

ORDINANCE NUMBER 843

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, ESTABLISHING INTERIM REGULATIONS NOT TO EXCEED ONE HUNDRED EIGHTY (180) DAYS; STATING THE FINDINGS AND REASONS FOR INTERIM REGULATIONS; ESTABLISHING INTERIM HEIGHT AND BULK REGULATIONS IN COMMERCIAL ZONES; PROVIDING EXHIBITS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the current building height limit in all zones is thirty-five (35) feet, with allowances for 40 feet in the Community Core with certain restrictions;

WHEREAS, the Ketchum Comprehensive Plan is currently being revised, and said revision has been underway since April 1997;

WHEREAS, in 1998, a statistically accurate Random Sample Survey was conducted by the City Council to assess community sentiment on key issues being considered in the Comprehensive Plan update;

WHEREAS, thirty-nine (39) percent of citizens surveyed in the 1998 Ketchum Random Sample Survey identified "the small town feel" as Ketchum's best asset ";

WHEREAS, citizens have commented on this issue over the last several months, as evidenced in the written comments compiled on the January 2000 Revised Draft Comprehensive Plan;

WHEREAS, the height and large bulk of buildings currently allowed has been identified as a key issue threatening the community character and "the small town feel";

WHEREAS, downtown Ketchum is experiencing an unprecedented building boom, with 230,985 gross square feet approved since the April 1997, initiation of the revision of the Ketchum Comprehensive Plan, and 183,000 square feet in the pipeline;

WHEREAS, in 1997, the downtown contained 922,200 square feet, resulting in an approximately thirty (30) percent increase over the last two years.

WHEREAS, the shift in building bulk illustrated in Exhibits A and B shows a marked increase in large taller buildings over the last two (2) years as compared to the last ten (10) years;

WHEREAS, Comprehensive Plan options are being precluded by the measurable increase in large, bulky buildings in the Community Core;

WHEREAS, citizen concerns identified since April 1997 through the Comprehensive Plan process are being precluded by the ongoing approval of tall buildings in the Community Core;

WHEREAS, an interim time is needed to complete the Comprehensive Planning process and related regulations for the Community Core, during which time planning options are not precluded;

WHEREAS, the City Council enacted Emergency Ordinance Number 838 as provided for under Idaho Code Section 67-6523 on February 7, 2000;

WHEREAS, the Planning and Zoning Commission has made a recommendation for the Community Core Chapter of the 2000 Revised Comprehensive Plan;

WHEREAS, this recommendation includes revising the Community Core Design Review Standards, including bulk regulations;

WHEREAS, three (3) joint public hearings on said Chapter between the Commission and the Council have been scheduled for April 6, April 13 and April 27, 2000;

WHEREAS, six (6) months are needed to prepare regulations and conduct public hearings regarding the Community Core;

WHEREAS, the Commission recommends beginning revisions to the Community Core Design Review Standards, and related regulations immediately upon adoption of the Community Core Chapter of the Comprehensive Plan; and,

WHEREAS, the City Council finds that the interim controls imposed by this Ordinance are necessary to allow for the Council to review and adopt the Community Core Chapter of the Comprehensive Plan, and for revisions to the Community Core Design Review Standards, and related regulations, and that without said interim controls, planning options would be precluded.

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

SECTION 1. Pursuant to Section 67-6524, Idaho Code, the City Council hereby adopts interim regulations for a period of one hundred eighty (180) days, during which time the following regulations shall apply.

SECTION 2. That in the Community Core (CC) Zone, the Maximum Height of Buildings is hereby amended, altered and changed by deleting therefrom the marked out language and adding thereto the underlined language hereinbelow, to-wit:

Building Height -

(1) The maximum building height shall be thirty-five (35) feet. See definition of building height for measuring height.

(2) ~~A five (5) foot height increase shall be allowed for buildings which provide urban housing units and/or underground parking according to Subsection 11.7. The maximum building height increase is five (5) feet.~~

(3)(2) Buildings which provide a roof pitch with opposing angles which meet to form a ridge or peak at a minimum of 4:12 - the maximum building height shall be forty (40) feet including parapets, but not including any flag pole, lightning rod, weather vane or chimney not exceeding the minimum height required by the Uniform Building Code.

(4) (3) Solar panels, clerestory windows and elevators may exceed height limits as follows:

4 foot height increase = minimum 10 foot setback from roof edge.

