition to this, staff proposes deducting common area spaces from the calculation to avoid artificially inflated parking requirements.
9. **Surface Lot Restrictions.** As a way to maximize the limited space in Ketchum's downtown, staff proposes prohibiting new surface lots in the CC. For all other zones, new surface lots should be located only in the rear of a building or lot.

#### **Background on Ketchum's Parking Ordinance**

Our authority to regulate parking is derived from Idaho State code which permits municipalities to establish a zoning ordinance to manage land use. The purpose of the zoning ordinance is to "promote the health, safety and general welfare" of the public. The scope of most parking regulations is to ensure efficient use of land by requiring property owners to provide onsite parking commensurate with the use of their property. Parking requirements are typically connected to land use categories related to commercial, residential, public and industrial uses and are generally calculated on a square footage or per business/use basis

Ketchum began regulating parking in 1961 when it adopted the city's first zoning ordinance. Over the course of five decades the zoning ordinance was amending 273 times causing regulations to become disjointed, internally conflicted and difficult to navigate. In July of 2015 the city approved major amendments to the zoning ordinance which included consolidating all parking regulations into Chapter 17.125 "Off-Street Parking and Loading." Chapter 17.125 regulates the dimensions for parking spaces, establishes minimum parking requirements for individual land uses, addresses on-street parking credit and provides allowance for shared parking between multiple users. The recommendations for amendments are entirely focused on Chapter 17.125 of the Zoning Ordinance.

**Brittany Skelton**

---

**From:** Steve Kearns <steve@kmvbuilders.com>  
**Sent:** Thursday, March 24, 2016 9:58 AM  
**To:** Morgan Brim  
**Cc:** John Montoya; Jack Smith; Jeff Williams; Michael Doty (external); Paul Conrad; Harry Griffith; robert crosby; Doug Brown  
**Subject:** Parking

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Morgan,

I would like to comment on the ADA portion of the parking ordinance that is currently under review.

The current ordinance requires the development of a 5,500 sq ft lot to provide one on-site, ADA van-accessible parking space. This effectively takes up two normal spaces for a space that will very seldom be used. In our 15 years at the Camas Building in Ketchum, we have never had anyone make use of our handicap space. Developing under the current ordinance means two vehicles will be parked on the street instead of on-site, and that is just for one lot. If four lots per block were developed, you would have 4 ADA spots on private property and potentially 8 vehicles on the street. That is bad for the lot owners and bad for the city.

I think a better solution is provided by what the P&Z allowed for the Kith and Kin development on Washington Avenue - an on-street ADA van-accessible space. If you look at the number of ADA spaces prescribed in the Americans With Disabilities Act, Chapter 2, 208.2 Minimum Number, it specifies 1 per 25 total parking spaces. Granted, this specification is intended for parking facilities or parking lots, but I think it's fair to use this requirement and apply it in our case to a city block. In the example above, 4 developed city lots would contain 5-6 parking spaces, or 20-24 per block. Given the ADA ratio, 1 on-street, van-accessible space per block would be sufficient. Appropriate striping and curb ramps should be required.

Changing the ordinance like this would take 8 vehicles off public street parking and put them on private property per block and still provide sufficient ADA access. I am not suggesting this solution for a large development with a large parking lot or facility, but it makes sense for the many potentially developable small lots in Ketchum. While we are all in favor of providing appropriate ADA access, the current ordinance is too onerous for most developments of small lots.

Please forward this comment to the appropriate staff and commission members. Thank you to everyone for your consideration.

Steve Kearns

Kearns, McGinnis & Vandenberg, Inc.  
PO Box 3233 | 200 West River Street  
Ketchum, ID 83340  
208-726-4843 Tel  
208-726-5863 Fax  
208-720-0843 Cell



**From:** David Patrie [mailto:david.patrie@bcoha.org]  
**Sent:** Thursday, June 30, 2016 3:36 PM  
**To:** Micah Austin; Brittany Skelton  
**Cc:** Jason Miller; Wendy Crosby  
**Subject:** Parking Workshop

Hi Micah & Britany - I wanted to say thanks for hosting the parking workshop today. I think it was quite useful. I am sending the comments I made on behalf of MRTA in writing in an effort to make it easier for you to compile everything you heard today. In addition here is the link to the parking study I referenced in my comments. <http://www.citylab.com/cityfixer/2015/05/how-parking-keeps-your-rent-too-damn-high-in-2-charts/392894/>.

