

ORDINANCE NUMBER 853

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING CHAPTER 17.64, COMMUNITY CORE DISTRICT, SECTION 17.64.010, SUBSECTION H, MAXIMUM FLOOR AREA RATIO, (2) F.A.R. COMMUNITY BONUS INCENTIVES; ADDING A NEW DEFINITION TO SECTION 17.08, DEFINITIONS, REGARDING COMMUNITY HOUSING; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

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 325,180 gross square feet approved since the April 1997, initiation of the revision of the Ketchum Comprehensive Plan, and 81,406 square feet in the pipeline;

WHEREAS, in 1997, the downtown contained 922,200 square feet, resulting in an approximately thirty-five (35) 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, the City Council found that Comprehensive Plan options were being precluded by the measurable increase in large, bulky buildings in the Community Core, and that citizen concerns identified since April 1997 through the Comprehensive Plan process were being precluded by the ongoing approval of tall, bulky buildings in the Community Core;

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

WHEREAS, the City Council subsequently adopted an Interim Ordinance, Ordinance Number 843, in order to complete the Comprehensive Planning process and related regulations for the Community Core, during which time planning options would not be precluded;

WHEREAS, the Planning and Zoning Commission has made a recommendation for the Community Core Chapter of the 2000 Revised Comprehensive Plan, which included revising the Community Core Design Review Standards, including bulk regulations;

WHEREAS, the City Council concurred that revisions were merited;

WHEREAS, the City hired a Consultant, Winter & Associates, on June 13, 2000 to assist in preparations of a revised Community Core Chapter, which includes bulk regulations and Design Review Standards;

WHEREAS, the Planning and Zoning Commission, in conjunction with Winter & Associates, conducted four public workshops on issues such as community character, building bulk and mass, design standards options, and Floor Area Ratio (FAR) bonuses;

WHEREAS, Winter & Associates prepared numerous drafts of the Community Core Chapter, and prepared a variety of graphic modeling scenarios depicting how different regulatory choices would affect the bulk of buildings, design of buildings and character of downtown Ketchum;

WHEREAS, the Planning and Zoning Commission conducted five work sessions and two public hearings in addition to the workshops with Winter & Associates on every aspect of the proposed Community Core Chapter;

WHEREAS, the public workshops conducted in July 2000 focused on individual and group responses to different building masses;

WHEREAS, Winter & Associates, in an August 2, 2000 Memorandum to the Ketchum Planning Department summarized these workshops with the following observations:

"The most frequently-raised issue is that of the mass and scale of new buildings. This is influenced by a combination of factors, including the basic height, width and depth of a structure, as well as the manner in which it is articulated into subordinate masses and refined with details and variations in materials. These factors were graphically illustrated in a series of massing studies that were evaluated in the last workshop. Individual participants recorded their reactions on a response form. In reviewing the individual response sheets for the massing scenarios, these themes emerged:

- In general, workshop respondents preferred development scenarios of two stories or less.

- They also preferred projects with a gross floor area ratio of 1.4 or less.
- They found "acceptable" buildings of 1.75 or less.
- While structures that were three stories in height were generally found "unacceptable", some respondents noted that they could be "acceptable" only if the added mass was for affordable housing. This reflects a willingness to consider trade-offs of mass and scale impacts when other community objectives are clearly met."

WHEREAS, a range of public input and differing viewpoints was taken by the Commission both orally at the workshops, work sessions and hearings, as well as written comment, documented by a file of letters in the Ketchum Planning Department;

WHEREAS, the Council has conducted eight (8) public hearings on the Planning and Zoning Commission's recommendation, and has adopted portions of Section 17.64.010 on October 17, 2000, Ordinance Number 849, as amended;

WHEREAS, Exhibit C, attached deals specifically with Community Bonus Incentives, and the Council has completed their review of said section;

WHEREAS, the Council will continue to work diligently on the remaining portions of Section 17.64.020, Design Review Standards.

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

SECTION 1. Pursuant to Section 67-6509, Idaho Code, the City Council hereby amends Chapter 17.64, Community Core District, attached hereto as Exhibit C and incorporated herein by reference.

SECTION 2. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall in full force and effect from and after its passage, approval and publication.

PASSED by the Ketchum City Council and APPROVED by the Mayor of Ketchum on this 18th day of December, 2000.



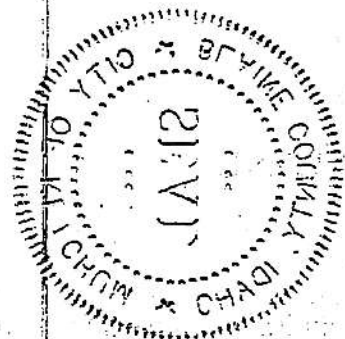
Guy P. Coles, Mayor

ATTEST:



Sandra E. Cady, CMC City Clerk

Publish: January 10, 2001
 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 of Ordinance Number 853

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 of Ordinance Number 853

EXHIBIT C

Chapter 17.64.010(H)(2) - Community Core District

2. Floor Area Ratio (F.A.R.) Community Benefit Bonus Incentives:

a. Community Housing Unit Increase

An increased F.A.R. for Community Housing Units may be permitted up to a maximum of 1.75, and only subject to design review approval, and provided that all of the following conditions are met:

1. Forty percent (40%) of the requested gross floor area increase is restricted in perpetuity as Community Housing Unit(s), pursuant to the definition in Chapter 17.08.
2. Income categories for resale of owner occupied units shall be determined by the Council, with a recommendation by the Ketchum Housing Commission. Income categories shall be determined prior to final City approval of said project.
3. Community Housing Unit(s) may be provided off-site but within Ketchum City limits at a ratio of 1.5 times the amount of square footage that would have been provided on-site. The Community Housing Unit(s) should be in conformance with the 1999 Community Housing Guidelines.
4. In lieu funds may be accepted for a portion of the off-site mitigation, but in no case shall there be less than the number of units that would have been required. The amount of funds required for in-lieu payments shall be established annually by the Council, with a recommendation from the Ketchum Housing Commission.
5. For projects in full compliance with 1 through 3 above: if the proposal does not use all of the floor area permitted under the bonus (maximum F.A.R. of 1.75), the remaining floor area may be transferred pursuant to b(2) and b(3) below.

CHAPTER 17.08 - DEFINITIONS:

New definition - "Community Housing Unit": A residential housing unit approved per Chapter 17.60 which is no smaller than 300 square feet net and is no larger than 950 square feet net or 1,100 square feet net for two (2) bedroom units and is restricted to long term rent for a Ketchum employee who is a Blaine County resident, or is deed restricted for sale according to the Ketchum Housing Guidelines. Sale of said units are restricted to long term rental for a Ketchum employee, or to owner occupancy pursuant to the Ketchum Housing Guidelines.