ORDINANCE NUMBER 871

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING ZONING CODE TITLE 16, CHAPTER 16.04, SUBDIVISION, SUBSECTION 16.04.030.L, READJUSTMENT OF LOT LINES BY AMENDING THE PROCEDURE FOR SUBDIVISION APPROVAL WHERE WAIVERS ARE REQUESTED; PROVIDING FOR A REPEALER CLAUSE AND A SEVERANCE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. ENACTMENT. That Zoning Code Title 16, Subsection 16.04.030 be amended as follows:

16.04.030.L Procedure for Subdivision Approval, Readjustment of Lot Lines.

An owner or subdivider wishing to readjust lot lines, as hereinabove defined in Section 16.04.020, shall be required to file two copies of a plat and application with the administrator for administrative review. Additional information reasonably required for thorough review of the application and plat may be required by the administrator to be provided by the applicant. Waivers shall be requested according to Section 16.04.120.~~, herein, however, the City Council may consider and act upon said waiver requests without recommendation from the Planning and Zoning Commission. The Council may, however, remand any application and/or waiver request to the Commission for recommendation prior to taking final action.~~ The administrator shall provide written notice of said application to owners of property immediately adjacent to the subject property. Said notice shall inform adjacent property owners that they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application. Following expiration of the said comment period, and upon a finding by the administrator that the plat conforms to the readjustment of lot line definition and is in compliance with the provision of this chapter, the administrator shall approve same or approve with conditions necessary to find same in compliance with the provisions of this chapter. Upon a finding by the administrator that the application does not conform to said definition or is not in compliance with this chapter, the administrator shall deny said application and shall state the reasons therefore in writing and a copy signed by the Administrator attached to one copy of the plat shall be returned to the applicant. Upon approval of an application and upon satisfaction by the applicant of any conditions attached thereto, the administrator shall inform the City Clerk and the City Clerk shall sign the plat. Any questions with regard to the interpretation and/or applicability of this

section or other sections shall be referred to the Council by the Administrator for determination.

SECTION 2. SEVERANCE. The sections, subsections, sentences, clauses, phrases and provisions of this ordinance are severable. If any section, subsection, sentence, clause, phrase or provision of this Ordinance, or the application thereof to any particular circumstance, shall be held invalid or unenforceable by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof, which remaining portions shall continue in full force and effect and be applicable to all circumstances to which this Ordinance may validly apply.

SECTION 3. REPEALER CLAUSE. All Ordinances and parts of Ordinances of the City in conflict with this Ordinance or with any part hereof shall be and the same are hereby repealed.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AND APPROVED BY THE MAYOR this 18th day of June 2001.

Guy P. Coles, Mayor

ATTEST:

Sandra E. Cady
City Treasurer/Clerk

Publish: Idaho Mountain Express
June 27, 2001