6 foot height increase = minimum 15 foot setback from roof edge.

SECTION 3. That the maximum permitted Floor Area Ratio within the Community Core (CC) Zone is hereby amended, altered and changed by deleting therefrom the marked out language and adding thereto the underlined language hereinbelow, to-wit:

Maximum Floor Area Ratio (FAR) -

|              | Permitted      |            | Increase (1)   |            | Increase (1)(b) | Increase (2)    |            |
|--------------|----------------|------------|----------------|------------|-----------------|-----------------|------------|
| Net F.A.R.   | <del>1.0</del> | <u>1.0</u> | <del>1.5</del> | <u>1.2</u> | <u>1.35</u>     | <del>1.5</del>  | <u>1.2</u> |
| Gross F.A.R. | <del>1.4</del> | <u>1.2</u> | <del>2.0</del> | <u>1.4</u> | <u>1.6</u>      | <del>1.85</del> | <u>1.3</u> |

(1) The increased Floor Area shall be allowed subject to Design Review approval, up to a maximum ~~1.5~~ 1.2 net and ~~2.0~~ 1.4 gross FAR or 1.35 net and 1.6 gross provided one of the following uses are provided in the building project.

(a) Underground parking shall be provided at a minimum of 1 space for every 1,100 square feet of total net floor area.

(b) Urban housing units shall be provided where a minimum seventy-five (75) percent of the total net increase floor area being proposed shall be urban housing. An urban housing unit shall not exceed 950 square feet net, ~~and shall be deed restricted for long term residential use, and resale or rent to a Blaine County resident.~~

(2) The increase Floor Area shall be allowed subject to Design Review approval, up to a maximum ~~1.5~~ 1.2 net and ~~1.85~~ 1.3 gross FAR if parking is provided on-site at a minimum of one (1) parking space for every 1,100 square feet of total net floor area, and said parking meets the following:

(a) At least six (6) parking spaces shall be provided on-site.

(b) Ingress and egress to said parking shall be from the alley.

(c) Said parking shall be set back a minimum of 25 feet from all street side property lines and shall be screened from all sides other than the alley side, by a solid building facade or similar solid screen.

(d) Fifty (50) percent of said on-site parking and circulation area shall be counted toward the maximum allowable gross FAR of the building.

(e) Tandem parking with one vehicle behind the other may be permitted with approval from the Commission.

SECTION 4. The Planning and Zoning Commission has made recommendations on the Community Core Chapter of the Revised Draft Comprehensive Plan and said recommendations will be considered by the City Council April 6, April 13 and April 27, 2000.

SECTION 5. The interim regulations imposed in this Ordinance shall become effective immediately upon passage of this Ordinance and shall continue for one hundred eighty (180) days unless repealed, extended, or modified by the City.

SECTION 6. Where any word, phrase, clause, sentence, paragraph, section or other part of these regulations or the application thereof is held invalid by a Court of competent jurisdiction, such judgement shall affect only that part so held invalid or the application thereof, and the remaining parts of this Ordinance or their application shall remain in full force and effect.

SECTION 7. The interim regulations declared by this Ordinance shall exist for a period of one hundred eighty (180) days from the date of passage and proclamation of the Ordinance as indicated in the last paragraph hereof.

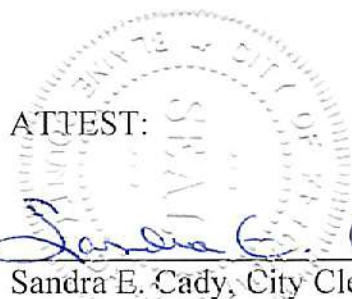

SECTION 8. Based on the findings set out above, the Council finds that planning options are being precluded, and that a good faith effort is underway to revise plans and regulations in the Community Core, which will be completed in six (6) months and which requires interim regulations as provided herein.

PASSED AND APPROVED by the Ketchum City Council and APPROVED by the Mayor of Ketchum on this 27th day of April, 2000.

