ORDINANCE NUMBER 878

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING KETCHUM ZONING CODE TITLE 17, CHAPTER 17.08, DEFINITIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Zoning Code Title 17 regulates the size of buildings that are permitted to be constructed in a specific zoning district through restriction of building coverage;

WHEREAS, the purpose of regulating coverage is to protect the general public and neighborhoods from development that is too dense or bulky according to the purposes established for specific zoning districts. These regulations also provide guidelines for property owners who want to develop their property;

WHEREAS, Chapter 17.08 of Zoning Code Title 17 provides definitions for "building" and "building coverage;"

WHEREAS, the current definition in the Code does not clearly address decks, porte cocheres and other appendages that add to the bulk and density of a building and the impermeable area of a site; and,

WHEREAS, the proposed amendment will provide a clear definition that will address all elements of a building.

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

SECTION 1. That Chapter 17.08, Definitions, Zoning Code Title 17 of the City of Ketchum, Idaho is hereby amended, altered and changed by adding thereto the words underlined hereinbelow, to-wit:

17.08.20 Definitions.

"Building" means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which:

1. Is permanently affixed to the land; and
2. Has one or more floors and a roof.

Any appendages to said structure, such as decks, roof overhangs and porte cocheres are part of said building for purposes of determining building coverage, setbacks or other regulations unless otherwise specified.

"Building coverage" means the total square footage of the building foundation and all horizontal projections which constitute a building as defined in this Section, but not including roof overhangs that are three feet or less or uncovered decks less than 30 inches above grade. Garages and guest homes shall be included in building coverage. The lot areas used to determine building coverage shall be that area landward side of the mean high water mark on the Big Wood River, Trail Creek and Warm Springs Creek.

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 1st day of October, 2001.

DAVID C. HUTCHINSON
Mayor

ATTEST:

SANDRA E. CADY
City Clerk

Publish: Idaho Mountain Express
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