- We think the city should think about parking requirements in terms of maximums, not minimums. If a developer can make the case that they don't need any spots, so be it. This is the model that cities like Portland and Seattle are now following. The more we can limit spaces in downtown, whether on private property or in the city right of way, the better. The "build it and they will come" mantra is more true for parking than it is for anything else. We do not believe Ketchum can realize its goal of becoming more transit oriented if there is an oversupply of parking in the core.
- We believe the city should give credit for developer TDM efforts that include bus passes, development of bus stop infrastructure as part of a project, and subsidization of increased bus service (e.g. Sun Valley subsidizing Silver and Bronze Routes). These should be added to the list of items in the attached memo under item 5.
- We would like to see the bike parking standards in item 6 decoupled from the vehicle parking and based on the occupancy/usage estimate of the development. If the city still wants to make this linkage, we think a development should be required to provide bike parking at a higher rate than 25% of vehicle spaces. Maybe 50%?
- A developer who wants to do a joint development project with Mountain Rides for a downtown transportation center should be given some sort of extra incentive – not sure what this would look like, but if a developer was willing to give up land for Mountain Rides for a project like a transportation center, they might be able to ask for a complete exemption from the parking requirements.
- We think overnight, on-street parking needs to be part of the overall parking discussion and should not be left off the table. While we understand this adds costs and snow removal challenges, there are many cities in snow country that manage snow removal and overnight parking. The ability for people to leave a car in a designated area without fear of ticketing and towing will encourage greater use of public transportation.

While these comments are made on behalf of Mt. Rides, they also support the goals and mission of the Blaine County Housing Authority by setting up an environment that will produce more housing in and around the city core.

David Patrie  
 Board Chair  
 Mountain Rides

**David Patrie**  
**Executive Director**  
**Blaine County Housing Authority**



200 West River Street, Suite 103  
P.O. Box 4045  
Ketchum, ID 83340  
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fax: (208) 788-6136

**Keep the Valley Vibrant by Housing Locally**



Please consider the environment before printing this e-mail.





# Planning and Zoning

## Regular Meeting

~ Minutes ~

480 East Avenue North  
Ketchum, ID 83340  
<http://ketchumidaho.org/>

Keshia Owens  
(208) 726-7801

Monday, July 11, 2016

12:00 AM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson  
Jeff Lamoureux, Commissioner  
Steve Cook, Commissioner  
Erin Smith, Commissioner  
Betsy Mizell, Commissioner

Staff Present: Micah Austin, Director of Planning & Building  
Brittany Skelton, Senior Planner  
Stephanie Bonney, City Attorney  
Keshia Owens, Planning Technician

Members of the Public

### 1. 5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

Commissioner Lamoureux called the meeting to order at 5:37 PM.

### 2. PUBLIC COMMENT - Communications from the public for items not on the agenda.

No comments.

### 3. COMMUNICATIONS FROM STAFF

- a. 911 North Main Street, Ketchum, ID (Ketchum AM Lot 5A Block 30 18,590 SF) The applicant is proposing to construct a motor vehicle fueling station with accessory food service. The property is 0.435 acres in size and zoned Light Industrial-1 (LI-1).

#### COMMENTS - Current Meeting:

Austin said that there has been significant comment generated by two surveys, one sent out by the public and the other by the City of Ketchum. He commented that the City of Ketchum survey had over four hundred responses and the survey sent out by the public was submitted to the City. He also said that additional responses had been handed to him shortly before the meeting. He then recommended that the Commission take as much time as they need to review the surveys. Austin later stated that the Commission has complete discretion over the application and explained that the Commission can approve, approve with conditions, or deny the project.