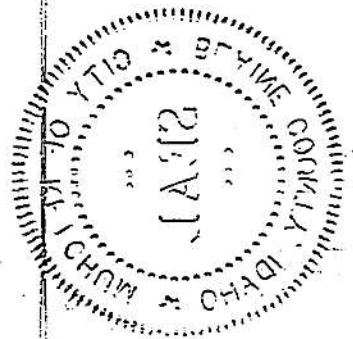
POSTED: Ketchum City Hall  
United States Post Office, Ketchum Branch  
Ketchum Chamber of Commerce  
Giacobbi Square  
Williams Market

  
\_\_\_\_\_  
Guy P. Coles, Mayor

ATTEST:

  
  
\_\_\_\_\_  
Sandra E. Cady, City Clerk

Publish: May 3, 2000  
Idaho Mountain Express





NEW BUILDINGS WITH FAR GREATER THAN 1.4 SINCE APRIL 1997

| (in pipeline) |                         | Gross/Net FAR | Height  |
|---------------|-------------------------|---------------|---------|
| 2000          | The Peaks (Louie's)     | 2.0/1.49      | 40'     |
| 2000          | Cimarron                | 1.6/1.3       | 40'     |
| 1999          | Christiania             | 1.3/          | 34'-40' |
| 1999          | Ketchum Hotel (Clarion) | 1.42/1.37     | 40'     |

(approved)

|           |  |           |     |
|-----------|--|-----------|-----|
| 1999      | 131 Main Street Building (First Bank of Idaho) | 1.76/1.21 | 40' |
| 1998/1999 | Second Avenue Commercial Building              | 1.82/1.4  | 40' |
| 1998      | Davis-Reid Gallery                             | 1.85/1.0  | 40' |
| 1998      | Severn Gallery                                 | 1.75/1.33 | 40' |
| 1998      | Private Residences Resort                      | 1.94/1.49 | 40' |
| 1998      | Higdon Building                                | 1.84/1.45 | 39' |

NEW BUILDINGS WITH FAR LESS THAN 1.4 SINCE APRIL 1997

|                |                                       |          |       |
|----------------|---------------------------------------|----------|-------|
| 1999           | Kresser Building                      | 1.34/.97 | 35'   |
| 1999           | Olbum Building                        | 1.18/.91 | 33'8" |
| 1998           | Mercantile                            | 1.4/.99  | 31'6" |
| 1998           | Courtyard                             | 1.06/.94 | 31'   |
| 1998           | Moss Gardens                          | .36/.3   | 32'6" |
| (pitched roof) |                                       |          |       |
| 1997           | Colonnade                             | 1.26/.97 | 35'   |
| 1997           | Evergreen Office                      | .37/.3   | 21'6" |
| 1997           | Dunbar Interiors - Office/Residential | .72/.56  | 31'   |

EXHIBIT A

NEW BUILDINGS WITH FAR GREATER THAN 1.4  
PRIOR TO APRIL 1997-APRIL 1987

|           |                  | Gross/Net FAR | Height |
|-----------|------------------|---------------|--------|
| 1996      | Friesen Building | 1.77/1.15     | 35'    |
| 1993/1992 | Jones Building   | 1.64/1.32     | 40'    |
| 1990      | 511 Building     | 1.48/1.2      | 40'    |
| 1990      | West One Bank    | 1.6           | 40'    |

NEW BUILDINGS WITH FAR LESS THAN 1.4 PRIOR TO APRIL 1997

|                |  |          |       |
|----------------|--|----------|-------|
| 1996           | Praggastis Building                        | 1.37/.99 | 34'6" |
| 1996           | Community Library Childrens Addition       | .49/.4   | 29'   |
| 1995           | Angel Wings                                | 1.34/1.0 | 35'   |
| 1993           | Davies Reid Gallery                        | 1.28/.99 | 27'6" |
| 1993           | Kentwood Lodge                             | 1.25/.94 | 35'   |
| 1992           | Silver Creek Outfitters                    | .93/.9   | 28'   |
| 1991           | Magic Lantern Theatre                      | 1.39/.9  | 35'   |
| 1991/1989      | Idaho Mountain Express                     | .52/.46  | 23'9" |
| 1990           | Galena Office Building                     | 1.09/.98 | 24'   |
| 1990           | Washington Avenue Building (El Naso)       | 1.35/.98 | 25'6" |
| 1989           | Atrium                                     | 1.32/1.0 | 35'   |
| 1989           | Erickson Building                          | .75      | 28'   |
| 1988           | Ketchum Visitors Center                    | .1       | 27'   |
| (pitched roof) |  |          |       |
| 1988           | Mountain States Building (Bank of America) | .97/.87  | 35'   |
| 1988           | Galleria                                   | 1.23/1.0 | 35'   |
| 1987           | McCotter Building (Crazy Horse Building    | 1.37/1.0 | 21'   |

EXHIBIT B