ORDINANCE NUMBER 857

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING ZONING CODE, CHAPTER 17.28 AND CHAPTER 17.96; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Idaho:

SECTION 1. That Chapter 17.28, General Residential - Low Density (GR-L), of Zoning Code Title 17 of the City of Ketchum, Idaho is hereby amended, altered and changed by deleting therefrom the words lined out and adding thereto the words underlined hereinbelow, to-wit:

Section 17.28.010 GR-L General Residential - Low Density District.

A. Uses Permitted

1. Any use permitted in LR (Limited Residential District), subject to the restriction that construction of one one-family (single family) dwelling requires a duly executed, notarized, Acknowledgment of Design Review Requirements Form.
2. One two family dwelling or two one-family dwellings.
3. Day care home, provided it is incidental to the primary residential use and not located within the avalanche zone
4. Accessory building and uses as permitted by Section 17.124.010, and
5. Townhouse development ~~limited to a single building~~ containing two townhouse units;

C. Minimum Area of Lot. The minimum lot area shall be as follows unless the health district determines that additional area is required to meet the minimum health standards:

1. For a one-family dwelling, two one-family dwellings or a two-family dwelling eight thousand (8,000) square feet,
2. For a ~~two-family dwelling or~~ planned unit development (residential) eight thousand (8,000) square feet, plus four thousand (4,000) square feet for each dwelling unit over two;

K. Maximum Building Coverage. Not more than ~~forty (40)~~ thirty-five (35) percent of the lot area shall be covered by the principal building(s) including garages and all other accessory ~~to such~~ buildings~~, except that other accessory buildings in the district may cover a portion of the lot area in addition to the building coverage specified. Maximum allowable building coverage for all buildings is sixty (60) fifty-five (55) percent of the lot~~.

SECTION 2. That Section 17.96.060, of Zoning Code Title 17 of the City of Ketchum, Idaho is hereby amended, altered and changed by deleting therefrom the words lined out and adding thereto the words underlined hereinbelow, to-wit:

Section 17.96.060 Construction Requiring Design Review Approval.

The commission and administrator are hereby empowered and shall review proposals for construction, alteration or placement of buildings or structures upon real property within said D - Design Review District as outlined in Section 17.96.100.A. No application for the building permit for such construction shall be accepted by the Ketchum building department unless said project has made application for and received design review approval or administrative exemption in accordance with this title. Single-family residential construction shall be exempt from the provisions of this title, except for the construction of more than one single family (one-family) dwelling on a lot, and shall not be subject to the review process set forth in this title except as otherwise provided for in the Waterways and Mountain Overlay Design Review Districts. The mayor and council find this exception is appropriate for the following reasons: First, single-family residential construction is found to have a lesser impact upon adjacent streets and adjacent land uses compared to construction of higher density units. Second, single-family residential use is generally found to provide sufficient design quality, including landscaping, parking and open space to comply with the purposes of this title. Provided, however, that an application for a building permit for single-family residential construction on a lot zoned GR-L must include a separate written, notarized Acknowledgment of Design Review Requirements Form to be duly recorded with the Blaine County Recorder's Office so that it appears in the title of the property. Said Form shall state the applicant's actual knowledge and acceptance that a subsequent single family dwelling unit or a conversion of the existing unit into a two-family unit will require Design Review approval and may require alterations to the existing one-family unit. Said Form will be available at the Ketchum planning department.

SECTION 3. 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 4. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. 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 2nd day of January 2001.

GUY P. COLES
Mayor

ATTEST:

SANDRA E. CADY, CMC
City Clerk

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