Skelton said that eighteen written comments were received by 11:00 AM Friday, July 8th. She clarified that of those comments five were in favor (one included sixty petition signatures) and thirteen were against (three were responses to a citizen-initiated survey). She pointed out that after the staff report was released another one hundred and fifteen comments were received on Monday, July 11th (one comment was in favor, one hundred and eleven were against, and eighty-four were additional responses

to the citizen-initiated survey). She said that three copies of independently commissioned studies were received prior to the printing of the staff report.

Austin added that the City-initiated survey received four hundred and sixty-eight responses, with two to one in opposition.

- Ex parte discussions:

Commissioners Smith said that she had a discussion with Brian Funsten, who is in favor of the gas station.

Commissioner Mizell said that she spoke with her mother about the project. She stated that they talked about the previous meeting and various ideas on the project, but never came to a conclusion.

Commissioner Lamoureux said that he had a conversation with Casey Finnegan because he is concerned about the lighting. He stated that he also spoke with the applicant's architect to discuss meeting procedures.

- Public comments

Support:

Mickey Garcia, Ketchum resident, said that he classifies this as common sense and commented that staff has changed its tune from the last meeting. He explained that the project should not be viewed as something emotional and the conditional use permit should be approved.

Dee Dee Rodriguez, Ketchum resident and Hailey gas station owner, said that she owns a Chevron and a Shell and she doesn't understand what the big deal is. She explained that she has never had a problem in terms of the environment and earthquakes. She added that there aren't many stations in Blaine county that can accommodate large vehicles and noted that both of her stations currently sell food and there is no problem.

Julie Emerick, family to the sellers of the property, said that she is in favor of the station because she wants to encourage the ease of growth in the community.

Brian Emerick, former Ketchum business owner, said that his parents own the property, but don't have the money or the time to develop it. He explained that what you see right now is as good as it's going to get unless someone buys the property. He then commented that if his parents proposed to spend the money to develop the property, the Commission would likely approve it in a heartbeat. He also stated that gas stations are a critical infrastructure in the valley and without them the town would not go on. He questioned if there is a quota that limits the number of businesses in town and added that the current site is a dangerous place in terms of safety.

- Neutral

Leo Bresky, Ketchum resident, said that the property is three-sided and most of the discussion has been focused on just one side of it. He then stated that he is one of four properties on the western side of the and his yard will be looking directly at the patio. He added that he is concerned about privacy, noise, hours, and landscaping in the City Right of Way. He also pointed out that there has been no talk of the extension of the alleyway into the Right of Way and privacy concerns.

Ed Lawson, local attorney representing Knob Hill owners, said that many owners are concerned about environmental, traffic, and the aesthetic impacts of the conversion into a gas station. He said that he is appreciative of the Commission's thorough process, but noted that there are still lingering concerns that an important issue like this will be decided by three out of a five-member Commission. He addressed

legal issues and said that he believes the Commission has the ultimate discretion in terms of making a decision.

Gary Lipton, Ketchum resident, said that he thought the survey was great and said that Steve Cook took a real cheap shot at Planning and Zoning employees. He commented that he owns a property near the site and said that every car pulling into the station will shine their light into his building. He argued that the Dark Sky Ordinance is meant to protect residents and noted that many businesses will be lost if this project takes place.

Mark Clarman, Ketchum resident, said that vehicles trying to exit turning left and going north will create a backup of cars.

Wayne Glen, Ketchum resident, said that he would like the new gas station to go in, so that the new gas station could CYPHON some of his business away. He then commented that he does not wish anyone to be a neighbor to a gas station because of the number of people coming and going. He followed by saying that the Commission should look at the big picture when deciding on the project.

#### Opposed

Kathleen Nichols, Ketchum resident, said that the gas station would be right next to where she lives. She noted that Tenth Street is very congested and commented that there are cars parked day and night on the street. She stated that a gas station attracts an enormous amount of traffic, including deliver trucks with drivers who don't normally turn off the engine. She explained that there a lot of other businesses that don't attract nearly as much traffic.

Richard Barachini, Ketchum resident, said that we don't need more mini-marts and gas station located within a half a mile within each other. He explained that the light, noise, and traffic area will be tremendously detrimental to him and his wife. He argued that the project is a huge public safety issue commented that crossing at this area is like taking your life into your hands.

