

ORDINANCE NUMBER 937

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING ZONING CODE TITLE 17, CHAPTER 17.52, TOURIST DISTRICT; SECTION 17.52.010, SUBSECTION A, USES PERMITTED, AND SECTION 17.52.010, SUBSECTION F, MINIMUM FRONT YARD; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Zoning Code currently allows athletic facilities, exercise and dance studios as a permitted use only in the Community Core (CC); and,

WHEREAS, the proposed amendment with the addition of athletic facilities, exercise and dance studios as a permitted use in the Tourist Zone, will decrease the pressure to locate these facilities in the Light Industrial (LI) Zones; and,

WHEREAS, the amendments to Subsection 17.52.010.F, Minimum Front Yard, Subsection 17.52.010.H, Minimum Setbacks Along State Highway 75 and renumbering sections H through K will more clearly define the two separate subsections; and,

WHEREAS, the Planning and Zoning Commission unanimously recommended approval of the proposed amendments to the City Council.

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

SECTION 1. That Section 17.52, Tourist District, Section 17.52.010, Subsection A, Uses Permitted and Subsection F, Minimum Front Yard, be amended, altered and changed by deleting the words lined out and adding thereto the words underlined hereinbelow, as follows:

17.52.010 T – Tourist District.

A. Uses Permitted.

1. Any use permitted in the GR-H, General Residential - High Density District,
2. Hospitals,
3. Nursing homes and sanitariums,
4. Medical and dental clinics,
5. Boarding and rooming houses,
6. Tourist homes,
7. Hotels, motels and lodges,
8. Offices,
9. Membership clubs,
10. Indoor restaurants, including bar,

11. Personal service establishments limited to the following: beauty salons and related services, florist sales, magazine outlets,
12. Accessory buildings and uses as permitted by Section 17.124.010,
13. Time share occupancy,
14. Tourist housing accommodations,
15. Retail store, provided the total floor area is less than two thousand five hundred (2,500) square feet,
16. Repair shop limited to skis, ski equipment, golf, bicycle, tennis, fishing and small personal nonmotorized sports equipment, and
17. Day care home, day care facility or day care center; provided, it is not located within the avalanche zone; and
18. Athletic facilities, exercise and dance studios.

F. Minimum Front Yard. Fifteen (15) feet, ~~except that on State Highway 75 where the street width is eighty (80) feet, minimum front yard shall be twenty five (25) feet and where the street width is sixty six (66) feet, the minimum front yard shall be thirty two (32) feet;~~

G. Minimum Setbacks Along Warm Springs Road. All buildings shall be set back a minimum of thirty (30) feet from Warm Springs Road;

H. Minimum Setbacks Along State Highway 75. All buildings shall be set back from the State Highway 75 right-of-way, a minimum of twenty-five (25) feet where the right-of-way width is eighty (80) feet. All buildings shall be set back from the State Highway 75 right-of-way, a minimum of thirty-two (32) feet where the right-of-way width is sixty-six (66) feet.

~~HI.~~ Minimum Side and Rear Yard Setbacks. The minimum distance of any building, except one family dwellings, from each side and rear lot line, except those abutting the two hundred (200) foot section of the former railroad right-of-way, shall be the greater of one foot for every three feet or fraction of a foot of building height, or five feet. The minimum distance of any one family dwelling from each rear lot line shall be the greater of one foot for every three feet or fraction of a foot of building height, or fifteen (15) feet. The minimum distance of any one family dwelling from each side lot line shall be the greater of one foot for every three feet or fraction of a foot of building height, or ten (10) feet. The minimum distance of any building from each side and rear lot line abutting the two hundred (200) foot section of the former railroad right-of-way shall be three feet for one and two family dwellings and five feet for all other construction. If the lot adjoins a more restrictive district on the side or rear, the more restrictive side and rear yard setbacks of that district shall apply;

~~IJ.~~ Minimum Front, Side and Rear Yards for a Townhouse Development. Shall be as required in subsections F-~~HI~~ of this section except that townhouse units shall be allowed zero setbacks from the lot lines created by a townhouse subplot;

JK. Maximum Height of Buildings - thirty-five (35) feet;

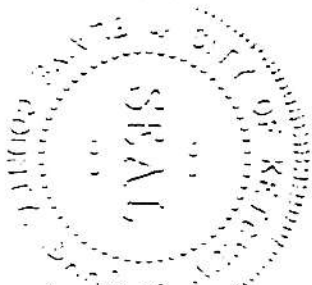
KL. Maximum Building Coverage. Not more than fifty (50) percent of the lot area shall be covered by buildings and fifty (50) percent of all ground level parking shall be considered as building coverage. Ground level parking includes parking stalls, aisles and access drives. (Ord. 769 § 1, 1999; Ord. 765 § 6, 1999; Ord. 734 § 1, 1999; Ord. 732 § 1 [part], 1998; Ord. 208 § 10A, 1974)

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 5. EFFECTIVE DATE. This Ordinance shall be 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 this 20th day of September, 2004.



ATTEST:

CITY OF KETCHUM, IDAHO


EDWARD SIMON, Mayor


Sandra E. Cady, CMC
City Clerk/Treasurer

Publish:

September 29, 2004
Idaho Mountain Express

