

## ORDINANCE NUMBER 1150

**AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO AMENDING KETCHUM MUNICIPAL CODE, TITLE 17, ZONING REGULATIONS BY ADDING TO CHAPTER 17.08, DEFINITIONS, SCHOOL RESIDENTIAL CAMPUS DEFINITION; BY AMENDING CHAPTER 17.12, ESTABLISHMENT OF DISTRICTS AND ZONING MATRICES, SECTION 17.12.010, ZONING MAP DISTRICTS, SUBSECTION B. BOUNDARIES, AMENDING THE OFFICIAL ZONING DISTRICT MAP CHANGING THE ZONING DISTRICT FROM LIGHT INDUSTRIAL 2 DISTRICT (LI-2) TO LIGHT INDUSTRIAL 3 DISTRICT (LI-3) ON LOT 21A, RESUBDIVISION OF NORTHWOOD PUD LOT 4 SUBDIVISION THROUGH A DEVELOPMENT AGREEMENT; BY AMENDING CHAPTER 17.12, ESTABLISHMENT OF DISTRICTS AND ZONING MATRICES, SECTION 17.12.202 DISTRICT USE MATRIX, SUBSECTION A, DISTRICT USE MATRIX ADDING SCHOOL RESIDENTIAL CAMPUS TO THE MATRIX SECTION ENTITLED "PUBLIC AND INSTITUTIONAL"; BY AMENDING CHAPTER 17.124, DEVELOPMENT STANDARDS, SECTION 17.124.090, RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS NEW SUBSECTION C. MINIMUM CRITERIA FOR A SCHOOL RESIDENTIAL CAMPUS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE, AND PROVIDING AN EFFECTIVE DATE.**

**SECTION 1.** That Zoning Code Title 17, Zoning Regulations, Chapter 17.08, Definitions, Section 17.08.020, Definitions, is hereby amended, altered and changed by the addition of a new definition, as follows:

**SCHOOL RESIDENTIAL CAMPUS:** Multiple-use building(s) and outdoor facilities/areas directly affiliated with an established public or semi-public educational institution for learning that include but are not limited to spaces devoted to dormitory, central kitchen and dining, office, classroom, study, school employee dwelling unit, study hall, gym/fitness, meeting, and parking.

**SECTION 2.** That Zoning Code Title 17, Zoning Regulations, Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.010, Zoning Map Districts, Subsection B. Boundaries, is hereby amended, altered and changed by amending the Official Zoning District Map by changing the zoning district applicable to Lot 21A, Resubdivision of Northwood PUD Lot 4 Subdivision from Light Industrial 2 (LI-2) Zoning District to Light Industrial 3 (LI-3) Zoning District and requiring a Development Agreement in conjunction with this zone change request, attached as Exhibit A.

**SECTION 3:** That Zoning Code Title 17, Zoning Regulations, Chapter 17.12, Establishment Of Districts And Zoning Matrices, Section 17.12.202 District Use Matrix, Subsection A, District Use Matrix, is hereby amended by adding SCHOOL RESIDENTIAL CAMPUS to the matrix section entitled "Public and Institutional" placing a "P<sup>30</sup>" in the column under the heading LI-3; and adding footnote 30 stating "Development Agreement Required".

**SECTION 4:** That Zoning Code Title 17, Zoning Regulations, Chapter 17.124, Development Standards, Section 17.124.090, Residential, Light Industrial Districts, is hereby amended, altered and changed by adding Subsection C, as follows:

**C. School Residential Campus in the light industrial 3 district (LI-3), shall comply with the following minimum criteria in lieu of the requirements of subsections 17.124.090.A and B, above:**

- 1. Square footage of the building dedicated for residential use, including dormitory and employee housing units and common bathrooms and showers but excluding the common**

kitchen and circulation areas, shall be less than fifty percent (50%) of the total square footage of the building including any basement area.

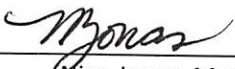
2. Dwelling units to be occupied by employees of the institution may be located on the ground floor, subject to the terms of the development agreement. Dormitory units shall not be located on the ground floor.
3. Dormitory units may be developed, sized and changed over time as deemed appropriate for occupancy by 2 or more persons each.
4. Dormitory bathrooms are to be clustered for use by occupants of dormitories.
5. Dormitory kitchen and dining spaces are to be designed to be used in common by occupants.
6. Design review under chapter 17.96 of this title shall be required for a new building, addition to existing building or remodel of the exterior of an existing building.
7. Employee Housing units shall be used for "long term occupancy" and shall not be separated in any manner for sale as individual units.
8. All residential units can only be used for "long term occupancy" except in the case of occasional use by other nonprofit organizations.
9. Employee Housing units shall be a minimum of four hundred (400) square feet and shall not exceed one thousand four hundred (1,400) square feet total and shall contain no more than three (3) bedrooms.
10. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.
11. The institution that provides living space within the mixed use building in the light industrial 3 district (LI-3) shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.
12. Conditions including, but not limited to, the following may be attached to the development agreement:
  - a. Restrictions on exterior storage of personal property of occupants;
  - b. Certificate of occupancy required prior to occupancy of dormitory rooms and living units;
  - c. Ketchum fire department and Ketchum building department requirements shall be met prior to occupancy;
  - d. Snow removal required to ensure utility of parking spaces;
  - e. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in 1 through 12 of this subsection, or to promote the public health, safety and welfare.

**SECTION 5.** It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 6.** All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO AND APPROVED BY THE MAYOR THIS 7 DAY OF March, 2016.

  
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Nina Jonas, Mayor

Attest:  
  
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Robin Crotty, Interim City Clerk