

ORDINANCE NUMBER 975

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 17, CHAPTER 17.40, "SHORT-TERM OCCUPANCY - .4 ACRE ZONING DISTRICT," SUBSECTION 17.40.010(A)(6), KETCHUM MUNICIPAL CODE, BY REPLACING THE EXCLUSIVE LIST OF ACCESSORY BUILDINGS AND USES PERMITTED WITH THE MORE EXPANSIVE LIST OF ACCESSORY BUILDINGS AND USES PERMITTED IN SECTION 17.124.010 "ACCESSORY BUILDINGS AND USES"; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, David Hertel, the applicant, submitted an application to amend the subsection; and

WHEREAS, at their November 28, 2005 meeting, the Planning and Zoning Commission gave their recommendation to the City Council to approve the amendment as proposed; and

WHEREAS, at their January 3, 2006 meeting, the City Council directed Planning Staff to prepare an ordinance amending the subsection.

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

SECTION 1. That Chapter 17.40, Subsection 17.40.010(A)(6), Title 17 of the Ketchum Municipal Code is hereby amended, altered and changed by adding thereto the underlined language herein below and by deleting there from the language stricken through, to wit:

Chapter 17.40

SHORT-TERM OCCUPANCY - .4 ACRE ZONING DISTRICT (STO-.4)

Sections:

17.40.010 STO-.4 - Short-Term Occupancy - .4 Acre Zoning District.

17.40.010 STO-.4 - Short-Term Occupancy - .4 Acre Zoning District.

The purpose of the STO-.4, Short-Term Occupancy - .4 Acre Zoning District, is to identify and preserve recreation-oriented neighborhoods, to prevent overcrowding of land

and to encourage the development of moderately low density areas suited for single-family structures with the alternative of limited short-term occupancy use.

A. Uses Permitted.

1. One one-family dwelling of not less than one thousand (1,000) square feet of floor area,
2. Short-term occupancy excepting hotels, motels, tourist homes and time share occupancy,
3. Parks, playgrounds and golf courses,
4. Public utility and service installations and facilities,
5. Day care home provided it is incidental and subordinate to the primary residential use, and
6. ~~Only the following accessory buildings and uses:~~
 - a. ~~Household pets,~~
 - b. ~~Off street parking space and garages,~~
 - c. ~~Fences, hedges and walls,~~
 - d. ~~Private greenhouses, swimming pools, tennis courts and fallout shelters, and~~
 - e. ~~Cultivation and storage of vegetables, plants and flowers produced on the premises;~~

Accessory buildings and uses as permitted by Section 17.124.010;

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. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO,
and approved by the Mayor this 21st day of February, 2006.

CITY OF KETCHUM, IDAHO



RANDALL HALL, Mayor

ATTEST:

APPROVED AS TO FORM
AND CONTENT:



Sandra E. Cady, CMC
City Treasurer/Clerk



Benjamin W. Worst,
City Attorney



[Faint, illegible handwritten text]

[Faint, illegible handwritten text]

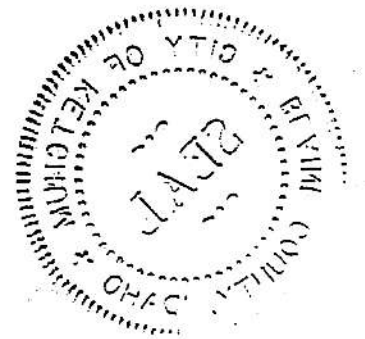


EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 975
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 17, CHAPTER 17.40, "SHORT-TERM OCCUPANCY - .4 ACRE ZONING DISTRICT," SUBSECTION 17.40.010(A)(6), KETCHUM MUNICIPAL CODE, BY REPLACING THE EXCLUSIVE LIST OF ACCESSORY BUILDINGS AND USES PERMITTED WITH THE MORE EXPANSIVE LIST OF ACCESSORY BUILDINGS AND USES PERMITTED IN SECTION 17.124.010 "ACCESSORY BUILDINGS AND USES"; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 975 of the City of Ketchum, Blaine County, Idaho, adopted on February 21, 2006, is as follows:

Section 1: Amends Chapter 17.40, Subsection 17.40.010(A)(6), Title 17 of the Ketchum Municipal Code by replacing the exclusive list of accessory buildings and uses permitted with the more expansive list of accessory buildings and uses permitted in Section 17.124.010 "Accessory Buildings and Uses".

Section 2: Provides a savings and severability clause.


Section 3: Provides a repealer clause.

Section 4: Provides for publication of a summary of the Ordinance.

Section 5: Establishes the effective date.

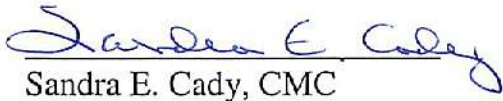
The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO



Randall Hall, Mayor

ATTEST:

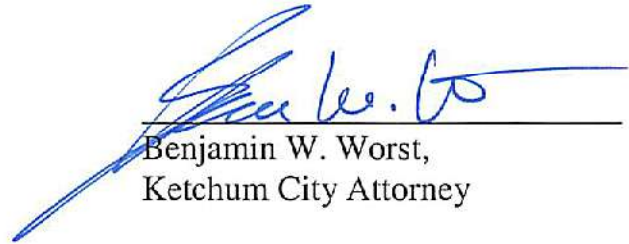


Sandra E. Cady, CMC
City Treasurer/Clerk

STATEMENT OF LEGAL ADVISOR

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 967 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 21st day of February, 2006.


Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express

Date: MARCH 1, 2006