Casey Finnigan, Ketchum resident, said that he is concerned about crosswalks, connecting crosswalks to parking, and turning radius. He added that he is concerned about the submitted studies, mainly the Hail Study of Vehicles.

Jane Batey, Ketchum resident, said that she has a great deal of love and respect for people in the community. She added that she wants the land sold and developed, but she wants everyone to consider another option. She commended everyone on the Commission and staff for allowing her to express her voice.

Solange Wendland, Hailey business owner, is encouraging the Commission to consider the zoning regulations currently in place. She commented that zoning has been treated quite dismissively and said that as a business owner she operates within the parameters of the law and thinks new businesses should do the same. She then added that a seventy-five foot vehicle will require two tanks to fill up.

Barbi Reed, Ketchum resident, said that she was shocked that Steve Cook chastised staff and thanked the Commission for considering he project. She commented that when safety, health, and welfare are at stake you have to consider this application and any application in a different way. She stated that the traffic study seemed flawed and there is no indication of the size of cars down Ninth Street. She explained that the canopy is seventeen feet tall and it is intended to attract large vehicles and commented that eventually the site will be developed and it will benefit the entire city, not just the

buyer and the seller. She then said saying she would like the traffic study to reflect a seventy-seven foot truck turning right and traffic back-up.

She also noted that the traffic study seemed flawed and the applicant has failed to address the size of all the vehicles.

Dusty Wendland, Ketchum business owner, said that he would like to commend the City staff on being unbiased and doing a phenomenal job. He stated that the Commission had discretion to interpret and apply the law, as it is their job. He explained an exhibit given to the Commission and said that the traffic study is inaccurate and completely misleading.

Marsha Hills, Hailey resident, concerned with the survey that was sent out and wants to know if this will be a precedent for all future applications.

Kent Hills, Hailey resident, said that growth is important to the area or we will start going backward. He noted that there likely is more pedestrian traffic now then if there is a gas station. He added that the more he sees it, the more he is in favor of it and noted that the survey has set a bad precedent.

#### Staff Comments:

Austin said that staff does not dictate position with projects and pointed out that staffs position has changed, but that is because more information has been received. He also commented that the City will continue to use surveys and things like that to gain the most public comment.

#### Motion:

Commissioner Smith made a motion to continue the deliberation only and rebuttal from the applicant to the next Planning and Zoning Commission meeting on July 25, 2016.

<b>RESULT:</b>	<b>CONTINUED CC [3 TO 0]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Erin Smith, Betsy Mizell
<b>ABSTAIN:</b>	Steve Cook
<b>ABSENT:</b>	Mike Doty

- b. Motion To:** : 911 North Main Street, Ketchum, ID (Ketchum AM Lot 5A Block 30 18,590 SF) The applicant is proposing to construct a motor vehicle fueling station with accessory food service. The property is 0.435 acres in size and zoned Light Industrial-1 (LI-1).

#### COMMENTS - Current Meeting:

Commissioner Lameroux motioned to table the item until the outcome on the conditional use permit is determined.

<b>RESULT:</b>	<b>CONTINUED CC [3 TO 0]</b>
<b>MOVER:</b>	Jeff Lamoureux, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Erin Smith, Betsy Mizell
<b>ABSTAIN:</b>	Steve Cook
<b>ABSENT:</b>	Mike Doty

- c. **Motion To:** Zoning Ordinance Phase II Update: Public Hearing City Initiated text amendments to the City of Ketchum Municipal Code, Title 17, Zoning Ordinance, Chapter 17.12, Establishment of Districts and Zoning Matrices, and Chapter 17.127, Signage.

**COMMENTS - Current Meeting:**

Austin said that staff recommends approval of the updated code.

Smith motioned to continue the consideration of Ordinance number 1158 until the July 25, 2016 meeting.

<b>RESULT:</b>	<b>CONTINUED CC [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Jeff Lamoureux, Commissioner
<b>AYES:</b>	Cook, Doty, Lamoureux, Smith, Mizell

**4. CONSENT CALENDAR**

- a. **Motion To:** FINDINGS OF FACT: ARMOUR RESIDENCE

**COMMENTS - Current Meeting:**

Commissioner Lameroux made a motion to approve the Findings of Fact for the Armour Residence Waterways Design Review and Floodplain Development Permit.

**b. APPROVAL OF MINUTES**

- i. **June 13, 2016:**

Line 180 remove Steve Cook, he recused himself.

- ii. **Motion To:** June 27, 2016:

**COMMENTS - Current Meeting:**

181 Steve Cook should be recused.

193 Steve Cook should be recused.

Commissioner Lameroux made a motion to approve the June 13 and June 27 meeting minutes.

**5. FUTURE PROJECTS AND NOTICING REQUIREMENTS**

None.

**6. STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Staff is finishing up the report for Warm Spring's Ranch Resort and it is now a City Council issue at this point.

**7. Commission reports and ex parte discussion disclosure**

There are no new updated on the vacant chair position.

**8. ADJOURNMENT**

Commissioner Smith made a motion to adjourn and Commissioner Mizell seconded.





# Planning and Zoning

## Regular Meeting

~ Minutes ~

480 East Avenue North  
Ketchum, ID 83340  
<http://ketchumidaho.org/>

Keshia Owens  
(208) 726-7801

Monday, July 25, 2016

05:30 PM

Ketchum City Hall

1. **5:30 PM - CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho**
2. **PUBLIC COMMENT - Communications from the public for items not on the agenda.**

Gary Hoffman, Ketchum resident, is concerned about surveys in the City. He said that if we had surveys in the past, we would have seen whether the City Hall Bond would work or not. He commented that the recent survey that he took online was not anonymous and didn't have a lot of stuffing and added that we can depend upon the City Council and the Planning and Zoning Commission to do their job, but that he would hate to see the messenger get killed.

### 3. COMMUNICATIONS FROM STAFF

- a. Adams Gulch Bridge Floodplain Development Permit/Waterways Design Review Extension: The applicant is requesting a fourteen-month extension on a proposed replacement of the existing Adams Gulch Road Bridge with a new bridge. The eastern side of the bridge is under the jurisdiction of the City of Ketchum, and the western side is under the jurisdiction of Blaine County. The project was originally approved on July 14, 2014.

#### COMMENTS:

Owens presented background regarding approval of the July 14, 2014 Adam's Gulch Bridge project and an extension on June 19, 2015. She said that this extension was approved administratively for a one-year period and explained that a fourteen-month extension was requested by the applicant. She then commented that staff recommends approval for the new extension request.

Commissioner Smith made a motion to approve the Adam's Gulch Bridge Floodplain Development Permit/Waterways Design Review for a fourteen-month extension.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Lamoureux, Smith, Mizell
<b>RECUSED:</b>	Steve Cook, Commissioner

- b. Continued from Monday, June 13, 2016, June 27, 2016, and July 11, 2016 - Bracken Station Conditional Use Permit Public Hearing: 911 North Main Street, Ketchum, ID (Ketchum AM Lot 5A Block 30 18,590 SF) The applicant is proposing to construct a motor vehicle fueling station with accessory food service. The property is 0.435 acres in size and zoned Light Industrial-1 (LI-1).

**Current Meeting:**

Commissioner Smith stated that she had an ex parte discussion with Brian Funsten and the president of Lox Fur Condos, who are both in favor of the project.

Bonney asked if all the Commissioners would be able to provide a fair and unbiased decision of the matter and all Commissioners said yes.

Steve Cook, applicant's representative, said that there are very few applications that come in that are perfect. He later said that the site works better than anything we have in town and certainly works better than anything in the valley.

Ned Williamson said that some parking spaces can be deleted to help with site circulation. He then said that they have worked to meet every standard and commented that if they are meeting those standards, then the project should be approved.

Key comments from deliberation were based on some of the Conditional Use Permit approval criteria:

A. Characteristics will not be completely incompatible with the types of uses permitted

- Commissioner Smith said that she thinks the applicant has met this criterion. She explained that when looking at what is allowed in the LI, a gas station with a convenience store is allowed. She then commented that if the applicant decides he wants to risk his money, that is up to the applicant and not to the Commission. She also stated that this is a transitional area and on some level it will be pulling people out of the LI.
- Commissioner Mizell agreed that the project does align with the uses of the LI
- Commissioner Lamoureux said that he believes that this type of use meets the intent of the area.

B. Health, Safety, and Welfare

- Commissioner Smith said that she is concerned with the seepage from the ground-well, people parking in front of Knob Hill and crossing the street, and wanted to know if a flasher should be added.
- Commissioner Mizell asked about snow removal and how do other gas stations handle this. She also stated that she is concerned with the existing gas stations going out of business.
- Commissioner Lamoureux said that outside of the traffic issues, the project meets this condition.

C. Pedestrian and vehicular traffic

- Commissioner Smith said that the fact that the turn lane is only seventy-two feet long is concerning. She noted that there has not been enough traffic analysis and explained that she does not want to see the north end of town become full of traffic jams. She then stated that this condition is hard to evaluate without trip generation data from the applicant.
- Commissioner Lamoureux said that he is not confident in the applicant's analysis of traffic makeup and pointed out that the situation is going to be worse than what is being conveyed. He later said that there is a lot of foot traffic to stations in town from surrounding bars and stores. He then mentioned a concern about hours of operation in relation to the pedestrian traffic and added that he would be in favor of restricting hours of operation to 9 PM.
- Commissioner Mizell stated that she would like to see more information on pedestrian safety and access.

The Commissioners gave the applicant the following directives:

- Thorough pedestrian analysis and lighting at crosswalks
- Turn lane and site circulation plan (showing that traffic doesn't back up)
- Make-up of the traffic accessing the site
- Revised traffic study
- Pedestrian and bicycle circulation including trip generation and a summary of existing and projected volume/traffic
- Existing and proposed traffic counts
- Onsite circulation with vehicle make up should be readdressed
- Address backing up into the street

The Commission asked to have the directives completed in two months. This will be the October 10th meeting.

Commissioner Smith motioned to continue the Bracken Station CUP to October 10, 2016. Commissioner Mizell seconded.

<b>RESULT:</b>	<b>CONTINUED CC [3 TO 0]</b>
<b>MOVER:</b>	Erin Smith, Commissioner
<b>SECONDER:</b>	Betsy Mizell, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Erin Smith, Betsy Mizell
<b>RECUSED:</b>	Steve Cook, Commissioner

- c. Continued from Monday, July 11, 2016 - Zoning Ordinance Phase II Update: Public Hearing City Initiated text amendments to the City of Ketchum Municipal Code, Title 17, Zoning Ordinance, Chapter 17.12, Establishment of Districts and Zoning Matrices, and Chapter 17.127, Signage.

**COMMENTS:**

Austin said that if you have to read a sign that makes it a content based regulation and that is gone from our Code. He said that at this point staff recommends approval of the signage section.

Commissioner Mizell moved to recommend approval of the proposed amendments Chapter 17.12 and 17.129 finding the amendments in compliance with the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance. Commissioner Smith seconded.

<b>RESULT:</b>	<b>CONTINUED CC [3 TO 0]</b>
<b>MOVER:</b>	Betsy Mizell, Commissioner
<b>SECONDER:</b>	Erin Smith, Commissioner
<b>AYES:</b>	Jeff Lamoureux, Erin Smith, Betsy Mizell
<b>RECUSED:</b>	Steve Cook, Commissioner

**4. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**5. FUTURE PROJECTS AND NOTICING REQUIREMENTS**

Austin said there are no projects at the moment.

**6. STAFF REPORTS & CITY COUNCIL MEETING UPDATE**

Austin that City Council continued the Warm Springs Ranch Resort project to the October 3rd meeting.

Commissioner Smith asked about the status of the Lift Tower Lodge and a waterways design review the Heinz property.

**7. Commission reports and ex parte discussion disclosure**

Commissioner Mizell said that she will not be at the next meeting and Austin said that Mayor Jonas is currently working on selecting a new commissioner.

**8. ADJOURNMENT**

Commissioner Smith motioned to adjourn and Commissioner Smith seconded.